

U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration

Natural Gas Distribution Infrastructure Safety and Modernization Grant Program Welch Gas Cooperative Association, West Virginia Tier 2 Site Specific Environmental Assessment NGDISM-FY22-EA-2023-28

PHMSA Approval:

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Overview:

The purpose of this Tier 2 Site Specific Environmental Assessment (Tier 2) is to; (1) document the proposed action (the Project) and the need for the action; (2) identify existing conditions; (3) assess the social, economic, and environmental effects using appropriate tools and agency coordination to comply with local, state, and federal environmental laws, regulations, and ordinances; (4) document applicable mitigation commitments that would avoid, minimize, or mitigate potential effects; and (5) seek comments from the public. This Tier 2 analysis informs Pipeline and Hazardous Materials Safety Administration's (PHMSA's) assessment as to whether the Project is consistent with the impacts described in the Tier 1 Nationwide Environmental Assessment for the Natural Gas Distribution Infrastructure Safety and Modernization Grant Program.¹

As part of this Tier 2, PHMSA is soliciting public comments through a public comment period. This Tier 2 is available on PHMSA's website where comments can be submitted to the contact noted below. PHMSA will accept public comments for 30 days on this Tier 2. PHMSA will consider comments received and incorporate them in the decision-making process. Consultation with appropriate agencies on related processes, regulations, and permits is ongoing. Please submit all comments to: <u>PHMSABILGrantNEPAComments@dot.gov</u> and reference NGDISM-FY22-EA-2023-28 in your response.

At the conclusion of the EA process, PHMSA will either issue a "Finding of No Significant Impact," further supplement this EA with additional analysis, mitigation measures or prepare an Environmental Impact Statement.

I. <u>Project Description/Proposed Action</u>

Project Title	Welch Gas Cooperative Association
Project Location City of Welch, McDowell County, West Virginia	
Project Description/Proposed Action:	

The Welch Gas Cooperative Association (WGCA), located in the City of Welch in McDowell County, West Virginia, is proposing to replace 17,273 linear feet (LF) of aging and failing Aldyl-A plastic pipeline with 19,363 LF of polyethylene (PE) pipe, which would enhance safety, improve operations, and reduce methane emissions of natural gas of WGCA's natural gas transmission system, including pipeline modernization and interim safety enhancement measures. See Appendix A, Project Maps.

The WGCA's distribution system has an estimated 3.27 miles of Aldyl-A plastic pipelines, installed prior to 1973, that are vulnerable to leaks. The existing pipes include 2-inch and 4-inch Aldyl-A PE mains. In most cases the replacement pipe will be installed adjacent to the existing line within the existing right-of-way (ROW); however, new pipes may be offset 12-36 inches to either side of the existing line as necessary. Two segments, Segment 7 and Segment 15, of the proposed action include line relocations to previously disturbed and paved ROW owned and operated by the West Virginia Department of Transportation, Division of Highways (WVDOH). The construction methods include trenching and insertion. Trench widths would not exceed 18 inches and trench depths would not exceed 48 inches. The Tier 1 EA described that the majority of site-specific projects would utilize the insertion method of pipe replacement. As described in this document, WGCA would utilize an open trench method for portions of the Proposed Action, which generally involves greater soil disturbance and use of heavy equipment and related impacts than the insertion

¹ https://www.federalregister.gov/documents/2022/11/09/2022-24378/pipeline-safety-notice-of-availability-of-the-tier-1-nationwide-environmentalassessment-for-the _

method. No new ROW is required; however, a new utility easement within WVDOH ROW would be utilized to relocate 1,367 LF of the total 17,273 LF of pipeline.

The proposed action has been organized into fifteen (15) segments as follows:

Segment 1, located on Maple Avenue, consists of replacing 1,396 LF of 4" Aldyl-A pipe utilizing trenching methods in the same location of the existing pipe.

Segment 2, located on Maple Terrace, consists of replacing 255 LF of 4" Aldyl-A pipe utilizing trenching methods in the same location of the existing pipe.

Segment 3, located along WV-16/Stewart Street but named Edmore Road, consists of replacing 49 LF of 2" Aldyl-A pipe utilizing trenching methods in the same location as the existing pipe.

Segment 4, named Fed Prison 2A, consists of removing 4,433 LF of 2" Aldyl-A pipe and existing taps and installing new taps on the 4" HDPE line. The existing 2" Aldyl-A would be purged, capped and abandoned in place. A previously disturbed graveled staging area is located adjacent to this segment.

Segment 5, located on Grandview Street, utilizes insertion methods to replace 315 LF of 2" Aldyl-A pipe with new 3/4" HDPE pipe, inserted into a the existing 2" Aldyl-A pipe.

Segment 6, located on Beech Street, consists of replacing 424 LF of 2" Aldyl-A pipe utilizing trenching methods in the existing location. The 2" Aldyl-A pipe would be replaced with a new 2" HDPE pipe.

Segment 7, named Park Avenue but located on Riverside Drive, consists of purging, capping, and abandoning 2,233 LF of 2" Aldyl-A pipe, and using trenching methods to install 2,423 LF new 2" HDPE pipe to be relocated from the existing location to the easement within WVDOH ROW.

Segment 8, named Roger Street but is located on Cornell Avenue, consists of replacing 402 LF of 2" Aldyl-A pipe with 402 LF of new 2" HDPE pipe utilizing trenching methods.

Segment 9, located on Spruce Street, which consists of replacing 87 LF of 2" Aldyl-A pipe with 87 LF of new 2" HDPE pipe utilizing trenching methods.

Segment 10, located near Welch Hospital perpendicular to Grandview Street, consists of replacing 295 LF of 2" Aldyl-A pipe with 295 LF of new 2" HDEP pipe utilizing trenching methods.

Segment 11, named Riverside Drive, consists of replacing 1,042 LF of 2" & 4" Aldyl-A pipe with 1,042 LF of new 4" HDPE pipe utilizing trenching construction methods. The existing pipe would be abandoned in place.

Segment 12, located on Mercer Street, consists of replacing 824 LF of 4" Aldyl-A pipe with 824 LF of new 4" HDPE pipe utilizing trenching construction methods.

Segment 13, labeled Tug Street, utilizes insertion construction methods to replace 1,886 LF of 4" Aldyl-A pipe with new 2" HDPE pipe inserted into a the existing 4" Aldyl-A pipe.

Segment 14, named Central Avenue #1, consists of replacing 2,265 LF of 2" Aldyl-A pipe with 2,265 LF of new 2" HDPE pipe utilizing trenching methods. A previously disturbed gravel staging area, to be utilized to store

materials, would be located approximately 2.8 miles north of Segment 14 on Route 16.

Segment 15, named Central Avenue #2, consists of purging, capping, and abandoning 1,367 LF of 2" Aldyl-A pipe, and using trenching methods to install 3,267 LF of new 4" HDPE pipe to be relocated from the existing location to the easement within WVDOH ROW.

Most portions of the existing pipeline would be removed, but a few segments of existing pipeline would be abandoned in place. Abandonment of the existing pipeline (versus excavation and removal) would minimize ground disturbance and facilitate the replacement process in a more efficient manner. PHMSA has specific requirements for gas and hazardous liquid pipeline abandonment, found in 49 CRF 192.727 and 195.402(c)(10). These requirements include disconnecting pipelines from all sources and supplies of gas, purging all combustibles and sealing the facilities left in place. By complying with PHMSA requirements for purging and sealing abandoned pipelines, WGCA would ensure that the abandoned pipelines pose no risk to safety in their abandoned state.

No Action:

The No Action alternative, as required under NEPA, serves as a baseline, and is used to compare impacts resulting from the Proposed Action. Under the No Action alternative, PHMSA would not fund this pipeline replacement project. Additionally, PHMSA would not be able to reduce the inventory of methane leaks and reduce safety risks by replacing pipe prone to leakage. Under this alternative, the WGCA, would continue to use legacy PVC and other leak prone pipeline materials, and conduct repairs or replacements in the future using non-federal sources of funding, and potentially on an emergency basis, when a pipeline fails. Impacts and benefits associated with replacing the leak prone pipeline within the City of Welch with updated material would not be seen in the near term. The safety risks and methane leaks would persist. The replacement pipeline activities would either not be taken or they would be undertaken at a later, uncertain date. Even if pipe replacement were to happen at some point in the future, environmental mitigation measures during such a replacement would be unknown. Furthermore, existing economic losses, and increased risk associated with prolonged gas leaks would continue.

