



**ATTACHMENT 10**  
**Project Meeting Minutes**



**PERMIT PRE-APPLICATION MEETING**

DATE: August 9, 2012  
FILE CODE: 24.00  
ADDRESSEE: Sunoco Logistics Partners, L.P.  
ATTENTION: Mr. Kyle Donnelly  
REFERENCE: Allegheny Access Project  
SUBJECT: Permit Pre-Application Agency Meeting  
STV PROJECT NO.: 38-15486

PARTICIPANTS: STV  
Gerald Donnelly (GD)  
Jim McGinley (JM)  
Dorothy Daly (DD)  
Wendy Schellhamer (WKS)  
Joe Tully (JT)  
Laura Rowlands (LR)

Sunoco Logistics  
Walt Skorupsky (WS)  
Kyle Donnelly (KD)  
Monica Styles (MS)  
Matthew Studer (MS)

Mike Engelhardt (ME) – PADEP  
Rich Baehr (RB) – PADEP  
Karl Gross (KG) - PADEP  
Alex Kostra (AK) - USACE Pittsburgh District  
Peter Krakowiak (PK)- USACE Buffalo District  
Joe Loucek (JL) – OHEPA  
Ric Queen (RQ)- OHEPA  
Rich Blasik (RB)- OHEPA

**ITEMS OF DISCUSSION:**

1. Project, Purpose & Need
  - Project Overview
    - DD introduced the attendees.
    - GD provided a project overview, purpose & need.
  - GD explained that the purpose of the Pre-Application Meeting was to introduce the project, review the regulatory requirements and obtain a clear understanding of how the permitting process is to be executed with the multiple jurisdictions, and to understand the key issues that need to be addressed.
2. Existing Conditions: Wetlands, RTE, Cultural Resources

- JM provided a review of the existing conditions and studies that have been completed to date, these include wetland delineation, Indiana bat studies, and the PA plant survey.
- JM explained that 135 wetlands and 95 streams were delineated; all are located within existing ROW. The existing ROW is 50-foot wide and there will be an additional 25-foot of impact for the proposed workspace. The 25-foot temporary workspace area will be allowed to re-vegetate following construction.
  - ME asked if there were any wetlands over 10 acres? JM stated that has not been determined yet.
  - ME asked of any of the wetlands are EV? JM stated there are HQ streams, although some of the forested wetlands may become EV due to the assumed presence of the Indiana bat habitat within the vicinity of the project area. PADEP agreed that the forested wetlands would be considered EV.

*Jurisdictional Determinations:*

- The issue of Jurisdictional Determinations was discussed. OHEPA stated that they would field review the wetlands within the project area, most likely one out of every three. PK stated that USACE will want to spot check wetlands. AK asked that we follow the JD checklist for the wetland delineation report.
- STV will identify isolated wetlands versus connected wetlands as per the discussion.
- JL and RQ discussed that they want all of the wetlands scored using the ORAM form. They stressed that the entire wetland should be scored, not just the portion located within the ROW. They noted that photographs of the areas outside the ROW will help to score areas outside the ROW.

3. RTE

- JM reviewed the status of the RTE studies.
- JM explained that the Indiana bat studies in Ohio will be completed prior to August 15<sup>th</sup>. He explained that there will be no studies conducted in PA based on the assumed presence by the USFWS.
- JM explained that snake surveys in both Ohio and PA will begin soon.
- JL requested the name of the snake surveyor (Follow up: this was sent and the surveyors were approved).
- JM noted that some of the OH listed species will need further coordination with ODNR including mussels, dragonflies and a butterfly species.
  - DD reviewed the status of the cultural resources studies.
  - AK asked DD to verify that the OH Historical Society is the SHPO (Follow up: this has been confirmed).

4. Permitting

- JM reviewed STV's understanding of the required permits, these include:
  - Ohio: Nationwide permit, 401 Water Quality, Isolated wetlands
  - PA: General or Joint Permit, one application, with each county's information separated.

