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BE text

Tim Sullivan <tim_r_sullivan@fws.gov> Wed, Apr 2, 2014 at 11:26 AM
To: Sandra Doran <sandra_doran@fws.gov>

Sandie

Here is preliminary text for the Constitution pipeline DEIS comment letter. Please edit if needed.

At least two bald eagle (*Haliaeetus leucocephalus*) nests are known to occur within 0.5 mile of the proposed alignment in Chenango and Delaware Counties, New York. Bald eagles are protected by the BGEPA and MBTA laws. The National Bald Eagle Management Guidelines (USFWS 2007) were developed to minimize impacts to bald eagles, particularly where they may constitute disturbance, which is prohibited by BGEPA. We recommend Constitution follow these guidelines during blasting. If blasting will occur within 0.5 mile of a nest (or within 1 mile in open areas), it is recommended that a 660 foot buffer be maintained between all construction activity and the nest. In addition, established landscape buffers, such as forested areas, should be maintained to provide a visual screen between blasting activity and a nest. If these conditions cannot be met, a BGEPA permit may be required.

Thanks

Tim