Need for the Project:

The City of Welch has estimated that the 3.27 miles (17,273 LF) of Aldyl-A plastic pipelines identified for replacement for this project are vulnerable to leaks. The City of Welch, Welch Gas Cooperative Association, would replace the leak prone natural gas mains with Polyethylene (PE) piping. The overall needs addressed by this project would include: (1) improving upon the safe delivery of energy by reducing the likelihood of incidents, as well as methane leaks; (2) avoiding economic losses caused by pipeline failures; and (3) protecting our environment and reducing climate impacts by remediating aged and failing pipelines and pipe prone to leakage.

Description of the Environmental Setting of the Project Area:

The proposed project takes place within the rural community of Welch, comprised mostly of residential housing, maintained grassy areas, and light commercial businesses. The existing pipelines and location of the new mains would be located within the existing ROW or would be relocated to a new utility easement owned by the WVDOH. All service lines would be located on private property of the building or structure being served, with coordination, permission, and approval from the property owner.

II. <u>Resource Review</u>

Air Quality and Greenhouse Gases (GHG)	
Question	Information and Justification
Is the project located in an area designated by the EPA	No, based on review of the Environmental Protection
as non-attainment or maintenance status for one or	Agency (EPA) Greenbook. ²
more of the National Ambient Air Quality Standards	
(NAAQS)?	
Will the construction activities produce emissions that	No
exceed de minimis thresholds (tons per year)	
described in the initial Tier 2 EA worksheet?	
Will mitigation measures be used to capture	No
blowdown ³ ?	
Does the system have the capability to reduce	Yes, 20 pounds per square inch (PSI).
pressure on the segments to be replaced? If yes, what	
is the lowest psi your system can reach prior to	
venting?	
Will project proponent commit to reducing pressure	Yes, based on the reduced pressure of 20 PSI and the
on the line to this psi prior to venting? Please calculate	sizes of the existing pipe, 0.5 thousand cubic feet
venting emissions based on this commitment and also	(MCF) or 15 kg of methane would be vented during
provide comparison figure of venting emissions	construction.
volume without pressure reduction/drawdown using	
calculation methods identified in the initial Tier 2 EA	
worksheet.	
Estimate the current leak rate per mile based on the	The existing leak rate is 624 kg/year. Replacement
type of pipeline material. Based on mileage of	would result in a leak rate of 105 kg/year or a
replacement and new pipeline material, estimate the	reduction of 519 kg/yr. ⁴
total reduction of methane.	
Conclusion:	

The project area is located within the City of Welch in McDowell County, West Virginia which is designated by the EPA as in attainment for all National Ambient Air Quality Standards (NAAQS). The existing mains within the project area consist of leak prone Aldyl-A plastic natural gas mains installed prior to 1973.

No Action:

Under the No Action alternative, existing and planned pipeline activities, including construction and maintenance activities, would continue unchanged. The project proponent would continue to use leak prone pipe material. The total methane emissions for the pipelines within the project area were extrapolated over 20 years to represent the continuation of methane release under the No Action alternative. Under the No Action alternative, PHMSA estimates that 624 kg of methane would be released each year from the existing pipelines within the project area. This amounts to 12,485 kg of methane over a 20-year time frame. See Appendix B,

² <u>https://www.epa.gov/green-book/green-book-national-area-and-county-level-multi-pollutant-information</u>

³ Blowdown refers to the venting of natural gas in current facilities, in order to begin rehabilitation, repair, or replacement activities.

⁴ Leak rates are based on Pre-1990 Installation emission factors found in *Table 1 Average methane emission factors for natural gas pipelines (adopted from EPA GHG Inventory, Annex 3.6, Table 3.62)* in the November 9, 2022, PHMSA: Natural Gas Distribution Infrastructure Safety and Modernization Grant Program Programmatic Environmental Assessment, Tier 1 Nationwide Environmental Analysis.

Methane Emissions, for the methane leak rate calculations.

Proposed Action:

The Proposed Action alternative consists of replacing 3.27 miles of Aldyl-A plastic pipeline which would result in minor air quality impacts associated with construction activities, including the intentional venting of methane contained in the existing pipelines prior to replacement. Pipeline blowdowns are typically necessary to ensure that construction and maintenance work can be conducted safely on depressurized natural gas facilities and pipelines. Venting methane is required when service is switched from the existing line to the newly constructed line, but the volume of vented gas can depend on the ability to reduce pressure on the pipe segment or other mitigation actions. Therefore, some methane would be vented into the atmosphere during construction. Based on a reduced pressure of 20 PSI and an average inside pipe diameter ranging from 1 ¼ inches to 4 inches, PHMSA estimates 0.5 MCF of methane (or 16 kg) would be vented into the atmosphere during construction. See Appendix B, Methane Calculations for the methane blowdown calculations.

As described in the Tier 1 EA, methane leaks from natural gas distribution pipelines increase with age and are considerably higher legacy PVC pipelines, as compared with plastic. Replacing leak prone pipe with newer, more durable materials would reduce leaks and methane emissions. Based on the current leak rate of the existing pipe within the project area, this project would reduce overall emissions by 503 kg in the first year (when considering the methane that would be released from blowdown that would occur during construction) and would reduce 519 kg of methane per year thereafter. The total reduction in methane emissions resulting from the conversion to plastic pipeline would be approximately 10,377 kg over a 20-year span post construction. See Appendix B, Methane Calculations for the methane reduction calculations. Therefore, it is PHMSA's assessment that the proposed project would provide a net benefit to air quality from the overall reduction of greenhouse gas emissions and that no indirect or cumulative impacts would result from the Proposed Action.

Mitigation Measures:

The Welch Gas Cooperative Association in the City of Welch shall implement the following mitigation measures:

- Efficient use of on-road and non-road vehicles, by minimizing speeds and vehicles;
- Minimizing excavation to the greatest extend practical;
- Use of cleaner, newer, non-road equipment as practicable;
- Minimizing all vehicle idling and at minimum, conforming with local idling regulations;
- Ensuring that all vehicles and equipment are in proper operating condition;
- On-road and non-road engines must meet EPA exhaust emission standard (40 CFR Parts 85,86, and 89);
- Covering open-bodied trucks while transporting materials;
- Watering, or use of other approved dust suppressants, at construction sites and on unpaved roadways, as necessary; and
- Minimizing/eliminating idling of equipment.

Water Resources		
Question	Information and Justification	
Are there water resources within the project area,	Yes, according to United States Fish and Wildlife	
such as wetlands, streams, rivers, or floodplains? If so,	Service (USFWS) National Wetland Inventory (NWI)	

would the project temporarily or permanently impact	and Federal Emergency Management Agency (FEMA)
wetlands or waterways?	National Flood Hazard Layer FIRMette maps.
Under the Clean Water Act, is a Section 401 State	No
certification potentially required? If yes, describe	
anticipated permit and how project proponent will	
ensure permit compliance.	
Under the Clean Water Act, is a USACE Section 404	No
Permit required for the discharge of dredge and fill	
material? If yes, describe anticipated permit and how	
project proponent will ensure permit compliance.	
Under the Clean Water Act, is an EPA or State Section	Construction activities may exceed soil disturbance
402 permit required for the discharge of pollutants into	thresholds and a 402 permit may be required prior to
the waters of the United States? Is a Stormwater	construction.
Pollution Prevention Plan (SWPPP) required?	
Will work activities take place within a FEMA designated	No
floodplain? If so, describe any permanent or temporary	
impacts and the required coordination efforts with	
state or local floodplain regulatory agencies.	
Will the proposed project activities potentially occur	No, the project is not located within a coastal zone.
within a coastal zone ⁵ or affect any coastal use or	
natural resource of the coastal zone, requiring a	
Consistency Determination and Certification?	
Conclusion:	

PHMSA reviewed NWI maps, as well as the FEMA National Flood Hazard Layer FIRMette maps to assist in identifying aquatic features and other water resources within or near the project area. Based on aerial photographs and NWI maps, several project segments are adjacent to the Tug Fork River, classified by NWI as R3UBH, and its tributaries of Elkhorn Creek (R3UBH) and Browns Creek (R5UBH). The previously disturbed staging area approximately 2.8 miles north of Segment 14 is adjacent to Trail Fork Creek, classified by NWI as R4SBC. The NWI maps do not identify any wetlands areas associated with these tributaries or any other aquatic features or water resources within the project limits. See Appendix C, Water Resources.