### ***Temporary Versus Permanent Impact Discussion:***

- JM discussed Temporary versus Permanent Impacts. He explained that all impacts within the ROW will be temporary, and that the 25' of workspace will be allowed to re-vegetate following construction. He explained that this was considered as temporary impacts with other regulatory agencies that STV has worked with.
- JL explained that even temporary impacts to wetlands will require mitigation in Ohio and that he encourages avoidance of wetlands to the greatest extent possible during construction.
- USACE agreed that mitigation is only required for permanent impacts, although temporary impacts to a PFO wetland may require mitigation.
- RB stated that avoidance/minimization of tree clearing within the 25-foot workspace should be addressed. KG agreed.
- The agencies stated that impacts include the pipeline, access roads, etc. JM stated that we include the entire LOD when calculating impacts.

### ***General Permitting/JD Requirements:***

- JL requested that we submit as many of the ORAM forms to his office as soon as possible prior to September 15, 2012, preferably wetlands categorized as a 2+, so these can be field checked prior to the end of the growing season.
- OHEPA stated 401WQ permit may be an individual permit due to the cumulative impacts of the stream. The threshold is 300 – 500 total LF.
- USACE will provide the wetland forms for us to fill out. They will require plans on CD and plans without aerials. OHEPA requested hard copies and PDF's. Hard copies will be full sized (24 x 36) and half-sized (11 x 17).
- The USACE stated they have 120 days to process the permit. If there are deficiencies the review clock stops until additional information is submitted. If there are still deficiencies after 120 days they will deny the permit.
- There was a discussion on what would help make the permit review process easier:
  - Tabulate the data as much as possible;
  - Brevity;
  - Stationing/labeling;
  - Include impacts from trenching, stockpiling, laydown, access;
  - Show how wetlands are connected (brief description of wetland and connectivity);
  - Provide detailed HDD plans that include entry, exit, frac-out contingency plans;
  - ID crossings that are HDD versus trenched on a table.
- OHEPA stated OH counties may have review requirements as well by the Soil & Water Conservation Districts (SWP3).
- The agencies noted that we will need a Hydrotest Discharge Permit & Plan.
- AK stated the Ohio NW permit will be sent directly to Pittsburgh ACE for review, and a copy will be sent to Buffalo ACE.
- ME stated DEP will need an extra copy of the permit applications for the PFBC office.
- ME will discuss with Chris Kriley whether the SW DEP office will take the lead on the project review and whether they will take comments from both Districts and compile them.
- OHEPA stated OH has a 120 day review period.

- ME stated PADEP has 130 day review (not including time that deficiencies are being addressed).
- AK stated that USFWS, OSHPO and PHMC issues need to be addressed prior to submission of the permits.

***E&S/NPDES permits:***

- KG brought up the ESCGP-1 requirements for PA. He stated that only 1 application will be needed to cover both counties. The PADEP District that has the most earth disturbance will take the lead for this permit application, most likely the SW District and a copy will be sent to Beaver and Lawrence County Conservation Districts for their review of the E&S plans.
- ME and KG noted that the local SCD's will require General Construction SWP3 permits and the permits will be submitted to each county. They will process the Lawrence County information as well.

**ACTION ITEMS:**

1. STV:
  - Submit ORAM forms to OHEPA for large and high quality wetlands so they can review in the field prior to September 15, 2012.
  - Coordinate field effort with OHEPA for this review.
  - Provide information to OHEPA on snake surveyor (completed).
  - Verify Ohio Historical Society is OSHPO (verified).
2. DEP Offices
  - Determine the lead office for review of permits.

Sincerely,

A handwritten signature in black ink that reads "Gerald Donnelly". The signature is written in a cursive, flowing style.

