



November 16, 2015

Ohio Environmental Protection Agency
Division of Surface Water
ATTN: 401/IWP/Mitigation Section Manager
c/o: Ms. Maggie Corder, Environmental Specialist 2
P.O. Box 1049
Columbus, Ohio 43216-1049
Phone: (614) 644-2001

Re: Ohio Environmental Protection Agency Section 401 Water Quality Certification Application
Texas Eastern Transmission, LP – Spectra Access South, Adair Southwest, and Lebanon Extension Projects
Greene County, Pennsylvania; **Athens, Meigs, Monroe, Noble, Perry, and Warren Counties, Ohio**; Bath, Lincoln and Monroe Counties, Kentucky; Wilson County, Tennessee; Colbert County, Alabama; Monroe, and Attala Counties, Mississippi.

Dear Ms. Corder:

Texas Eastern Transmission, LP (Texas Eastern), an indirect wholly owned subsidiary of Spectra Energy Partners, LP, is submitting this Application for Section 401 Water Quality Certification from the Ohio Environmental Protection Agency (OEPA), for the proposed Access South Project, Adair Southwest Project, and Lebanon Extension Project (each individually a Project, and collectively, the Projects). Texas Eastern is also seeking certificates of public convenience and necessity from the Federal Energy Regulatory Commission (FERC) pursuant to Section 7(c) of the Natural Gas Act and a Section 404 Nationwide Permit 12 from the United States Army Corps of Engineers (USACE) for construction and operation of the Projects. The FERC application was filed on October 8, 2015. A pre-construction notification was submitted to the USACE on November 5, 2015.

The Project was initially discussed with the OEPA during a project introduction meeting on May 7, 2015. Site visits with the OEPA were conducted on August 27 and September 30, 2015. The USACE attended the August 27 site visit. Texas Eastern has also discussed the Projects with the OEPA on numerous occasions through email, phone, and interagency teleconferences since the initial May 7 meeting. Recommendations discussed during these meetings have been incorporated into the enclosed application.

PROJECT DESCRIPTION AND PURPOSE

Texas Eastern proposes to modify existing facilities along its pipeline system in Pennsylvania, Ohio, Kentucky, Tennessee, Alabama and Mississippi. The facilities required for the Projects are expected to be located primarily within Texas Eastern's current footprint. The proposed facilities for the Projects include 15.8 miles of 36-inch diameter pipeline looping segments, most of which will be either within or adjacent to Texas Eastern's current right-of-way (ROW).

Proposed modifications to existing aboveground facilities will encompass twelve compressor stations and include the installation of additional electric horsepower, additional modifications necessary to allow for bidirectional flow, and meter reversals. Four of these compressor stations are located in Ohio. The Projects' purpose is to provide incremental pipeline transportation service from the Appalachia area natural gas supply basins to different markets in the Midwest and Southeast by creating additional firm pipeline capacity necessary to deliver natural gas on a long-term basis.

The following new facilities are proposed to be constructed in Ohio:

New 36-inch Diameter Looping Pipeline

- Wheelersburg to Athens Loop – construct approximately 9.1 miles of pipeline from approximate milepost (MP) 611.6 in Columbia Township, Meigs County, to approximate MP 620.7 in Alexander Township, Athens County.
- Athens to Berne Loop – construct approximately 4.6 miles of pipeline from approximate MP 677.3 in Stock Township, Noble County, to approximate MP 681.9 in Franklin Township, Monroe County.
- Berne to Holbrook Loop – construct approximately 2.1 miles of pipeline from approximate MP 698.2 in Sunbury Township, Monroe County to MP 700.3 in Sunbury Township, Monroe County.

The proposed pipeline routes are adjacent to, abutting, or co-located with existing utilities where possible for approximately 13.6 miles (approximately 86 percent) of the proposed Projects. Some portions of the pipeline, where co-location was not geographically feasible, deviate from existing ROWs generally to avoid specific construction constraints such as steep side slopes, address feedback from landowners, or avoid or reduce impacts to waterbodies and wetlands. There are four locations where the proposed looping pipeline would deviate from Texas Eastern's existing ROW.