FEMA's National Flood Hazard maps indicate the presence of special flood hazard areas designated as Zone A, Zone AE, and Zone X. Zones A and AE correspond to the one percent annual chance of flood (100-year flood); however, the areas designated as Zone A have no base flood elevations determined and Zone AE areas do have base flood elevations determined. Zone X corresponds with areas determined to be outside the 500-year flood and protected by levee from 100-year flood. See Appendix C, Water Resources.

No Action:

Under the No Action alternative, the existing pipeline would remain in the current location and normal maintenance activities would continue without any impact anticipated to water resources. Depending on the location of the activities, the work could be in close proximity to an aquatic resource where the WGCA in the City of Welch would need to take precautions to avoid adverse impacts to these sensitive areas. Additionally, if work was to occur in an area identified as a special flood hazard area, prior coordination with the local

⁵ The term "coastal zone" means the coastal waters (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder), strongly influenced by each other and in proximity to the shorelines of the several coastal states, and includes islands, transitional and intertidal areas, salt marshes, wetlands, and beaches.)

Floodplain Manager may be required.

Proposed Action:

The proposed action includes replacing approximately 3.27 miles of existing plastic pipelines and select service lines. Segment 13 is adjacent to the Tug Fork River and would utilize insertion construction methods to replace pipeline. The pit locations would be located at each end of the Martha H. Moore Pathway in previously disturbed areas. Therefore, impacts to the Tug Fork River are not anticipated. The previously disturbed staging area located approximately 2.8 miles north of Segment 14 is adjacent to Trail Fork Creek; however, impacts are not anticipated as all staging would remain within the previously disturbed areas. All pipeline work would be conducted in previously disturbed ROW or easements, and trenches would not exceed 36 inches deep by 12 inches wide. Therefore, there would be no direct impact to wetlands or other aquatic features and water resources.

A small portion of the pipeline replacement work would be conducted within Zone A or Zone AE special flood hazard areas. There would be temporary impacts from pipeline replacement within these areas; however, all areas would be restored to pre-construction conditions and there would be no permanent impacts to flood areas. The National Flood Insurance Program (NFIP) requires a permit before new construction or development begins within any special flood hazard area to ensure that project development meets the requirements of the NFIP program and the local community's floodplain management ordinances. The proposed pipeline replacement is not considered new construction or development as pipes would be installed in existing, previously impacted ROW and all areas would be restored to their existing contours and condition. These activities would not affect the flood-holding capacity of the 100-year floodplain or cause any adverse impacts to the special flood hazard areas. To ensure compliance with local floodplain ordinances, WGCA should coordinate with the local floodplain administrator to inquire and obtain all necessary permits, prior to beginning work.

Based on information provided by the WGCA and a review of available information, it is PHMSA's assessment that there would be no permanent impacts to water resources located within the project. The pipeline placement and abandonment of the existing pipeline is not anticipated to cause any reasonably foreseeable indirect effects or cumulative effects to water resources. Therefore, it is PHMSA's assessment that there would be no adverse impacts to water resources.

Mitigation Measures:

The Welch Gas Cooperative Association of the City of Welch shall avoid staging in wetlands or floodplains and all preconstruction contours shall be restored and natural areas shall be reseeded, as soon as practical. Best Management Practices (BMPs) shall be used during construction to control sediment and erosion and prevent pollutants from entering waterways.

The Welch Gas Cooperative Association of the City of Welch shall coordinate with the local floodplain administrator to obtain any necessary permits for conducting work in special flood hazard areas, prior to the commencement of work.

The Welch Gas Cooperative Association of the City of Welch shall obtain a Clean Water Act, Section 402 stormwater permit, and develop a stormwater pollution prevention plan, prior to the commencement of work, if necessary.

Groundwater and Hazardous Materials/Waste

Question	Information and Justification
Does the project have potential to encounter and	No
impact groundwater? If yes, describe potential	
impacts from construction activities.	
Will the project require boring or directional drilling	No
that may require pits containing mud and inadvertent	
return fluids? If yes, describe measures that will be	
taken during construction activities to prevent impacts	
to groundwater resources.	
Will the project potentially involve a site(s)	No
contaminated by hazardous waste? Is there any	
indication that the pipeline was ever used to convey	
coal gas? If yes, PHMSA will work with the project	
proponent for required studies.	
Does the project have the potential to encounter or	No
disturb lead pipes or asbestos?	
Conclusion:	

Conclusion:

The project consists of fifteen (15) segments within Welch, West Virginia. PHMSA reviewed EPA's NEPAssist⁶ website to identify any brownfield properties, hazardous waste sites, and superfund sites. Several hazardous waste sites were identified near the project area, which includes industries such as an armory, pharmacy, and a general store. Although these establishments reside near the project sites, none would be impacted by the proposed project and it is noted that the presence of a hazardous waste site does not indicate an identified environmental concern. One brownfield site, approximately 0.42 acres in size, is located adjacent to, but not within, the project area on Wyoming Street. No superfund sites were identified within or near the project area. See Appendix D, Hazardous Materials.

PHMSA obtained a custom soil report for the project area from the United States Department of Agriculture (USDA), NRCS's web soil survey which indicates that the project area is comprised of soils classified as Urban land-Chavies complex and Pineville-Berks association. The majority of these soils within the project area are well drained soils where the depth to the water table is found greater than 80 inches.⁷ See Appendix E, Soils Report.

No Action:

Under the No Action alternative, the existing pipelines would remain in their current location and ongoing and routine maintenance activities would occur. Pipes would be replaced under failed circumstances. While there are no adverse impacts to groundwater anticipated by the No Action alternative, increased methane emissions are likely to occur if the leak prone pipes remain (EPA, PRO Fact Sheet No. 402⁸) and the risk of failure is higher among these types of pipes. Therefore, under the no action alternative, PHMSA anticipates an increased risk for the release of methane, both as leaks and during a pipeline failure, which could then result in ground disturbances from construction activities, potentially impacting groundwater.

⁶ <u>https://nepassisttool.epa.gov/nepassist/nepamap.aspx</u>

⁷ https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

⁸ Insert Gas Main Flexible Liners at https://www.epa.gov/sites/default/files/2016-

^{06/}documents/insertgasmainflexibleliners.pdf#:~:text=Methane%20emissions%20reductions%20come%20from%20lower%20leakage%20rates,pipe%20a nd%20external%20corrosion%20in%20unprotected%20stee l%20pi ping.

Proposed Action:

The Proposed Action includes the replacement of 17,273 LF of leak prone plastic piping within the existing ROW in Welch, West Virgina. One brownfield site, McDowell County Commission, was identified near the project area on Wyoming Street. The McDowell site is included in a state cooperative agreement, the Revolving Loan Fund Pilot, to assess sites, fund projects through grant awards, and provide education to the public and stakeholders. A Phase 1 Site Assessment was completed in 2021, contamination was identified and remediation efforts are ongoing within the cooperative agreement. However, no ground disturbance would occur near the McDowell site and the nearby construction methods include insertion into the existing lines. Construction methods throughout the remainder of the project consist of trenching and insertion, at depths not to exceed 48 inches. It is not anticipated that construction would intercept groundwater. The existing gas line will be completely removed where feasible. Otherwise, the existing gas line will be abandoned, in accordance with PHMSA requirements, and would be purged of natural gas and sealed on each end. The new main gas lines would be replaced adjacent to the existing gas lines in existing ROW, and service lines would be replaced within newly acquired easements owned by WVDOH. All impacted areas would be restored to preconstruction conditions. Therefore, it is PHMSA's assessment that there would be no adverse impacts to groundwater or hazardous waste sites in the areas of disturbance. Additionally, there are no hazardous waste or brownfield, or superfund sites identified in the area where work would occur that could be potentially impacted by the Proposed Action Alternative. PHMSA has not identified any indirect or cumulative effects to groundwater or hazardous materials.

Mitigation Measures:

In the event of a release of hazardous materials/waste into the environment during construction, the Welch Gas Cooperative Association of the City of Welch shall notify the appropriate emergency response agencies, potentially impacted residents, and regulatory agencies of the release or exposure.

The Welch Gas Cooperative Association of the City of Welch shall implement a Stormwater Pollution Prevention Plan which would identify appropriate construction and restoration activities to minimize the potential impacts to groundwater. All impacted areas would be restored to pre-construction conditions.