Gerald Donnelly, P.E. Project Manager



**CONFIRMATION NOTICE NO. 12**

DATE: September 11, 2012  
ADDRESSEE: Sunoco Logistics Partners, L.P.  
ATTENTION: Mr. Walt Skorupsky  
REFERENCE: Project Black  
SUBJECT: Schedule Review and Update– September 11, 2012  
STV PROJECT NO.: 38-15486

**PARTICIPANTS:**

Joe Loucek	OEPA, Surface Water Division
Todd Surrena	OEPA, Surface Water Division
Dotty Daly	STV, Inc.
Rob Bolich	STV, Inc.

**ITEMS OF DISCUSSION:**

STV personnel met with representatives of the Ohio Environmental Protection Agency (OEPA), Division of Surface Water to field verify a sample of STV-delineated wetlands and discuss the scoring protocol for the Ohio Rapid Assessment Methodology (ORAM) forms. Also discussed were reporting formats, mitigation, permitting timeframes, and avoidance or minimization suggestions. The ORAM is designed as an assessment tool for performing regulatory categorization of wetlands.

1. Any wetlands with a T&E plant species present is an automatic Category 3. See below discussions for impacts to permits/mitigation.

2. *Mapping for submission:*

Mapping for the report was discussed. The agencies would like an overall index map on USGS based map, followed by individual maps (11 x 17 aerials). Any wetland that is a high 2 or modified 2, we should include supporting information such as soil maps, old Google maps, NWI, OWI.

3. STV suggested adding a Wetland Table to the submission that breaks wetlands into each category. For example, list all Category 1 wetlands and the dominant vegetation, then Category 2 etc. STV will include notes and construction methodology (HDD versus trenching), especially on higher scoring wetlands.

4. *Permitting:*

A discussion was held regarding wetlands that are Category 3 on the ORAM forms. The agencies requested, if possible that these wetlands be drilled under. If not, the OEPA may require the highest level ratio for mitigation.

As of now, wetland mitigation ratios are as follows:

PEM (emergent)	1:1 ratio
PSS (scrub/shrub)	1.5:1
PFO (forested)	2:1.

Mitigation options include fee-in-lieu and Mitigation Banking. Mitigation Banking in the same watershed is required.

5. *Jurisdictional Determinations*

The agencies stated that if the OEPA agrees to a Preliminary Jurisdictional Determination (JD), then the Isolated Wetlands Permit may not be required. This needs to be confirmed with the Isolated Wetlands Division of the OEPA. The Preliminary JD is required for the 401 Water Quality Submission; this permit has a 180-day review period. (Follow up: STV has a call into the Pittsburgh District, USACE to discuss obtaining the JD as well as the level of JD.)

6. *Avoidance/Minimization Study:*

An Avoidance/Minimization Study will be required for the permitting. For the Avoidance/Minimization Study, OEPA recommended that all staging areas be placed away from the wetland areas, especially forested wetland areas. For PEM area they suggested placing mats along the trench and stockpiling the excavated soil on the mats, replacing the soil and reseeding. For the HDD/Category 3 wetlands, they expressed concern that these wetlands would be impacted during maintenance activities. They suggested exploring ways to avoid these impacts in the future.

Please contact Dorothy Daly at 610-385-8403 if there are any corrections or additions.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Bonner". The signature is stylized and somewhat cursive.

Brad Bonner  
Sr. Project Manager



**CONFIRMATION NOTICE NO. 19**

DATE: December 6, 2012

FILE CODE: 24.00

ADDRESSEE: Sunoco Logistics Partners, L.P.

ATTENTION: Mr. Walt Skorupsky

REFERENCE: Allegheny Access Project

SUBJECT: Wetland Jurisdictional Field Review, Pittsburgh District, Vanport to Mogadore, November 16, 2012

STV PROJECT NO.: 38-15486

**PARTICIPANTS:**

STV

Rob Bolich (RB)  
Dorothy Daly (DD)

US Army Corps of Engineers, Pittsburgh District  
Mike Fodse (MF)

**ITEMS OF DISCUSSION:**

STV personnel met with a representative of the Pittsburgh District to field verify a sample of STV-delineated wetlands and to discuss the Jurisdictional Determination. Also discussed were the construction schedules, mitigation, and permitting timeframes.