Other New Aboveground Facilities

- Athens Launcher/Receiver – install a launcher/receiver, and a 36-inch valve at approximately MP 620.7 in Alexander Township, Athens County. The launcher/receiver will be removed from the Wheelersburg Removal Site and it will be reinstalled at this location. These facilities will be installed within the fenced boundary of the Athens Compressor Station.
- Berne Launcher/Receiver – install a launcher/receiver, and a 30-inch valve at approximately MP 681.9 in Franklin Township, Monroe County. The launcher/receiver will be removed from the Athens Removal Site, and it will be reinstalled at this location. These facilities will be installed within the fenced boundary of the Berne Compressor Station.
- Line 15 Tie-In West – install a new launcher/receiver, a 36-inch valve, and a 30-inch valve at approximately MP 698.2 in Sunbury Township, Monroe County. The launcher/receiver will be installed partially within the existing Line 15 permanent easement and partially within the new pipeline loop permanent easement. The 36-inch and 30-inch valves will be installed within the existing Line 15 permanent easement.

- Line 15 Tie-In East – install a new launcher/receiver facility that can accept a portable launcher/receiver barrel, a 36-inch valve, and two 30-inch valves at approximate MP 700.3 in Sunbury Township, Monroe County. The launcher/receiver will be installed partially within the existing Line 15 permanent easement and partially within the new pipeline loop permanent easement. The 36-inch and 30-inch valves will be installed within the existing Line 15 permanent easement.

Modifications at Existing Compressor Stations

Within Ohio, modifications at four existing compressor station sites will include piping modifications to accommodate bi-directional flow capability, installation of new impellers, and installation of increased capacity gas cooling systems along Texas Eastern’s existing mainline. These modifications are proposed at the following compressor stations:

- Lebanon Compressor Station in Warren County
- Somerset Compressor Station in Perry County
- Berne Compressor Station in Monroe County
- Athens Compressor Station in Athens County

Receiver Removal Sites

- Wheelersburg Receiver Removal – An existing receiver will be removed at approximate MP 611.6 in Columbia Township, Meigs County. This receiver will be reinstalled at the Athens Compressor Station.
- Athens Receiver Removal – An existing receiver will be removed at approximate MP 677.4 in Stock Township, Noble County. This receiver will be reinstalled at the Berne Compressor Station.

The projected in-service date of the Projects is November 1, 2017. Construction of all proposed Projects facilities, including the Wheelersburg to Athens Loop, the Athens to Berne Loop, the Berne to Holbrook Loop, the other new aboveground facilities, and the modifications at existing compressor station sites is currently scheduled to occur from March 2017 to November 2017.

SUMMARY OF IMPACTS

Wetland and watercourse investigations in the Projects’ pipeline facilities project area were conducted during the months of December 2014, and March 2015 through June 2015. The field efforts resulted in the identification of 148 wetlands, totaling 12.79 acres, and 171 streams totaling 39,765 linear feet, including 14,398 linear feet of ephemeral stream, 10,072 linear feet of intermittent stream, and 15,295 linear feet of perennial stream with the Projects study area. The results of the wetland and watercourse investigation are discussed in Item 3: Waters Delineation Report.

An analysis was performed to determine whether there are any reasonable alternatives to the proposed Project. Three alternatives were evaluated for the Projects, and are presented in this application, including the Non-Degradation Alternative (NDA), the Minimal Degradation Alternative (MDA), and the Preferred Design Alternative (PDA). These alternatives are discussed in Item 5: Proposed Project Antidegradation Analysis.

The proposed impacts, based on the Preferred Alternative, would include impacts to 4.79 acres of wetlands, including 4.36 acres of non-forested, and 0.43 acre of forested, and 12,595 linear feet of stream, including 3,601 linear feet of ephemeral, 2,670 linear feet of intermittent, and 6,324 linear feet of perennial. Based on the Minimal Degradation Alternative the proposed impacts would include 3.32 acres of wetlands, including 3.20 acres of non-forested, and 0.12 acre of forested, and 8,002 linear feet of stream, including 2,919 linear feet of ephemeral, 1,996 linear feet of intermittent, and 3,087 linear feet of perennial. The proposed impacts are summarized on the Section 401 Water Quality Certification Proposed Stream Impacts and Mitigation Tables (Item 2a) and the Section 401 Water Quality Certification Proposed Wetland Impacts and Mitigation Tables (Item 2b).

