



CONFIRMATION NOTICE NO. 17

DATE: October 18, 2012
FILE CODE: 24.00
ADDRESSEE: Sunoco Logistics Partners, L.P.
ATTENTION: Mr. Walt Skorupsky
REFERENCE: Allegheny Access Project
SUBJECT: Permit Pre-Application Agency Meeting October 18, 2012
STV PROJECT NO.: 38-15486

PARTICIPANTS:

STV

Chris Antoni (CA)
Jim McGinley (JM)
Rob Bolich (RB)
Dorothy Daly (DD)
Wendy Schellhamer (WKS)
Heath Kearney
Brad Bonner (BB)
Joe Tully (JT)

Sunoco Logistics

Walt Skorupsky (WS)
Monica Styles (MS)
Matthew Studer (MS)

Regulatory Agency Representatives

Susan Fields (SF) - Huntington District, US Army Corps of Engineers (USACE)
Mike Smith (MS) - Buffalo District, USACE
Heather Allamon (HA) - Ohio Environmental Protection Agency (OEPA)

ITEMS OF DISCUSSION:

➤ The attendees introduced themselves.

- SF requested a copy of the attendees list, including contact information for each attendee with the minutes.

1. Project Overview

➤ CA provided a project overview, purpose & need.

- CA provided a description for two projects: Tiffin to Easton (82 mile Inland FEED project); and Fostoria (4.5 mile connector project). CA explained that there is a 4.5 mile section of the Tiffin to Easton project that is a reroute, and that this area and 4 minor reroute areas are the only portions of the 82 mile corridor that are not in existing right-of-way (ROW). He explained that the Fostoria project is a connection between existing facilities. The Fostoria project construction will also be completed within existing ROW.
- MS asked if the pipelines were transporting natural gas. CA explained that they are refined petroleum products pipelines, carrying diesel and kerosene and therefore not subject to FERC regulations.
- CA explained that the Tiffin to Easton line had been out of service for 10-12 years before Sunoco took over the line. However, it was noted that the ROW had still been maintained during this period. The current projects are expected to be operational in 2014.

2. Existing Conditions: Wetlands, RTE, Cultural Resources

➤JM provided a summary of the existing conditions and wetland, RTE and Cultural Resource studies that have been completed to date;

Wetland delineation- completed except for a few properties where access had not been granted and four minor bump out areas. Field work will be completed in October 2012.

Indiana bat studies- A determination of No Effect was found for the Indiana bat surveys.

Eastern Massasauga- Studies are at the desktop review stage, field work is expected to begin at the end of October 2012

Cultural Resource studies- Coordination with Ohio State Preservation Office (SHPO) started for Fostoria, coordination for Tiffin to Easton line expected in late October 2012.

RTE:

JM explained that consultation with ODNR/USFWS determined that there was potential habitat for four mussel species within the project areas. The protocols/moratoriums for RTE mussels require surveys be completed 6 months prior to construction; this would result in the permit applications being submitted to USACE/OEPA prior to conducting a survey and submitting a report to the appropriate state/federal agencies for approval.

JM explained that STV and a sub-consultant are conducting the background surveys to determine potential presence/absence. There was a discussion of the mussel species, what streams/rivers in the project area may be habitat and their listed status. The issue was rendered moot when CA stated that all streams that were determined to have mussel habitat would be bored or horizontal directionally drilled to avoid the potential of in-stream disturbances to mussel habitat.

Wetlands:

- JM explained that 165 wetlands and 80 streams were delineated in the Tiffin to Easton project area; all are located within existing ROW. Three wetlands and three streams were delineated in the Fostoria project area. The existing ROW is 50-feet wide and there will be additional 25-feet of impact for the proposed workspace. The 25-foot temporary workspace area will be allowed to re-vegetate following construction.
- JM noted that there are no isolated wetlands in the Fostoria project area.

3. Permitting

- JM explained that DD and RB met with representatives in the northeast OEPA to discuss the ORAM forms. DD explained that they had also met with HA in the field. HA will be the 401 Water Quality permit reviewer for the northwest division of OEPA.
- DD reviewed STV's understanding of the permit requirements:
 - STV expects to submit the following permits:
 - USACE NW Permit (NW12)
 - OEPA 401 Water Quality Permit
 - OEPA Isolated Wetlands Permit.