DD explained that the datasheets and mapping are still in draft format. She referenced information that had been prepared as a Draft for a field review held in September 2012 with the Ohio EPA representatives to discuss the ORAM forms.

The following wetlands and streams were observed and discussed:

Stream DS-55  
Wetland DCC  
Wetland DBB/ Stream DS-56

Wetland DR  
Wetland DS/DT

Wetlands DCC and DBB and stream DS-55 are located in a wooded tract behind the West Berlin Cemetery (W. Akron Canfield Road). Stream DS-55 (perennial), will be trenched.



There is a substantial beaver dam located on the left side when looking south. Wetland DCC is a small palustrine emergent wetland (PEM) located within the ROW. Wetland DBB is a larger system that extends into the adjacent wooded tract (PEM/PFO). Wetland DBB is bisected by stream DS-56 (intermittent), which will also be trenched.

Wetlands DR and DS/DT are located on either side of a railroad bed DR is a PEM wetland dominated by cattail located on the east side of the railroad bed. DS and DT are PEM wetlands separated by a maintenance road that is located in the woods. A NWI wetland is located north of the wetlands; mapping indicated they are all hydrologically connected. Due to the close proximity of the wetlands to the railroad, these wetlands will be drilled (HDD).

*Construction schedule:*

SLPL is anticipating a construction start date of October 2013 and operational by 2014.

*Jurisdictional Determinations:*

A Jurisdictional Determination (JD) will be required for the Ohio EPA (OEPA) 401 Water Quality Permit (WQP) submission. The WQP has a 180-day review period and STV is expecting to submit the application in January 2012.

We discussed an Approved JD and a Preliminary JD for wetlands 404 permitting. After the field review we determined that both the Pittsburgh District and the Buffalo District will require an Approved JD for each wetland that is isolated (i.e. no drain tiles evident or observed, no ditches or sheet flow connections or outlets to regulated waters, etc). A Preliminary JD will be used for all other waters.

*Permitting:*

MF requested information on the amount of impacts to forested wetlands. We reviewed the mitigation requirements mentioned by the OEPA and the Huntington District in the Pre-Application meeting. DD explained that during the field view that the Buffalo District also concurred. MF noted that the mitigation requirements of OEPA, the Huntington District, and the Buffalo District are similar to the Pittsburgh District's requirements. MF noted that if impacts to the wetlands are greater than 1 acre, an Individual Permit will be required. He also noted that any navigable waterway that is being crossed will require a Rivers and Harbors Act Section 10 permit and additional coordination with other Federal agencies.

*Other Impacts:*

There was a discussion regarding the conversion of forested wetlands that was brought up during the Buffalo District field review earlier in the week. The existing right-of-way (ROW) is 50 feet wide, however, in many of the forested corridors only 25 to 30 feet of the ROW is cleared and being maintained. DD explained that Mike Smith (Buffalo District) had asked about the difference in these areas and if these areas would be included in the impact calculations. STV will determine if the pipeline had been previously permitted under a Nationwide or Individual Permit. If yes, then any clearing within the 50-foot ROW would be considered maintenance activity under Nationwide Permit #3 and would not be included in the final impact calculations. If not, then any additional forested wetlands that require clearing will be added to the impacts.

*Reporting:*

DD noted that Mike Smith (Buffalo District) had requested that wetland mapping in the reports include a hatch pattern to make the wetland delineation edges clearer. STV will make the Pittsburgh District report consistent with that request.

Please contact Dorothy Daly at 610-385-8403 if there are any corrections or additions.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Bonner". The signature is stylized with several overlapping loops and a long horizontal stroke extending to the right.

Brad Bonner  
Sr. Project Manage





**CONFIRMATION NOTICE NO. 25**

DATE: January 25, 2013

ADDRESSEE: Sunoco Logistics Partners, L.P.