The Minimal Degradation Alternative is feasible, cost-effect, and a desirable alternative for the meeting the purpose and need of the Projects. By implementing the Minimal Degradation Alternative, impacts to wetlands and waterbodies would be limited and numerous social and economic benefits would be gained by the various counties in which the Projects are located, and by the State of Ohio. Some wetland and stream resources would be affected by construction and operation of the proposed Projects, but through the implementation of Best Management Practices (BMPs) during and after construction, and with the implementation of the proposed mitigation techniques, impacts to wetlands and waterbodies would be short-term and temporary in nature.

AGENCY CORRESPONDENCE

Prior to any activity authorized under Section 401/404 of the Clean Water Act, coordination is required with the USACE, USFWS, and Ohio Department of Natural Resources (ODNR). To fulfill these requirements, these agencies were contacted about information pertaining to the site. The information obtained from these agencies is summarized below; agency correspondence is provided as Item 4.

USACE Jurisdictional Determination

Ohio Revised Code 6111.30(A)(1) requires that a 401 WQC Application include a copy of the Jurisdictional Determination (JD) letter from the USACE documenting its jurisdiction over the wetlands, streams, or other waters of the state that are the subject of the 401 WQC Application. A site visit with the USACE was conducted on August 27, 2015 to verify the accuracy of the wetlands and watercourse delineations. A preliminary Jurisdictional Determination for the site from the USACE is pending and will be provided as Item 4a.

USACE Nationwide Permit or Public Notice

Ohio Revised Code 6111(A)(1) requires that a 401 WQC Application include a copy of the USACE Public Notice regarding the Section 404 permit application concerning the proposed project or include the provisional nationwide permit for the project. A Draft Public Notice concerning the Receipt of 401 Water Quality Certification Permit Applications and Public Hearing, to be finalized and published by the OEPA Division of Surface Water is provided as Item 4b. In addition, the USACE Section 404 Nationwide Permit 12 Application is provided as Item 1b.

ODNR Threatened and Endangered Species Coordination

Ohio Revised Code Section 6111.30(A)(7) requires that a 401 WQC Application include “adequate documentation confirming that the applicant has requested comments from the Department of Natural Resources and the United States Fish and Wildlife Service regarding threatened and endangered species, including the presence or absence of critical habitat.”

Letters with an accompanying map showing the boundaries of the Projects, and requesting data for threatened and endangered species under the jurisdiction of ODNR Division of Wildlife, and ODNR Office of Real Estate was submitted on April 3, 2015. Correspondence documenting the review of the Projects and responses to the request for available threatened and endangered species data for this area were received from ODNR Division of Wildlife on April 9, 2015, and ODNR Office of Real Estate on May 19, 2015. Agency correspondence with ODNR is provided as Item 4c.

In consultation with the ODNR, Texas Eastern conducted habitat assessments and presence/absence surveys for protected species. Based on the results of these assessments and Texas Eastern’s proposed conservation measures, the Projects are not likely to adversely affect protected species. The results of the habitat assessments and presence/absence surveys were submitted to ODNR on October 26, 2015, and are provided in Item 4c. Texas Eastern will continue to consult with ODNR, and upon receipt of ODNR concurrence, the clearance letter will be forwarded to the OEPA.

US Fish and Wildlife Service Threatened and Endangered Species Coordination

Ohio Revised Code Section 6111.30(A)(7) requires that a 401 WQC Application include “adequate documentation confirming that the applicant has requested comments from the Department of Natural Resources and the United States Fish and Wildlife Service regarding threatened and endangered species, including the presence or absence of critical habitat.”

A letter with an accompanying map showing the boundaries of the Projects, and requesting data for threatened and endangered species under the jurisdiction of the USFWS Ohio Field Office was submitted on April 1, 2015. Correspondence documenting the review of the Projects and responses to the request for available threatened and endangered species data for this area were received from the USFWS Ohio Field Office on April 9, 2015. Agency correspondence with USFWS Ohio Field Office is provided as Item 4d.

