



Pennsylvania Department of Environmental Protection
Northcentral Region
208 West Third Street
Williamsport, PA 17701
Tel: (570) 327-3636

May 7, 2012

Re: **Time sensitive** – TGP restoration action should implement on a delayed schedule in order to protect and preserve amphibian species currently active in the proposed areas of activity.

To whom it may concern:

Delaware Riverkeeper Network is writing to alert you to the on-the-ground juvenile amphibian activity currently occurring along Tennessee Gas and Pipeline's ("TGP") 300 Upgrade pipeline and to request agency assistance to re-open or modify TGP's permit construction timeline and operations to protect sensitive wetland habitats and critical amphibian species to ensure a second impact to these wetland areas is not conducted at an important amphibian window currently underway this spring. It is Delaware Riverkeeper Network's understanding (based on correspondence noted in PCCD report) that **Tennessee Gas Pipeline (TGP) plans to begin final stabilization and restoration of the Tennessee 300 Line in Pike County beginning by May 15, 2012 in this sensitive wetlands area so this matter is time sensitive.**

The required stabilization has been delayed by TGP for months on this project despite requests by agencies and the Delaware Riverkeeper Network that have urged TGP to begin final restoration sooner in the mild winter months. Regrettably, TGP failed to undertake the required restoration earlier in the year when there was less ecological activity and so less risk of ongoing ecological harm – specifically we refer to the amphibian mating, reproduction and growth happening now. In light of this changed ecological condition due to the delay in construction, we urge that critical amphibian windows of protection be implemented and the work schedule, methods and operations modified accordingly. It is important to note TGP's 300 line has been in operation since November 2011 and so this required restoration activity could have been conducted in the mild winter months at a less sensitive time and in a more timely fashion to avoid the additional considerations and measures we are seeking.

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Delaware Riverkeeper Network visited three wetland areas along the pipeline corridor in Delaware State Forest and the TGP 300 Line on April 29 and May 4, 2012. These areas are located in anti-degradation special protection watersheds and therefore these wetlands are also protected. Craft Brook is Exceptional Value as is its adjacent wetlands. During these field visits juvenile wood frog tadpoles (*Rana sylvatica*), adult red spotted newts (and juvenile red efts) (*Notophthalmus viridescens*), and American toads (*Bufo americanus*) were visibly present and abundant. In addition DRN staff heard the vocalizations of spring peepers (*Pseudacris crucifer*) in adjacent woodlands indicating likely spring peeper tadpoles are also present in adjacent wetland areas, just less visible in size. This was not a thorough herpetological study and so other species may very well be using these areas too and we would highly recommend a thorough herpetological survey be immediately conducted to determine other species present in this high quality area of the Delaware State Forest.

The wetlands at issue are classified as W038, W039, and W041 by TGP and are accessible from Delaware State Forest off of Schocopee Road northwest of Milford PA, Pike County. DRN requests assistance and guidance from agency wildlife specialists to ensure proper measures are taken in light of the situation and the looming construction date TGP has planned. It is important to note that DRN's understanding (based on the Earth Disturbance Inspection Report signed by PCCD on 4/12/12, Page 3) is that major construction is still planned at these wetland sites that would involve heavy equipment and major ground moving disturbance rather than hand work and more sensitive and minor removal of silt fences and remaining E&S devices. At these wetlands, large wood timber mats submerged and placed throughout the wetlands may need to be removed from the wetlands bottoms – seriously disturbing the wetland and causing major sediment pollution that would impact juvenile tadpoles present in the wetlands. Some photos of these wetlands and the current pipeline conditions are available on Facebook here:

<http://www.facebook.com/media/set/?set=a.380274482023632.109841.170168039700945&type=3>

Discussions on Monday with invertebrate zoologist, Betsy Bethel, who helps coordinate Pennsylvania's Natural Heritage Program and seasonal pool inventory confirmed that the present timeframe of disturbance to begin on May 15 is one of the worst times to be doing construction in and around high quality wetlands due to the presence of amphibian life and immature aquatic dependent species.

Delaware Riverkeeper Network looks forward to working with the agencies and TGP to address this matter so we can ensure restoration efforts by TGP are done at a time and with measures in place that will not threaten the amphibians in these existing wetlands. DRN has not visited other wetlands located along the pipeline but would ask that other wetlands where amphibian life may be common also be considered and properly protected. The Tennessee Gas Pipeline's 300 line project is disturbing **108.2 acres of wetlands which consist of 39.2 acres of forested wetland and 69.0 acres of non-forested wetlands. Operation of the Project would permanently impact 22.9 acres of wetlands, consisting of 13.6 acres of forested wetlands and 9.3 acres of non-forested wetlands.** This cumulative impact means that sensitivity to the amphibians that rely on these regions is essential to protecting these special protection habitats and watersheds.

Please contact me as soon as possible at 215-369-1188 ext 102 to discuss next steps. We are hopeful that we can work cooperatively to get this matter resolved in the best way possible.

Sincerely,



Maya K. van Rossum
the Delaware Riverkeeper

cc: US Army Corps of Engineers
Susan Beecher, Pike County Conservation District
Bradley Elison, DCNR, Delaware State Forest
Chris Urban, PA Fish and Boat Commission
Carol Collier, Delaware River Basin Commission
U.S Fish and Wildlife Service
Tennessee Gas Company