ATTENTION: Mr. Walt Skorupsky

REFERENCE: Allegheny Access

SUBJECT: Agency Mitigation Meeting – January 23, 2013

STV PROJECT NO.: 38-15486

PARTICIPANTS: STV OEPA  
Jim McGinley (JM) Todd Surrena (TS)  
Dorothy Daly (DD) Ric Queen (RQ)  
Wendy Schellhamer (WS) Heather Allamo (HA)

**ITEMS OF DISCUSSION:**

A conference call was held between STV and Ohio Environmental Protection Agency (OEPA) to discuss wetland and stream mitigation requirements for both the Tiffin to Easton and Vanport to Mogadore projects. Representative reviewers for both projects were present, in addition to OEPA's senior manager (RQ).

1. TS briefly recapped the projects for RQ. TS explained that Individual Section 401 Water Quality permits were being submitted for two pipeline projects in Ohio. The Mogadore project, which extends from western PA into Ohio, has approximately 55 miles within Ohio. The Tiffin project is 80 miles. The projects cover multiple watersheds and U.S. Army Corps of Engineers (USACE) districts so TS felt it was necessary to bring RQ in at this point to discuss how to best provide mitigation.
2. DD gave an overview of the project impacts. The projects are both occurring in existing right-of-ways (ROW). There is 50 feet of permanent ROW (which currently exists) with a 25 foot temporary work space. All impacts are temporary as the area will be reseeded and re-graded following construction. During pre-application meetings held for this project it was discussed that 1:1 mitigation would be required. However, recent conversations have indicated that the wetland antidegradation rules will apply which require higher mitigation ratios (typically 1.5:1 for PEM wetlands). DD stated that if mitigation beyond restoration is required, our preference would be a fee-in-lieu program. DD also asked if there were requirements for stream mitigation, especially since stream conditions will be improved in many locations.

3. RQ stated that in the existing ROW, if the pipeline is crossing a PEM wetland, we would need to figure out the category of wetland and acreage of impacts to determine the mitigation acreage. We could then subtract the acreage we are restoring, and whatever is left must be mitigated for. For example, if based on the category of wetland a 1.5:1 ratio of mitigation is required, following restoration we would still need to mitigate for 0.5:1 acres of impact. Impacts to forested wetlands require more mitigation because you don't get credit for restoration. If the category of wetland required 2:1 mitigation, following restoration you still owe 2:1.
4. RQ stated that streams are mitigated for at a 1.5:1 ratio. You get 1:1 credit for on-site restoration but you would still owe 0.5:1 mitigation. DD asked whether removing the abandoned pipeline from the stream would count towards mitigation. RQ stated that removing the abandoned pipe would be considered part of restoration, and would not count towards mitigation credit.
5. RQ stated that they are developing a fee-in-lieu program but it is not established yet. Other options include donating to the Surface Water Improvement Fund (SWIF) or a mitigation bank. RQ stated that we would need to get buy in with the USACE regarding the type of mitigation we propose.
6. DD asked whether we could wait to pay for mitigation until the fee-in-lieu program was established. RQ stated that mitigation must be concurrent to impacts and the program may not be established in time.
7. RQ stated that stream preservation was another option. DD stated that Sunoco cannot go beyond their existing ROW so preservation is not an option for this project.
8. DD asked whether we could get mitigation credit for restoring the temporary workspace back to a forested wetland. RQ stated that it would depend on the quality of the wetland. If the wetland had a mature forest stand, it would not be fully restored for several years. JM stated that we are reducing the temporary workspace in forested wetlands to the greatest extent possible, and we are directional drilling all Category 3 wetlands. RQ cautioned about drilling wetlands due to frac outs. In some instances, they would prefer a wetland to be open cut, particularly if it is a PEM wetland. WS stated that geotechnical borings are being done to evaluate soil/rock conditions. JM added that the drills were designed so the deepest part was under the wetland.
9. WS asked the process to determine whether we contribute to the SWIF or a mitigation bank. RQ stated it would depend on the USACE. If they are okay with the SWIF, we can use that entirely for mitigation for both stream and wetland impacts. However, if they require mitigation, they may prefer payment to a local wetland mitigation bank.
10. WS asked how far along in the mitigation process we had to be in order for the 180 review clock to start on the permit. RQ stated that we can tell them in writing in the

permit that we are using the SWIF in lieu of mitigation and this will get the review started.