Soils	
Will all bare soils be stabilized using methods using methods identified in the initial Tier 2 EA worksheet? Will additional measures be required?	Yes, erosion and sediment control would be utilized during the project. All impacted areas would be restored to pre-construction contours.
Will the project require unique impacts related to soils?	Νο

Conclusion:

PHMSA obtained a custom soil report for the project area from the USDA, NRCS's web soil survey which indicates that the project area is comprised of various soils classified as Urban land-Chavies complex and Pineville-Berks association. The majority of these soils within the project area are well drained soils where the depth to the water table is found greater than 80 inches.⁹ See Appendix E, Soils Reports, for a soils map.

No Action:

⁹ <u>https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx</u>

Under the No Action alternative, the existing Aldyl-A plastic pipes would remain in their current location and soils would remain in their current state and condition. Normal maintenance activities would occur, and pipes would be replaced under failed circumstances. Some soil disturbance would occur during emergency repairs and the affected areas would be restored upon completion. Under either scenario, no adverse impacts to soils would be anticipated under the No Action alternative.

Proposed Action:

The Proposed Action includes replacing 3.27 miles (17,273 LF) of Aldyl-A plastic pipelines. The pipeline would be installed approximately 48 inches deep and in an 18-inch-wide trench. All areas of disturbance would be restored to pre-construction contours and conditions. Therefore, it is PHMSA's assessment that there would be no adverse impact to soils resulting from the Proposed Action alternative. Additionally, there are no indirect or cumulative impacts anticipated as WGCA would restore all areas to pre-construction conditions.

Mitigation Measures:

The Welch Gas Cooperative Association in the City of Welch shall utilize best management practices, as appropriate, to control sediment and erosion during construction which may include silt fencing, compost filter socks, and promptly covering all bare areas with seeds or vegetation. All impacted areas to pre-construction conditions.

Biological Resources	
Question	Information and Justification
Based on review of IPaC and NOAA Fisheries database, are there any federally threatened or endangered species and/or critical habitat potentially occurring within the geographic range of the project area? ¹⁰ If no, no further analysis is required.	Yes, based on review of the USFWS's Information for Planning and Consultation (IPaC). Additionally, West Virginia state resources were inventoried to identify potential state listed species.
Will the project impact any areas in or adjacent to habitat for Federally, listed threatened or endangered species or their critical habitat? If no, provide justification and avoidance measures. If yes, PHMSA will work with the project proponent to conduct necessary consultation with resource agencies.	
consultation with resource agencies. Conclusion:	

PHMSA requested an official species list through the USFWS's IPaC website to obtain a list of species under USFWS' jurisdiction. See Appendix F, Biological Resources, for the species list. The following were identified as potentially occurring within the geographic area of the Proposed Action:

- Gray bat Myotis grisescens (endangered)
- Indiana bat Myotis sodalis (endangered)
- Northern long-eared bat Myotis septentrionalis (endangered)
- Tricolored bat *Perimytois subflavus* (proposed endangered)
- Big sandy crayfish *Cambarus callainus* (threatened)

¹⁰ <u>https://ipac.ecosphere.fws.gov/</u>

• Monarch butterfly *Danaus plexippus* (candidate)

Designated critical habitat was identified near the geographic area of the project for the Indiana bat and big sandy crayfish; however, the proposed action areas do not overlap with critical habitat identified for these species. Additionally, the West Virginia Department of Natural Resources'¹¹ list of rare, threatened and endangered species was reviewed. There are several state protected species that are also identified as either Federally endangered or threatened or proposed for listing which may occur within the geographic range of the project area. The full list of state protected species can be found in Appendix F, Biological Resources.

No Action:

Under the No Action alternative, existing conditions would remain, and normal maintenance activities would occur. The project area is in a rural, but urbanized environment and therefore has very limited biological resources present. Maintenance activities would not have any effect on the species identified above.

Proposed Action:

The project area is in a rural environment where the areas of disturbance would be mainly within existing transportation corridors and along roadsides. All work on new mains would take place within the existing ROW or within an easement owned and operated by WVDOH. Because these areas are within ROW that has been previously impacted, the immediate project area has very limited biological resources present. To ensure proposed activities would not have any potential impact to protected species, PHMSA used the USFWS's online IPaC tool to identify listed species and critical habitat that may be within the geographic range of the proposed project areas. The project area does not contain suitable habitat for the endangered gray bat (Myotis grisescens), northern long-eared bat (Myotis septentrionalis), or the proposed endangered tricolored bat (Perimytois subflavus). Additionally, the proposed action areas do not overlap with the critical habitat identified for the Indiana bat (Myotis sodalis) or big sandy crayfish (Cambarus callainus). Under Section 7(a)(4) of the Endangered Species Act (ESA), Federal agencies must confer with the USFWS if their action will jeopardize the continued existence of a proposed species. As a candidate species, the monarch butterfly receives no statutory protection under the ESA. The tricolored bat is proposed for listing and the project is unlikely to jeopardize this species' existence. PHMSA's assessment is that the project would have no adverse impacts to state listed species or other biological resources and that there are no indirect or cumulative impacts anticipated as no impacts to habitat or species would occur. See Appendix F, Biological Resources.

Mitigation Measures:

The Welch Gas Cooperative Association in the City of Welch is responsible for abiding by all applicable federal, state, and local regulations.

Cultural Resources	
Question	Information and Justification
Does the project include any ground disturbing activities, modifications to buildings or structures, or construction or installation of any new aboveground components?	Yes

¹¹ https://wvdnr.gov/plants-animals/rare-threatened-endangered-species/

Is the project located within a previously identified	Yes, project segments are located in the Welch
local, state, or National Register historic district or	Commercial Historic District.
adjacent to any locally or nationally recognized historic	
properties? This information can be gathered from the	
local government and/or State Historic Preservation	
Office. ¹²	
Does the project or any part of the project take place	Yes, the Cherokee Nation and the Eastern Band of
on tribal lands or land where a tribal cultural interest	Cherokee Indians have an interest in McDowell
may exist? ¹³	County, WV.
Are there any nearby properties or resources that	Yes, there are several homes within the project area
either appear to be or are documented to have been	constructed more than 45 years ago.
constructed more than 45 years ago? ¹⁴ Does there	
appear to be a group of properties of similar age,	
design, or method of construction? Any designed	
landscapes such as a park or cemetery? Please provide	
photographs to show the context of the project area	
and adjacent properties.	
Has the entire area and depth of construction for the	Yes, WGCA has previously installed a 4" HDPE line
project been previously disturbed by the original	parallel to the existing 2" Aldyl A pipe.
installation or other activities? If so, provide any	
documentation of prior ground disturbances.	
Will project implementation require removal or	Yes, some roadway disturbance may be required to
disturbance of any stone or brick sidewalk, roadway,	replace the pipelines.
or landscape materials or other old or unique	
features? Please provide photos of the project area	
that include the roadway and sidewalk materials in the	
project and staging areas.	
Conclusion:	

Conclusion:

PHMSA must consider the impact of projects for which they provide funding on historic and archeological properties¹⁵ in accordance with Section 106 of the National Historic Preservation Act (Section 106). Pursuant to 36 CFR 800.4(a)(1), the Area of Potential Effects (APE) is defined as the geographic area(s) within which the Undertaking may directly or indirectly affect historic resources. Based on the proposed scope of work, PHMSA has delineated the APE for this project to encompass the portions of the existing utility ROW and WVDOH ROW that includes the 15 project segments, parcels adjoining Segment 7 and Segment 15 ROWs, and the limits of two roadside gravel lots identified as staging areas. See Appendix G, Cultural Resources, for APE maps.

No Action:

Under the No Action alternative, existing conditions would remain, and normal maintenance activities would occur. These activities could result in ground disturbance that might affect historic resources. However, no

¹² Many SHPOs have an <u>online system</u> at <u>https://www.nps.gov/subjects/nationalregister/state-historic-preservation-offices.htm</u> that can tell you previously identified historic properties in your project area. The <u>National Register list</u> at <u>https://www.nps.gov/subjects/nationalregister/database-research.htm</u> can also be accessed online.

¹³ The SHPO may have information on areas of tribal interest, or a good source is the HUD TDAT website at https://egis.hud.gov/TDAT/.

 $^{^{\}rm 14}$ Local tax and property records or historic maps may indicate dates of construction.

¹⁵ Historic property means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places (National Register) maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria.

federal funding would be applied and therefore Section 106 would not be required.