The USFWS Ohio Field Office correspondence indicated that the Projects are located within the known range of two federally protected species, the Indiana bat (*Myotis sodalis*) and the northern long-eared bat (*Myotis septentrionalis*). The Indiana bat is a federally listed endangered species. Its habitat and contributing factors to its decline are described above under Ohio Department of Natural Resources Coordination.

In consultation with the USFWS, Texas Eastern conducted habitat assessments and has incorporated recommended conservation measures in the Projects’ plans. No abandoned mines, caves, or sinkholes that might provide suitable winter hibernacula for Indiana bat or northern long-eared bat were observed during field surveys. Based on the results of these assessments and Texas Eastern’s proposed conservation measures, the Projects are not likely to adversely affect the Indiana bat or northern long-eared bat. The results of the habitat assessments were submitted to USFWS on

October 26, 2015, and are provided in Item 4d. Texas Eastern will continue to consult with USFWS, and upon receipt of USFWS concurrence, the clearance letter will be forwarded to the OEPA.

PROPOSED PROJECT MAPPING

Texas Eastern has prepared the following maps to support this application.

Existing Conditions Maps

Figure 1.1 Topographic Map

Item 6 Figure 1.1 shows the proposed Projects Minimal Degradation Alternative route on United States Geological Survey (USGS) 7.5-minute series topographic quadrangle maps for Albany, Cameron, Lebanon, Shade, Summerfield, and Woodsfield, Ohio quadrangles. Also shown on Figure 1.1 are the Federal Emergency Management Agency (FEMA) 100-year floodplain, property boundaries, and delineated streams and wetlands.

Figure 1.2 Aerial Photograph Map

Item 6 Figure 1.2 shows the proposed Projects Minimal Degradation Alternative limits of disturbance, FEMA 100-year floodplain, property boundaries, roads, delineated streams with direction of flow, and delineated wetlands on an aerial photograph background image provided by United States Department of Agriculture (USDA) National Agriculture Imagery Program (NAIP) dated August 25, 2013.

Figure 1.3 Vicinity Map

Item 6 Figure 1.3 provides the general boundaries for major land uses within one mile of the proposed Projects. Land uses crossed by the Projects' pipeline facilities include agricultural (12%), forest/woodland (54.9%), industrial/commercial (2.9%), and open land (30.2%). Agricultural includes active cropland and/or hayfields; forest/woodland includes tree farms and/or tracts of upland and wetland forest or woodland; industrial/commercial includes existing compressor stations and valve sites; open land includes non-forested lands, pastures, open fields, existing rights-of-way, herbaceous and scrub-shrub uplands, emergent wetlands, and scrub-shrub wetlands.

Figure 1.4 Floodplain/Flood Control Map (See Item 6 Figures 1.1 and 1.2)

The FEMA 100-year floodplain is a special flood hazard area that has a 1 percent chance of being inundated by a flood event occurring in any given year. The FEMA 100-year floodplain is shown on both Figures 1.1 (Topographic Map) and 1.2 (Aerial Photograph Map) in Item 6, along with the proposed Projects' limit of disturbance and delineated streams and wetlands identified during wetland and watercourse investigation field efforts conducted during the months of December 2014, and March 2015 through June 2015.

Figure 1.5 Alignment Sheets

Item 6 Figure 1.5 provides the Projects' alignment sheets showing the engineering data in relation to pipeline location and land base features.

Alternatives Analysis Mapping

Figure 2.1 Alternatives Analysis Mapping

Item 6 Figure 2.1 provides mapping of the Preferred Alternative Route and the Minimal Degradation Route limits of disturbance for the proposed Projects. In addition, Figure 2.1 also shows delineated streams and wetlands identified during wetland and watercourse investigation field efforts conducted during the months of December 2014, and March 2015 through June 2015. Construction of the proposed Projects will result in unavoidable impacts to streams and wetlands as a result of trenching for the installation of the pipeline looping segments. However, the Minimal Degradation Alternative includes minimizing workspace through wetlands to a 75-foot-wide ROW, compared to the typical 100-foot-wide workspace used throughout upland areas.