Please contact Wendy Schellhamer at 610-385-8359 if there are any corrections or additions.

Sincerely,

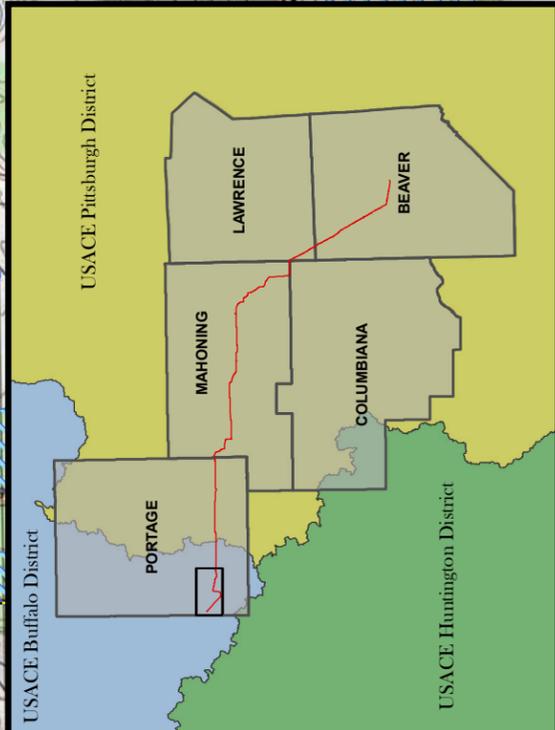
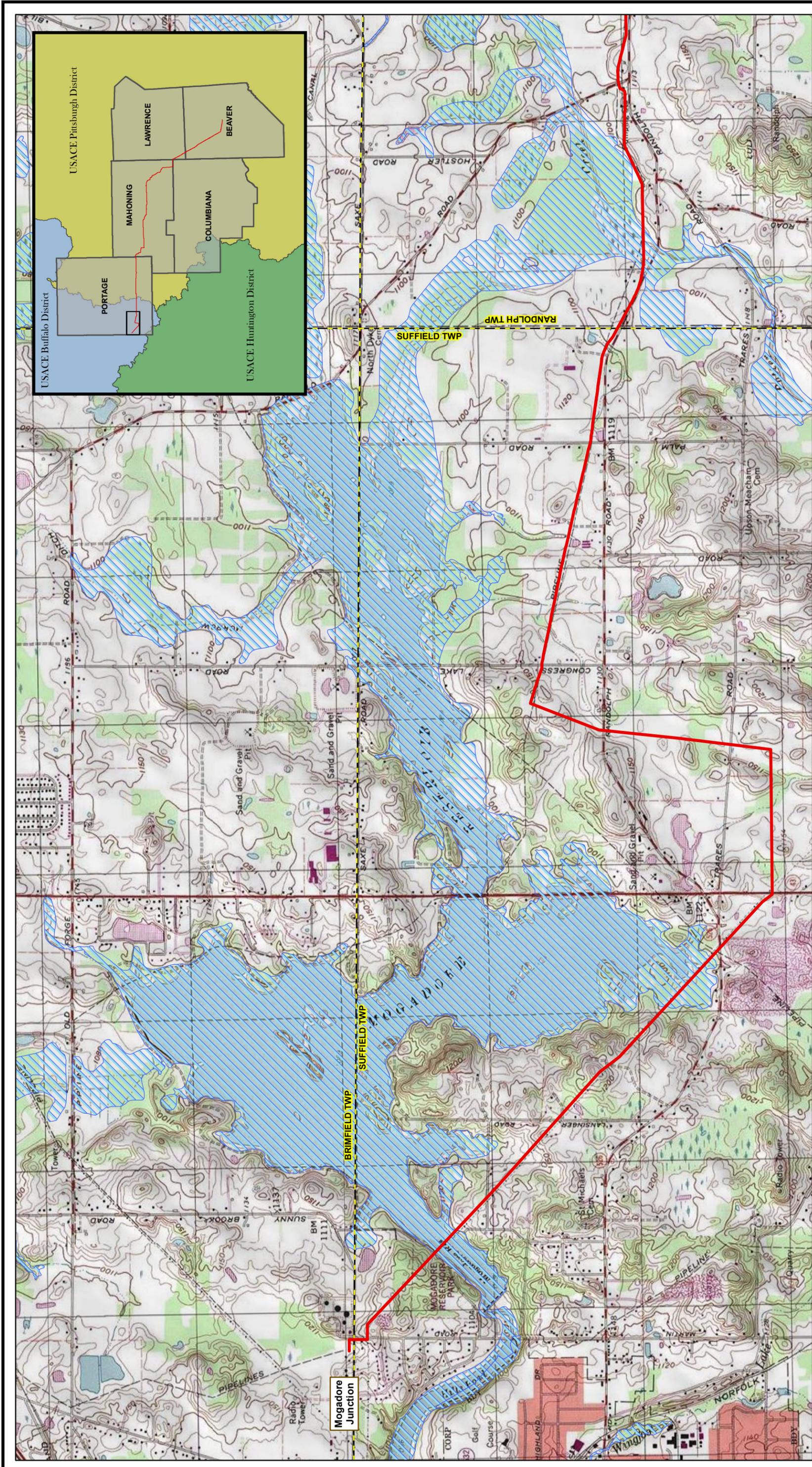
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Brad Bonner  
Project Manager