Proposed Action:

PHMSA staff identified properties based on available information on previously identified historic properties in the APE, including the National Register of Historic Places (NRHP) database publicly available data from the West Virginia Division State Historic Preservation Office (SHPO). PHMSA staff also conducted research to determine if there are any previously unidentified properties within the APE that are 45 years of age or older and may be eligible for the NRHP. Segments 12 and 13 intersect the NRHP-listed Welch Commercial Historic District. PHMSA is not aware of any archaeological sites in the APE and based on the evaluation, there is low potential for intact significant resources in the APE and no additional survey is needed. See Appendix G, Cultural Resources, for additional information about the APE and the properties identified. In accordance with 36 CFR Part 800.5, the Undertaking will have No Adverse Effect on historic properties identified within the APE.

A letter was sent on March 15, 2024, to the West Virginia SHPO, federally recognized tribes with a potential interest in the project area, and all consulting parties outlining the Section 106 process, including a description of the undertaking, delineation and justification of the APE, identification of historic properties and an evaluation and proposed finding of no historic properties affected. PHMSA requested comments on the Section 106 process, identification of historic properties, and proposed finding within 30 days of receipt of the letter. See Appendix G, Cultural Resources, for additional information.

Mitigation Measures:

If, during project implementation, a previously undiscovered archaeological or cultural resource that is or could reasonably be a historic property is encountered or a previously known historic property will be affected in an unanticipated manner, all project activities in the vicinity of the discovery will cease and the Welch Gas Cooperative Association will immediately notify PHMSA. This may include discovery of cultural features (e.g., foundations, water wells, trash pits, etc.) and/or artifacts (e.g., pottery, stone tools and flakes, animal bones, etc.) or damage to a historic property that was not anticipated. PHMSA will notify the State Historic Preservation Office and participating federally recognized tribes and conduct consultation as appropriate in accordance with 36 CFR § 800.13. Construction in the area of the discovery must not resume until PHMSA provides further direction.

In the event that unmarked human remains are encountered during permitted activities, all work shall halt and the Welch Gas Cooperative Association shall immediately contact PHMSA as well as the proper authorities in accordance with applicable state statutes to determine if the discovery is subject to a criminal investigation, of Native American origin, or associated with a potential archaeological resource. At all times human remains must be treated with the utmost dignity and respect. Human remains and associated artifacts will be left in place and not disturbed. No skeletal remains or materials associated with the remains will be photographed, collected, or removed until PHMSA has conducted the appropriate consultation and developed a plan of action. Project activities shall not resume until PHMSA provides further direction.

All work, material, equipment, and staging to remain within the road's existing right-of-way or utility easement or other staging areas as identified in the environmental documentation. If the scope of work changes in any way that may alter the effects to historic properties as described herein, the grant recipient must notify PHMSA, and consultation may be reopened under Section 106.

Section 4(f)	
Question	Information and Justification
Are there Section 4(f) properties within or immediately adjacent to the project area? If yes, provide a list of properties or as an attachment.	Yes, Martha H. Moore Riverfront Park, Martha H. Moore Pathway, and a community park located at the intersection of Central Avenue and Stewart Street were identified within the project area.
Will any construction activities occur within the property boundaries of a Section 4(f) property? If so, please detail these activities and indicate if these are temporary or permanent uses of the Section 4(f) property. Further coordination with PHMSA is required for all projects that might impact a Section 4(f) property.	No. Proposed work at Martha H. Moore Riverfront Park and Martha H. Moore Pathway insertion of new 2" HDPE pipe into the existing 4" HDPE, with proposed pit locations at each end of the Pathway.

Section 4(f) of the US Department of Transportation (USDOT) Act of 1966 as amended (Section 4(f)) (49 U.S.C. § 303(c)); is a federal law that applies to transportation projects that require funding or other approvals by the USDOT. Section 4(f) prohibits the Secretary of Transportation from approving any program or project which requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or any land from an historic site of national, state, or local significance unless:

- There is no feasible and prudent alternative to the use of the land;
- The program or project includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site, resulting from such use.

PHMSA conducted a review of properties that are located within the Project Area to identify properties that qualify as Section 4(f). Martha H. Moore Riverfront Park, Martha H. Moore Pathway, and a community park, owned by the City of Welch, located at the intersection of Central Avenue and Stewart Street were identified within the project area as potential 4(f) properties. See Appendix H, Section 4 (f).

The Martha H. Moore Riverfront Park sits along the Tug River in Welch, West Virginia. In response to a flood that destroyed buildings along the river, the park was developed in the newly vacant space to, "… enhance the quality of life for residents, visitors and businesses; develop a visually pleasing environment for the downtown area that not only included green spaces with access to the river for recreation, but also streetscape improvements which would emphasize and play off the historic value of the City; and connect the new downtown development with Linkous Park." The park includes an amphitheater, landscaping, a mural, and connection to the Martha H. Moore Pathway.

The Martha H. Moore Pathway begins at the intersection of Tug Street and McDowell Street, runs along the Tug river traversing through the Riverfront Park, and ends behind the Post Office on Elkhorn Street. The pathway has been utilized to host local charity runs.

The community park located at the intersection of Central Avenue and Stewart Street is owned by the City of Welch. Access to the fenced in park is located on Central Avenue. The park includes a slide, swing set, basketball court, and a covered picnic area.

No Action:

Under the No Action alternative, there would be no change to existing pipeline infrastructure pursuant to federal funding or approval authorized by the Program. Therefore, there would be no use of Section 4(f) property under the No Action alternative.

Proposed Action:

The proposed action within Segment 13 includes work along a portion of the Martha H. Moore Pathway and intersects the Martha H. Moore Riverfront Park. Construction methods would include slip insertion of a new 2" PE pipe into the existing 4" PE, with proposed pit locations at each end of the Pathway within existing transportation ROW. See Appendix H, Section 4(f), for a map of the proposed pit locations. Both the Park and Pathway would remain open for public access and use during construction activities. The pipeline in Segment 15 would be relocated, via trenching, to WVDOH ROW which abuts the community park located at the intersection of Central Avenue and Stewart Street is owned by the City of Welch. Trench widths would not exceed 18 inches and depths would not exceed 48 inches. Access to Central Avenue would be maintained throughout construction by the use of steel plates for residents and park visitors to cross over from Stewart Street to Central Avenue. Once construction is complete, the trench would be backfilled and repaved. No work would occur within the community park, and access to the park would not be impacted. Therefore, PHMSA's assessment is that there would be no use of Section 4(f) resources.

Mitigation Measures:

The Welch Gas Cooperative Association of the City of Welch shall utilize insertion methods to replace pipeline in all areas where the project intersects the Martha H. Moore Riverfront Park and Martha H. Moore Pathway.

The Welch Gas Cooperative Association of the City of Welch shall ensure full public access to, and use of, the Martha H. Moore Riverfront Park, Martha H. Moore Pathway, and the community park located at the intersection of Central Avenue and Stewart Street, are maintained during construction.

Land Use and Transportation	
Question	Information and Justification
Will the full extent of the project boundaries remain	Yes, all work on new mains would take place within
within the existing right-of-way or easements? If no,	the existing ROW or a new easement owned and
please describe any right-of-way acquisitions or	operated by WVDOH.
additional easements needed.	
Will the project result in detours, transportation	Yes. Traffic may be temporarily impacted due to the
restrictions, or other impacts to normal traffic flow or	proximity of the project to the roadways. Impacts to
to existing transportation facilities during	traffic would be temporary during the installation of
construction? Will there be any permanent change to	new taps, and detours and transportation restrictions
existing transportation facilities? If so, what are the	would occur only during construction.
changes, and how would changes affect the public?	
Will the project interrupt or impede emergency	No, the project would not interrupt or impede
response services from fire, police, ambulance or any	emergency response services.
other emergency or safety response providers? If so,	
describe any coordination that will occur with	
emergency response providers?	
Conclusion:	

The project is located in Welch, West Virginia, a rural area comprised of mostly residential areas and light commercial business.

No Action:

Under the No Action alternative, the existing Aldyl-A plastic pipelines would remain in their current location and no changes to land use would occur. Normal maintenance activities would occur, and pipes would be replaced under failed circumstances.

Proposed Action:

The new pipelines would be installed adjacent to the existing lines, within the existing infrastructure ROW or relocated to WVDOH ROW, and all work would occur along the edge of streets within previously disturbed areas. Service lines would be installed in the newly obtained easement, with previous utility disturbance, owned and operated by the WVDOH. The areas would be restored to pre-existing condition and contours. Therefore, PHMSA has determined that there would be no permanent change to land use. The project is replacing/upgrading the existing pipe and would not include new pipeline to serve any additional areas. Additionally, PHMSA's assessment is that there are no indirect impacts anticipated as land use remains the same.