Figure 2.2 Minimal Degradation Alternative Route Deviations

As discussed in Item 5 Section 5.1.2 the proposed Minimal Degradation Alternative pipeline routes are adjacent to, abutting, or co-located with existing utilities where possible for approximately 13.6 miles (approximately 86 percent) of the proposed Projects. Some portions of the pipeline, where co-location was not geographically feasible, deviate from existing ROWs generally to avoid specific construction. There are four locations where the proposed looping pipeline would deviate from Texas Eastern's existing ROW. These route deviations are discussed in Item 5 Section 5.1.2, and shown on Figures 2.2-1 through 2.2-4 in Item 6.

PROPOSED MITIGATION PLAN

A mitigation and monitoring plan is required for the Projects as part of the Section 401 permit review and pursuant to the OAC 3745-1-05. As required, a copy of Mitigation and Monitoring Plan is provided as Item 7. The Projects' Erosion and Sedimentation Control Plan is provided as Item 7a, and the Letter of Credit Availability and Reservation for wetland mitigation from The Nature Conservancy is provided as Item 7b.

CONCLUSION

URS hereby submits the attached 401 Water Quality Certification Application package on behalf of Texas Eastern. The package includes the required information divided into specific sections as shown in the Table of Contents. As you review the application package, please contact us with any questions about the Projects, where to find specific information in the package, or any data needs. You can reach me at 610-832-2713 and sarah.binckley@aecom.com, or Auggie Ruggiero at 216-622-2303 and auggie.ruggiero@aecom.com.

Sincerely,



Sarah Binckley
Assistant Project Manager

Cc: Matt Kindred (Spectra)



**TEXAS EASTERN ACCESS SOUTH,
ADAIR SOUTHWEST, AND
LEBANON EXTENSION PROJECTS**

*Ohio Environmental Protection Agency
Section 401 Water Quality Certification Application*

November 16, 2015

*Prepared for: Spectra Energy Partners, LP
5400 Westheimer Court
Houston, TX 77056*

*Prepared by: AECOM
625 West Ridge Parkway, Suite E-100
Conshohocken, PA 19428*

TABLE OF CONTENTS

ITEM 1: Two-page 401 Water Quality Certification Application Form

ITEM 1A: Two-page 401 Water Quality Certification Application Form Fees

ITEM 1B: United States Army Corps of Engineers Section 404 Nationwide Permit 12 Application

ITEM 2A: Stream Impact Table

ITEM 2B: Wetland Impact Table

ITEM 3: Waters Delineation Report

ITEM 4: Correspondence

ITEM 4A: United States Army Corps of Engineers – Huntington District Jurisdictional Determination

ITEM 4B: Ohio Environmental Protection Agency Section 401 Water Quality Certification Public Notice DRAFT

Threatened and Endangered Species Coordination Enclosures

ITEM 4C: Ohio Department of Natural Resources Threatened and Endangered Species Coordination

ITEM 4C-1: Ohio Department of Natural Resources – Division of Wildlife Threatened and Endangered Species Coordination

ITEM 4C-2: Ohio Department of Natural Resources – Office of Real Estate Threatened and Endangered Species Coordination

ITEM 4D: United States Fish and Wildlife Services – Ohio Field Office Threatened and Endangered Species Coordination

ITEM 5: Proposed Project Antidegradation Analysis

ITEM 6: Proposed Project Mapping

Existing Conditions Maps

FIGURE 1.1 Topographic Map

FIGURE 1.2 Aerial Photograph Map

FIGURE 1.3 Vicinity Map

FIGURE 1.4 Floodplain/Flood Control Map (See FIGURE 1.1: Topographic Map and FIGURE 1.2: Aerial Photograph Map)

FIGURE 1.5 Alignment Sheets

Alternatives Analysis Mapping

FIGURE 2.1 Alternatives Analysis Mapping

FIGURE 2.2 Minimal Degradation Alternative Route Deviations

ITEM 7: Proposed Project Mitigation Plan

ITEM 7A: Erosion and Sedimentation Control Plan

ITEM 7B: The Nature Conservancy Letter of Credit Availability and Reservation