**ATTACHMENT 11**  
**FEMA Floodplain Mapping**





**SOURCE:** Federal Emergency Management Agency (FEMA) - DFIRM Databases  
 Esri ArcGIS Online Map Service (USA Topo Maps)  
 United States Army Corps of Engineers (USACE)  
 United States Census Bureau (TIGER/Line Data)

## FEMA FLOODPLAIN MAP ALLEGHENY ACCESS MOGADORE -to- VANPORT (Ohio)

**SCALE:** 1:24,000  
 (1" = 200')

0 2,000 4,000 Feet

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**Main Map Legend**

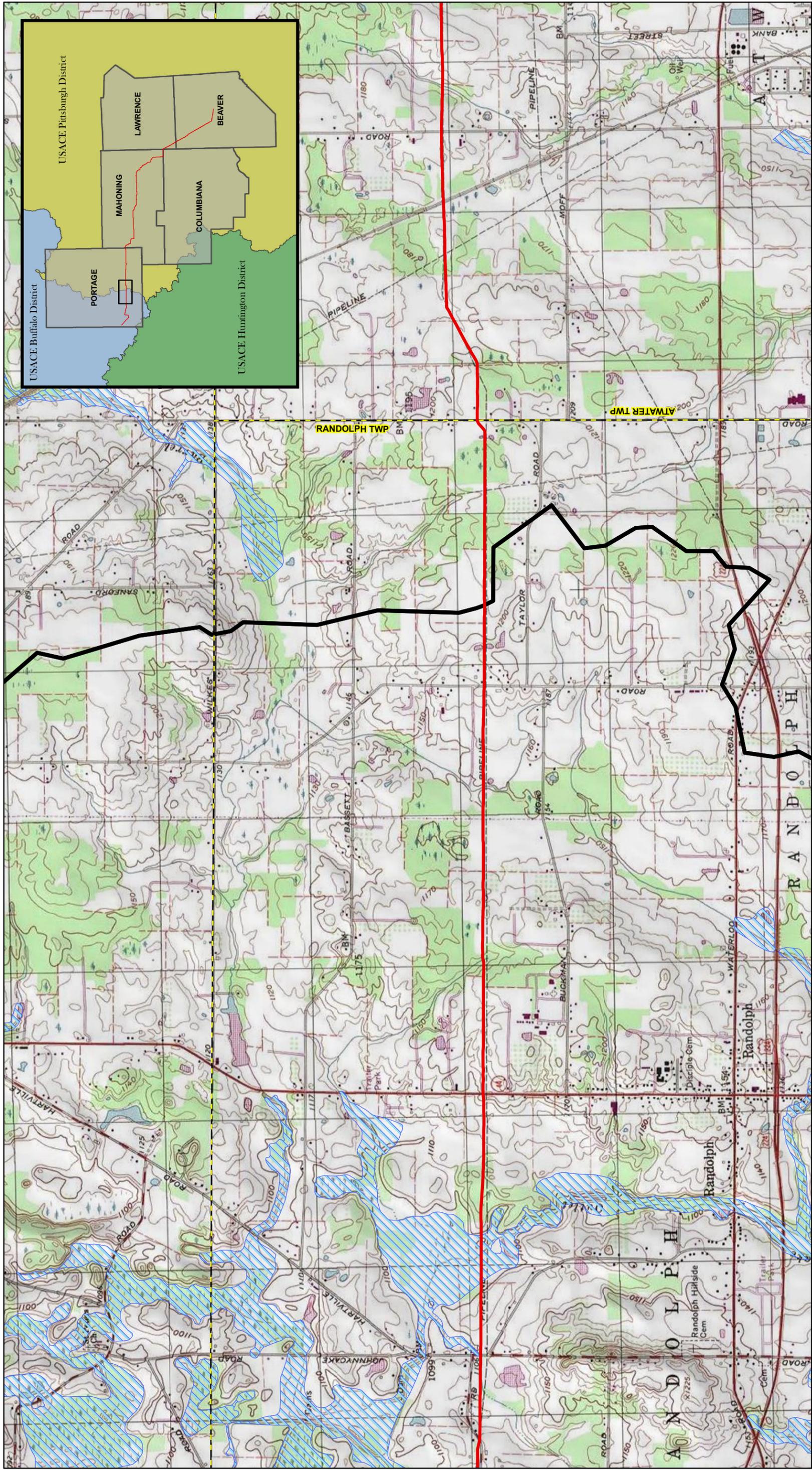
- Mogadore-Vanport (Proposed Alignment)
- Township Boundary
- County Boundary
- USACE District Boundary

**Inset Map Legend**

- Mogadore-Vanport (Proposed Alignment)
- County
- USACE Buffalo District
- USACE Pittsburgh District
- USACE Huntington District

- FEMA 100-yr Floodplain
- FEMA 500-yr Floodplain

**CREATED BY:** STV Energy Services, Inc.



SCALE: 1:24,000  
(1" = 200')



- Main Map Legend**
- Mogadore-Vanport (Proposed Alignment)
  - ▨ FEMA 100-yr Floodplain
  - ▨ FEMA 500-yr Floodplain
  - Township Boundary
  - County Boundary
  - USACE District Boundary

- Inset Map Legend**
- Mogadore-Vanport (Proposed Alignment)
  - ▨ County
  - ▨ USACE Buffalo District
  - ▨ USACE Pittsburgh District
  - ▨ USACE Huntington District



## FEMA FLOODPLAIN MAP ALLEGHENY ACCESS MOGADORE -to- VANPORT (Ohio)

**SOURCE:** Federal Emergency Management Agency (FEMA) - DFIRM Databases  
Esri ArcGIS Online Map Service (USA Topo Maps)  
United States Army Corps of Engineers (USACE)  
United States Census Bureau (TIGER/Line Data)

**CREATED BY:** STV Energy Services, Inc.