During construction potential impacts include an increase in noise, dust, and transportation accessibility, as a result of construction and construction staging. Traffic may be temporarily impacted due to the proximity of the project to the roadway. Impacts to traffic would be temporary during the installation of new taps, and detours and transportation restrictions would occur only during construction. Access to Central Avenue would be maintained throughout construction by the use of steel plates to cross over the trench. Therefore, because the work consists of the replacement of existing pipeline, would not convert any new areas into a different use, and traffic impacts would only occur during construction, PHMSA's assessment is that impacts related to land use are considered minor and temporary.

PHMSA considered the cumulative effects of this action with ongoing and planned transportation related construction projects that could cumulatively impact land use and transportation. The City of Welch does not have other on-going projects within or near the project area.

Mitigation Measures:

The Welch Gas Cooperative Association in the City of Welch shall implement the following mitigation measures:

- All state, local and tribal noise regulations would be followed;
- All construction activities would occur during normal, weekday business hours, when noise restrictions are not in place;
- Proper maintenance of equipment mufflers; and
- Use of acoustical noise tent and/or enclosures surrounding hoe rams, jackhammers, or pavement breakers, to the extent practicable given space constraints a work sites.

Noise and Vibration	
Question	Information and Justification

	· · · · · · · · · · · · · · · · · · ·
Will the project construction occur for longer than a	No
month at a single project location?	
Will the project location be in proximity (less than 50-	Yes, the project would occur within 50' of noise
ft.) to noise sensitive receivers (residences, schools,	sensitive receivers, construction activities would be
houses of worship, etc.)? If so, what measures will be	limited to normal weekday business hours and all
taken to reduce noise and vibration impacts to	equipment mufflers would have proper maintenance.
sensitive receptors?	
Will the project require high-noise and vibration	No.
inducing construction methods? If so, please specify.	
Will the project comply with state and local	There are no local applicable noise ordinances for the
ordinances? If so, identify applicable ordinances and	City of Welch or McDowell County.
limitations on noise/vibration times or sound levels.	
Will construction activities require large bulldozers,	No; however, the project may utilize jackhammers
hoe ram, or other vibratory equipment within 20 ft of	and dump trucks.
a structure?	
Conclusion	

Conclusion:

The project is located in residential and commercial areas of the City of Welch in McDowell County, West Virginia. The ambient noise within the project area consists of a combination of environmental noise from road traffic, construction, industry, the built environment, population density and other sources. There are several sensitive noise receptors (residences, schools, etc.) located adjacent to the streets where work would occur.

No Action:

Under the No Action, the project would not move forward and the pipelines along the designated streets in the project area would not be replaced at this time, and likely would not be replaced all at once. It is likely that these pipelines would be repaired or replaced due to a leak under emergency conditions. If replacement or repairs occur under emergency conditions, noise from construction equipment would add to that of the current ambient noise and would be of a shorter duration.

Proposed Action:

Excavators, dump trucks, skid steers, rollers, pavers, and other similar construction equipment would be used to excavate a trench, lay pipe, compact soils and re-pave the affected areas. Pipeline may be installed in some areas via insertion. All construction activities would occur during normal, weekday business hours. Sensitive noise receptors are likely to experience temporary noise impacts in the vicinity of the work; however, PHMSA's assessment is that the noise impacts would be minor and temporary and no adverse vibration impacts would result from the proposed work.

PHMSA considered the cumulative effects of this action with ongoing and planned transportation related construction projects that could cumulatively have an impact on the noise and vibration impacts within the City of Welch. Rural areas often have paving, drainage improvement, and other construction or maintenance projects on going which could occur within or near the project area which would contribute to increased noise. These construction and maintenance projects could occur at the same time as the Proposed Action alternative and would contribute to an increase in cumulative noise effects during construction. However, adhering to local noise ordinances would ensure the project does not cause cumulatively more than minor adverse noise or vibration impacts.

Mitigation Measures:

The Welch Gas Cooperative Association in the City of Welch shall implement the following mitigation measures:

- All state, local and tribal noise regulations would be followed;
- All construction activities would occur during normal, weekday business hours;
- Ensure proper maintenance of equipment mufflers; and
- Use of acoustical noise tent and/or enclosures surrounding hoe rams, jackhammers, or pavement breakers, to the extent practicable given space constraints a work sites.

Environmental Justice							
Question	Information and Justification						
Using the EPA EJScreen or census data ¹⁶ , is the project	Yes, based on review of socioeconomic data using the						
located in an area of minority and/or low-income	EPAs EJScreen, the population residing within the						
individuals as defined by USDOT Order 5610.2(c)? If	general project area contains 54% low income and						
so, provide demographic data for minority and/or low-	25% minority populations.						
income individuals within 1/2 mile from the project area							
as a percentage of the total population.							
Will the project displace existing residents or workers	No						
from their homes and communities? If so, what is the							
expected duration?							
Will the project require service disruptions to homes	Yes, outages are only expected on the day a natural						
and communities? If so, what is the expected	gas service is tied over to a new natural gas main.						
communication and outreach plan to the residents	Each effected resident would be notified 1 week prior						
and the duration of the outages?	to any service disruptions.						
Are there populations with Limited English Proficiency	No						
located in the project area? If so, what measures will							
be taken to provide communications in other							
languages?							
Conclusion:							

Executive Order (E.O.) 14096—"Revitalizing Our Nation's Commitment to Environmental Justice for All" was enacted on April 21, 2023. E.O. 14096 on environmental justice does not rescind E.O. 12898—"Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," which has been in effect since February 11, 1994 and is currently implemented through DOT Order 5610.2C. This implementation will continue until further guidance is provided regarding the implementation of the new E.O. 14096 on environmental justice.

PHMSA reviewed socioeconomic data using the EPAs EJScreen and found the population residing within the project area contains 54% low income and 25% minority populations. The percentage of low-income populations is below the McDowell County average of 61% and above the county average for minority populations of 11%. See Appendix I, Environmental Justice, for socioeconomic data.

No Action:

¹⁶ <u>https://www.census.gov/quickfacts/fact/table/US/PST045222</u>

Under the No Action alternative, existing and planned pipeline activities, including construction and maintenance activities, would continue unchanged. The Welch Gas Cooperative Association of the City of Welch would continue to use leak prone pipe material that could lead to safety incidents and service disruptions. Additionally, if a pipeline segment is not repaired or replaced prior to failure, it is likely to be associated with even more emissions under the No Action alternative. Thus, emissions benefits to the community associated with repairing or replacing existing pipelines with updated material would not be achieved and the incident risks and leaks would remain. There may be some degree of air pollution associated with construction activities for maintenance and repairs of existing pipelines under the No Action alternative, either through planned repair or replacement efforts or unplanned, emergency repairs or replacements.

Proposed Action:

The proposed action alternative would result in an overall reduction in GHG emissions. Construction activities would result in minor temporary air quality impacts, including the intentional venting of existing distribution lines prior to replacement. Noise impacts associated with construction are anticipated to be minor. Traffic impacts would be temporary and only minor disruptions or delays would occur. However, removal of leak prone pipe would reduce leaks and the potential for incidents, resulting in an increase in pipeline safety across the system while also improving operation and reliability. Therefore, consistent with Executive Order 12898 and DOT Order 5610.2(c), PHMSA has determined the project would not result in disproportionately high and adverse effects on minority or low-income populations, or other underserved and disadvantaged communities. The project would have an overall beneficial effect on environmental justice populations and would not result in indirect or cumulative impacts.

Mitigation Measures:

The Welch Gas Cooperative Association of the City of Welch shall provide advanced notification of service disruptions and construction schedule to all affected parties including residents and businesses adjacent to the project area.

Saf	fety				
Question	Information and Justification				
Has a risk profile been developed to describe the condition of the current infrastructure and potential safety concerns?	Yes, as described in the Distribution Integrity Management Program (DIMP).				
Has a public awareness program been developed and implemented that follows the guidance provided by the American Petroleum Institute (API) Recommended Practice (RP) 1162?	Yes, A public awareness program would be implemented according to the API recommended practice 1162.				
Does the project area include pipes prone to leakage?	Yes				
Will construction safety methods and procedures to protect human health and prevent/minimize hazardous materials releases during construction, including personal protection, workplace monitoring and site-specific health and safety plans, be utilized? If yes, document measures and reference appropriate safety plans.	Yes. Construction safety methods and procedures are covered in the Operating and Maintenance (O&M) Plan. Please refer to that plan for all of the specifics.				

