CONSTITUTION PIPELINE

Meeting Notes

Subject: Upland Forest and Migratory Bird Plan

Location: USFWS - New York Field Office, 3817 Luker Road, Cortland, NY 13045

Time: Monday, August 18, 2014 10:00M Eastern

Attendees:

Federal and State Agency Representatives
USFWS Jennifer Siani (Pa field office) via phone, David Stillwell, Tim Sullivan(Cortland, NY field office)
USACE Kevin Bruce via phone
USEPA Lingard Knutson via phone
NYDEC Steve Tomasik via phone, Roy "JR" Jacobsen, Brianna Gary

Constitution Representatives
Constitution – Lynda Schubring
Dawson and Associates – Bill Hartwig
Conservation Fund - Kris Hoellen
AECOM – Greg Hufnagel, Chris Newhall
TRC – John Zimmer

Meeting Notes

CONSTITUTION: Provided overview of updates and background for the Upland Forest and Migratory Bird Plan (UFMBP).

USFWS: Stated concerns were to better understand the scientific studies used to calculate important species and habitats effecting this project.

NYDEC: Indicated they did not understand the logic of the Plan's High, Medium and Low categories and Constitution agreed to form a technical working group with the agencies to define the logic used for each of the three categories within the month.

USEPA: Raised concern with invasive species and ORV's in pipeline corridor and Constitution stated that Management plans and activities were in FERC's EIS and located within the project Environmental Construction Plan (ECP). Additionally, USEPA also raised the concern of an additional pipeline project in this same area and the need for addressing cumulative impacts. Constitution explained that we could not comment or consider this other company's potential project as we were not aware of any applications submitted to the agencies at that time nor do we know the details about the project.

CONSERVATION FUND: made a presentation of their experience and process of working with industry and the Federal and State agencies to grow similar mitigation funds into a larger and more significant compensation through partnerships and matching funds that are focused on the acquisition/protection of a desired habitat.

USFWS: Alternative M was raised by the agency as an alternative that may reduce interior forest impacts. Constitution explained that we eliminated Alternative M due to safety, engineering, and access concerns. Constitution stated we are not considering major changes in our proposed route, but are willing to continue to look for minor route improvements within the survey corridor to address their interior forest concerns at specific locations.

DEC and USFWS: Liked the concept of the Upland Plan that we laid out, but want to see certain portions more clearly written in coordination with their technical leads.

CONSTITUTION: Had a subsequent meeting with the USFWS to discuss current progress and issues with Endangered Species and bald eagles. USFWS and Constitution agreed that a Conferencing Opinion on the Northern Long Eared Bat (NLEB) in the event they became listed may be necessary.