Mitigation:

- DD reviewed STV's understanding of the mitigation requirements: OEPA requires mitigation for all wetland and waterway impacts; USACE would only require mitigation for forested (PFO) wetland impacts.
- SF noted that PSS/PFO wetlands (scrub/shrub) vegetation impacts may also require mitigation since it could be considered a permanent conversion. JM explained that the area outside the existing ROW, the 25-feet of workspace would be allowed to grow back naturally. SF responded that, at the least, monitoring may be required to verify that the area had revegetated, it would depend on the amount (acreage) of the impacts.
- DD noted that the project spans two USACE regulatory Districts, Buffalo and Huntington. She asked if either of the Districts would act as the lead agency for the total project. SF and MS said each District would regulate its portion of the project and separate permits will be required.
- Permit application requirements were discussed for both USACE Districts and the OEPA.
 - SF explained that the Huntington District would like to review/receive information for all of the jurisdictional waters located within that District only. She requested that a separate tab be created for each wetland/waterway crossing showing wetlands, crossings, impacts, dataforms etc. SF would like hard copies of the permits and plans in 11x17 format. She requested that the location and impacts of the streams be depicted on the mapping; "typical" drawings of stream crossings will be acceptable. SF would like to receive shapefile information if it is available.

- MS requested that the Buffalo District permit include information on all jurisdictional waters in the Tiffin to Easton project area, but to provide a table that separated the wetlands/waters within his district. MS requested the same tab information that SF requested and noted that he would like a digital copy and hardcopies of the permits and plans in 11 x 17 format. MS would like to receive KMZ and shapefile information if it is available.
- HA requested the same tab information for the OEPA, including the digital and hard copies of the permits and plans in 11 x 17 format. HA would like to receive KMZ and shapefile information if it is available.
- CA noted that the all waters and wetlands in the permits would be labeled from west to east.
- DD asked HA about the 401 Water Quality Permits 180 day review period. HA noted that the permit requires first a 15 business day completeness review. A letter will be sent either highlighting the missing information or stating that the permit application is technically complete. From the date of the letter, OEPA has 180 days to review and approve the permit. HA noted that the OEPA office has an internal goal to review and approve the permits in 120 days. HA requested that the aquatic life designation for all streams within the project area be included in the 401WQ permit application.
- Potential impacts to mussel habitat will be avoided. All streams identified as having mussel habitat will be directionally drilled.

Jurisdictional Determinations:

- To schedule a field review of the wetlands this fall, MS requested a table that shows the wetland type, wetland location, and ORAM score. JM stated that he would be able to provide information on approximately 10 typical wetlands within the project area. (In later coordination, MS also requested a copy of the wetland reports prior to the field review, STV will provide a Draft Wetland Report for the Fostoria section of the project along with the information listed above. Field review is tentatively scheduled for the week of November 12, 2012).
- SF requested a copy of the wetland report.

Construction- Avoidance and Minimization:

- MS asked about ways of reducing impacts to the wetlands including reducing the width of the work area at the stream crossings.
- CA explained that with the directional drill area that the extra space is not needed and in some cases, there will be a mini bore of streams, however, he explained that it is difficult to reduce the impacts at the stream crossings for the smaller streams because that extra 25-feet was required for stockpiling.
- CA noted that it is standard practice to lay down mats, stockpile the soil on the mats during the construction and to keep the soils separate to reduce impacts wherever possible to both stream crossings and wetlands.

- MS requested that the permit application specify the crossing methods for each stream (trench, HDD). CA explained that each crossing will be identified in the plan sets.
- MS also stated that laydown areas, access areas, temporary access roads should also be included in the plans; if any of these are in or adjacent to a wetland, specify a restoration plan.

ACTION ITEMS:

1. STV:

Submit requested information to Buffalo District to schedule JD field review. Submit Wetland Report to Huntington District for JD review.

2. OEPA

HA will send a follow up letter from the ORAM field review (Received 10/12).

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 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. 18

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 November 13 & 14, 2012,
Tiffin to Easton
STV PROJECT NO.: 38-15486

PARTICIPANTS:

STV

Rob Bolich (RB)
Dorothy Daly (DD)

US Army Corps of Engineers, Buffalo District

Mike Smith (MS)
Paul Wetzel (PW) - Oak Harbor, OH Field Office

ITEMS OF DISCUSSION:

STV personnel met with representatives of the Buffalo District to field verify a sample of STV-delineated wetlands and to discuss the Jurisdictional Determination. Also discussed were the construction schedules, reporting formats, mitigation, permitting timeframes, and avoidance/ minimization suggestions.