Has an assessment of the project been performed to analyze the risk and benefits of implementation?	No
Conclusion:	

The existing pipeline identified and assessed includes 3.27 miles of Aldyl-A plastic pipe. There are many types of natural gas pipelines that are known to leak based on their materials. Some of these leak prone pipes consist of cast iron, bare steel, wrought iron, and legacy plastics with known issues (PIPES Act of 2020). PHMSA establishes safety regulations for all pipelines (49 CFR Parts 190-199). In 2011, following major natural gas pipeline incidents, DOT and PHMSA issued a Call to Action to accelerate the repair, rehabilitation, and replacement of the highest-risk pipeline infrastructure. Among other factors, pipeline age and material are significant risk indicators. PHMSA continues to encourage legacy pipeline repair or replacement to increase the safety of these segments of the gas distribution systems. Pipeline incidents can result in death, injury, property damage, and environmental damage.

No Action:

Under the No Action alternative, the Aldyl-A plastic pipelines would remain in their current location, state, and condition. Normal maintenance activities would occur, and pipes would be replaced under failed circumstances. Safety risks resulting from existing leak prone pipes remaining in place would persist until the existing pipes are replaced.

Proposed Action:

The proposed project is necessary to replace leak prone pipes. This replacement is in alignment with the City of Welch's, McDowell County DIMP plan, increasing the overall safety of the community.

The project would reduce the risk profile of existing pipeline systems prone to methane leakage and would also benefit disadvantaged rural and urban communities with the safe provision of natural gas. The project responds to the need to address the potentially unsafe condition of the natural gas distribution system of pipelines. The repair, rehabilitation, or replacement of pipelines would be constructed in accordance with industry best practices and would comply with all local, state, and federal regulations, including those for safety.

The abandonment of the existing pipeline would be conducted in accordance with PHMSA requirements found in 49 CRF 192.727 and 195.402(c)(10). These requirements include disconnecting pipelines from all sources and supplies of gas, purging all combustibles and sealing the facilities left in place. These requirements for purging and sealing abandoned pipelines would ensure that the abandoned pipelines are properly purged and cleaned and pose no risk to safety in their abandoned state. Therefore, PHMSA's assessment is that this replacement project would improve the overall safety of Welch's infrastructure.

Mitigation Measures:

The Welch Gas Cooperative Association of the City of Welch shall use standard construction safety methods and procedures; and conduct regular safety audits of crews performing work in the field and subsequent follow-up reporting and/or training, as required.

The Welch Gas Cooperative Association of the City of Welch shall ensure their DIMP procedures are updated as necessary, the work is constructed in accordance with industry best practices and the project would comply with all local, state, and federal regulations, including those for safety.

III. <u>Public Involvement</u>

On November 9, 2022, PHMSA published a Federal Register notice (87 FR 67748) with a 30-day comment period soliciting comments on the "Tier 1 Nationwide Environmental Assessment for the Natural Gas Distribution Infrastructure Safety and Modernization Grant Program." During the 30-day comment period, PHMSA received one comment letter from the APGA on various aspects of the program and air quality related analysis in the EA on December 9, 2022. This APGA letter is available for public review at the Docket No: PHMSA-2022-0123.¹⁷ PHMSA reviewed the comment letter and determined the comments were not substantial and did not warrant further analysis. One comment provided by the APGA indicated that the majority of construction methods used for pipe replacements would be replacement by open trenching and that some may want to abandon the existing pipe rather than removing it for replacement. Any departures from methods described in the Tier 1 EA will require additional documentation from the project proponent, as reflected in this Tier 2.

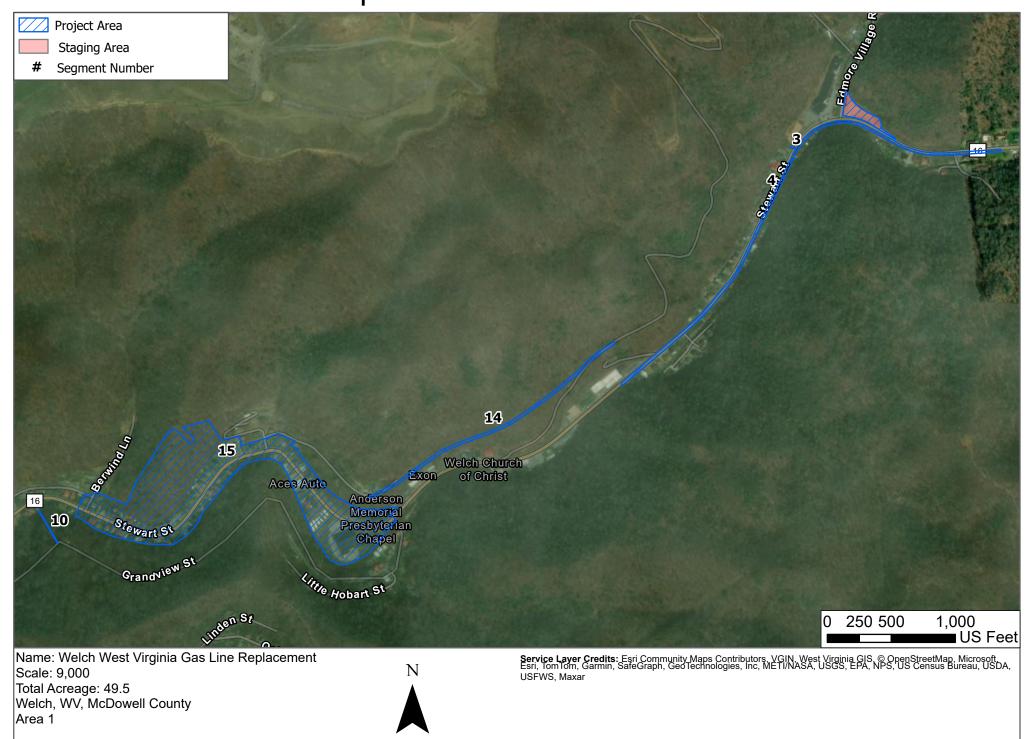
As part of this Tier 2, PHMSA is soliciting public comments through a public comment period. This Tier 2 is available on PHMSA's website where comments can be submitted to the contact noted below. PHMSA will accept public comments for 30 days on this Tier 2. PHMSA will consider comments received and incorporate them in the decision-making process. Consultation with appropriate agencies on related processes, regulations, and permits is ongoing. Please submit all comments to: <u>PHMSABILGrantNEPAComments@dot.gov</u> and reference NGDISM-FY22-EA-2023-28 in your response.

¹⁷ https://www.regulations.gov/document/PHMSA-2022-0123-0002/comment

Appendix A

Project Map

Proposed Action Area



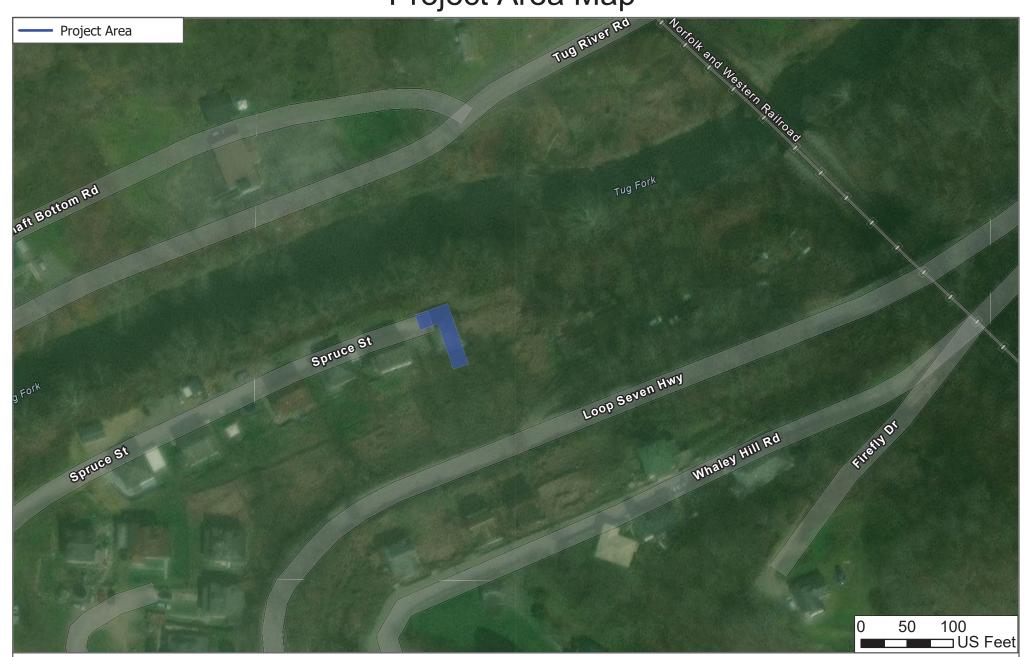
Project Area Map



Name: Welch West Virginia Gas Line Replacement Scale: 11,500 Welch, WV, McDowell County Area 2 N

