Tim Sullivan

From: Bruce, Kevin J NAN02
Sent: Wednesday, April 16, 2014 10:39 AM
To: Tim Sullivan
Cc: Gitchell, Amy L NAN02; McDonald, Jodi M NAN02; Casey, George D NAN02; Dombroskie, Michael A (Mike) NAB; Robinson, Judy A LRB; Stephen Tomasik; Cantilli, John
Subject: RE: [EXTERNAL] RE: Your request to extend comment period for Constitution pipeline (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Tim,

I just wanted to follow up after our telephone conversation this morning to clarify any questions or concerns that have been raised over comments submitted by the US Department of Interior to FERC on April 7, 2014, which included comments by FWS. There appears to be a misunderstanding whether we (USACE) will consider these comments in our review of the permit application.

We (USACE) provided comments in the development of the EIS for the Constitution Pipeline Project as a cooperating agency with FERC. In addition, we participated in four public hearings for the project with FERC as the lead agency. In our public notice issued on March 4, 2014, we state: "Comments provided will become part of the public record for this Agency's and the FERC action."

We fully intend to consider all relevant comments, including both agency comments and comments from the general public, that were submitted either to FERC, to USACE, or to both agencies during the coordinated comment periods for the DEIS and the USACE public notice.

As we discussed, our USACE team will be meeting very soon to coordinate our next steps for the review process. Once those steps are confirmed, we will follow up with the agencies to discuss.

Thanks for your participation in this process.

Kevin

Kevin Bruce, Biologist/Project Manager
Army Corps of Engineers
New York District, Upstate Regulatory Field Office
1 Buffington St., Bldg. 10, room 312
Watervliet, NY 12189-4000
518-266-6358
518-266-6366 fax
kevin.j.bruce@usace.army.mil

-----Original Message-----
From: Tim Sullivan [mailto:tim_r_sullivan@fws.gov]
Sent: Tuesday, April 08, 2014 9:01 AM
To: Robinson, Judy A LRB; Cantilli, John; Stephen Tomasik; Bruce, Kevin J NAN02
Subject: [EXTERNAL] RE: Your request to extend comment period for Constitution pipeline (UNCLASSIFIED)

Judy,
Per your request and our discussion this morning, attached are our letters requesting a time extension and comments on the Constitution Draft Environmental Impact Statement. The comments were submitted late yesterday afternoon but we could have used more time, as requested, to provide for additional review and to formulate more complete comments.

As I mentioned on the phone, we were under the impression that the Corps and FERC were holding joint hearings and both using the DEIS as the federal decision document. That was the message I got from the Public Notice due to the hearings, mention of the DEIS and since the deadline for submitting comments was the same for both. However, you indicated that may not be the case and the Corps may write a separate document.

Due to the time constraints and the forgoing belief that comments made on the DEIS would be considered by the Corps as part of their record and decision-making process, we did not submit a separate letter to the Corps.
Despite this, I would encourage the Corps to review the comments in our letter and consider them in your decision-making process. If the Corps were to extend the comment period for this project, it is most likely that we would send a separate letter to the Corps with these and possibly other comments.

If you would like to discuss further, please let me know.
Thank you,
Tim

Tim Sullivan
US Fish and Wildlife Service
3817 Luker Road
Cortland, NY 13045
(607)753-9334

-----Original Message-----
From: Robinson, Judy A LRB [mailto:Judy.A.Robinson@usace.army.mil]
Sent: Tuesday, April 08, 2014 7:19 AM
To: tim_r_sullivan@fws.gov; Cantilli, John; Stephen Tomasik (smtomasi@gw.dec.state.ny.us)
Subject: Your request to extend comment period for Constitution pipeline (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Tim, John, and Steve:

Would you send me copies of your letters to FERC requesting extension of the 30-day comment period for the Constitution DEIS? I'm the project manager for the portion of the pipeline that extends through the Buffalo District and would like copies for my administrative record. It would be great if you could send them this a.m.

Thank you.

Judy A. Robinson, MS
Biologist
U.S. Army Corps of Engineers
Auburn Field Office
7413 County House Road
Auburn, New York 13021
judy.a.robinson@usace.army.mil

Buffalo District website: http://www.lrb.usace.army.mil
Regulatory Website http://www.lrb.usace.army.mil/Missions/Regulatory.aspx

315-704-0255 (Phone)
315-255-1492 (FAX)

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED
Caveats: NONE