MF provided STV with a list of 10 specific wetlands to review, including CC, CD, CR, CS, CW, DF, DG, DH, DS and DU. There were additional wetlands located in the corridor adjacent to eight of these wetlands, and they are included below, however, datasheets, mapping and photographs were only available for the 10 wetlands. The following wetlands were observed and discussed:

Wetlands CC & CD, Wetlands CS & CR and Wetland CW

Wetlands DG & DDD, Wetlands DH & DI, Wetlands DS & DR, Wetlands DU & DT and Wetlands DAA & DZ

DD explained that the datasheets and mapping are still in draft format and that there is information on them that may change during the QA/QC process. The date that each wetland was reviewed, the reviewer(s) and some field notes are as follows:

- MS field reviewed Wetlands DAA, DZ, DU, DT, DH, DI, DG and DDD, on Tuesday November 13th.
 - Dominant species (reed canary grass) needs to be verified on the datasheets for Wetlands DU and DG.
 - Stream D-3 contained flowing water. STV will review the HHEI form to verify whether it is an intermittent or perennial stream. It was confirmed to be intermittent.

- MS reviewed Wetland DS and DR on Wednesday November 14th.
 - Dominant species (reed canary grass) needs to be verified on the datasheet.

- MS and PW reviewed Wetlands CS, CR, and CW on Wednesday November 14th.
 - CS is fed by a tile drain. It is not directly hydrologically connected to Wetland CR. CR is also hydrologically connected to a tile drain.
 - There was agreement on a change to the delineation line for Wetland CW; it was extended on the north side to follow the toe of slope.
 - For Wetland CW there was a question and discussion of the Ohio Rapid Assessment Method (ORAM) score (category 2 or 3?) and, subsequently, whether the wetland should be trenched or drilled. Wetland CW scored as a Category 2 wetland and, therefore, will be trenched.

- PW reviewed Wetlands CC and CD the afternoon of Wednesday November 14th.
 - The wetland datapoints will be reviewed to determine the exact boundaries of the wetland.

Construction schedule:

SLPL is anticipating that the construction for the pipeline will begin in October 2013 and that the pipeline will be in use by 2014.

Jurisdictional Determinations

A Jurisdictional Determination (JD) will be required for the Ohio EPA (OEPA) 401 Water Quality Submission; this permit has a 180-day review period and STV anticipates that they will submit this permit in January 2012.

The Buffalo District will need Approved JD's for each wetland that is clearly isolated (i.e. no drain tiles evident or observed, no ditches or sheet flow connections or outlets to regulated waters, etc). The Preliminary JD will be used for all other waters; these can be listed on the same application form.

Mitigation:

As per the October 2012 Pre-Application meeting, OEPA will require mitigation for all temporary impacts. DD explained that at the Pre-Application meeting that the ACOE Huntington office stated that they may require mitigation in the palustrine forested wetland (PFO) areas.

The Buffalo District may recommend some reforestation for PFO wetland impacts and re-seeding for palustrine emergent wetland (PEM) impacts.

As part of the mitigation requirements, avoidance/minimization measures were discussed in the field (and in later email/phone correspondence). MS recommended reducing the impact footprint in forested wetland areas to the extent practicable.

Threatened and Endangered Species:

MS asked about the Federal agency clearance for the endangered Indiana bat. DD explained and has now verified that US Fish and Wildlife Service (Service) cleared the project and there are no restrictions for tree removal. The Service's clearance letter concluded:

"Mist net surveys for Indiana bats were conducted following Service guidance for minimal level of effort, and included 426 net-nights from July 8 to August 14, 2012. No Indiana bats were detected. We concur with the results of the mist-net survey and believe that the survey results and habitat information provided in the report, document the likely absence of Indiana bats in the project area. Negative Indiana bat mist-net survey results are valid for a period of 2 years."

MS requested that a copy of the letter be included in the permit applications.

Other Impacts

There was a discussion regarding the conversion of forests within the project area. The pipeline right-of-way (ROW) is 50-feet, however, in many of the forested corridors only 25 to 30-feet of the ROW is actually being maintained. MS asked about the difference in these areas and if these areas be included in the impact calculations. Based on the discussion, STV will determine if the pipeline had been federally permitted previously. If this is the case, then any clearance within the 50-foot ROW is considered maintenance activity under Nationwide Permit #3. If not, then the additional PFO clearance will be added to the impacts.

Reporting

MS requested that the wetlands mapping show a hatch pattern to make the delineated edges clearer. STV will make sure the maps show closed polygons or open-ended wetlands delineations.

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, sweeping horizontal stroke at the end.

Brad Bonner
Project Manager



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