Service Layer Credits: Esri Community Maps Contributors, VGIN, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS, Maxar

Project Area Map

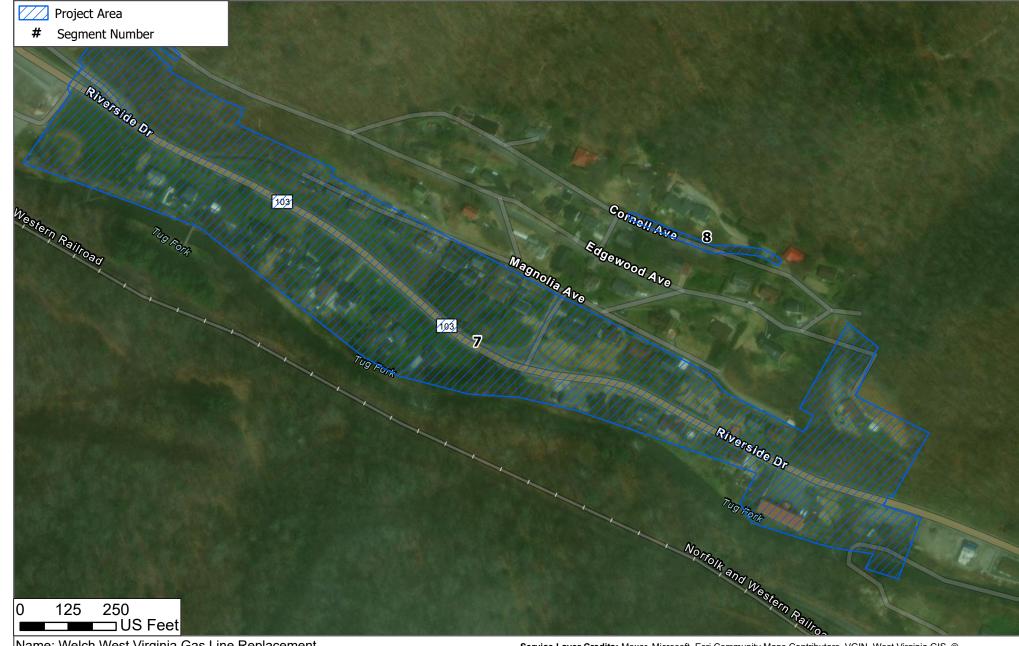


Name: Welch West Virginia Gas Line Replacement Scale: 1,250 Welch, WV, McDowell County Area 3



Service Layer Credits: Maxar, Microsoft, Esri Community Maps Contributors, VGIN, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Proposed Action Area



Name: Welch West Virginia Gas Line Replacement Scale: 3,000 Total Acreage: 49.5 Welch, WV, McDowell County Area 4



Service Layer Credits: Maxar, Microsoft, Esri Community Maps Contributors, VGIN, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, Tom Tom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Proposed Action Area



Name: Welch West Virginia Gas Line Replacement Scale: 2,000 Total Acreage: 49.5 Welch, WV, McDowell County Area 5

Service Layer Credits: Maxar, Microsoft, Esri Community Maps Contributors, VGIN, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Appendix B

Air Quality (Methane Calculations)

Table 1 Average methane emission factors for natural gas pipelines (adapted from EPA GHG Inventory, Annex 3.6, Table 3.6-2)

Pipeline Material	Pre-1990 Installation (kg/mile)	1990-2020 Installation (kg/mile)	Average Rate (kg/mile/year)		
Cast Iron	4,597.40	1,157.30	2,877.35		
Unprotected steel	2,122.30	861.3	1,491.80		
Protected steel	59.1	96.7	77.90		
Plastic	190.9	28.8	109.85		

Table 2 No Action Leak Rate

Pipeline Material Type	Pre-1990 Installation (kg/mile)	Miles	Current Methane Leak Rate (kg/year)		
Cast Iron	4,597.40	0	0		
Unprotected steel	2,122.30	0	0		
Protected steel	59.1	0	0		
Plastic	3.27	624			
Total Annual Methane Leak R	624				
20-year Methane Emissions	12,485				

Table 3 Proposed Action Leak Rate

Pipeline Material Type	1990-2020 Installation (kg/mile)	Miles	New Methane Leak Rate (kg/year)			
Plastic	28.8	3.66	105			
Year 1 Methane Reduction	503					
Annual Methane Reduction	519					
20-year Methane Reduction	10,377					

Equation 1 was used to estimate blowdown emissions in MCF, assuming a pipeline diameter (d) and pressure (P) described in Table 3.

$$E_{blowdown} = V \times \frac{P_{pipe} + P_{atm}}{P_{atm}}$$
(1)

Where the pipeline volume (V) is calculated by multiplying the cross-sectional area of the pipe by the length of pipeline (L):

$$V = \pi \times \frac{d^2}{4} \times L \tag{2}$$

Equation Inputs	Seg. 1	Seg. 2	Seg. 3	Seg. 4	Seg. 5	Seg. 6	Seg. 7	Seg. 8	Seg. 9	Seg.	Seg.	Seg.	Seg.	Seg.	Seg.
										10	11	12	13	14	15
Diameter (inches)	1.25	4	2	2	2	2	2	2	2	2	4	4	4	2	2
Blowdown Pressure	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
Length of Blowdown (ft.)	1396	255	49	4433	315	424	2423	402	87	295	1042	824	1886	2265	1367
Blowdown (MCF)	0.03	0.05	0.00	0.23	0.02	0.02	0.12	0.02	0.00	0.02	0.21	0.17	0.39	0.12	0.07
Total MCF		0.5													
Total kg		16													

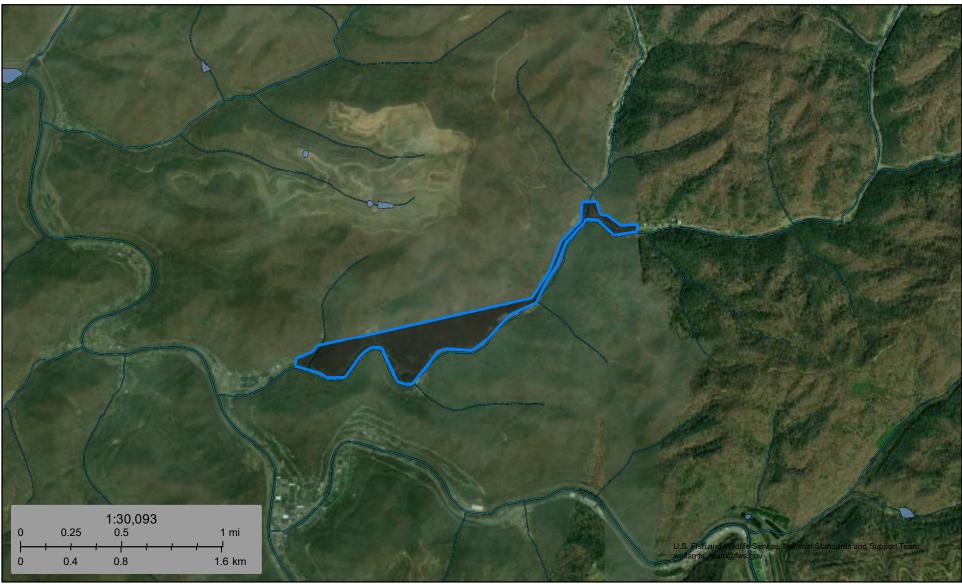
Table 4 Proposed Action - Methane Blowdown

Appendix C

Water Resources



Area 1



January 17, 2024

Wetlands

- Estuarine and Marine Wetland

Estuarine and Marine Deepwater

Freshwater Pond

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Lake Other Riverine



Area 2



January 17, 2024

Wetlands

- Estuarine and Marine Wetland

Estuarine and Marine Deepwater

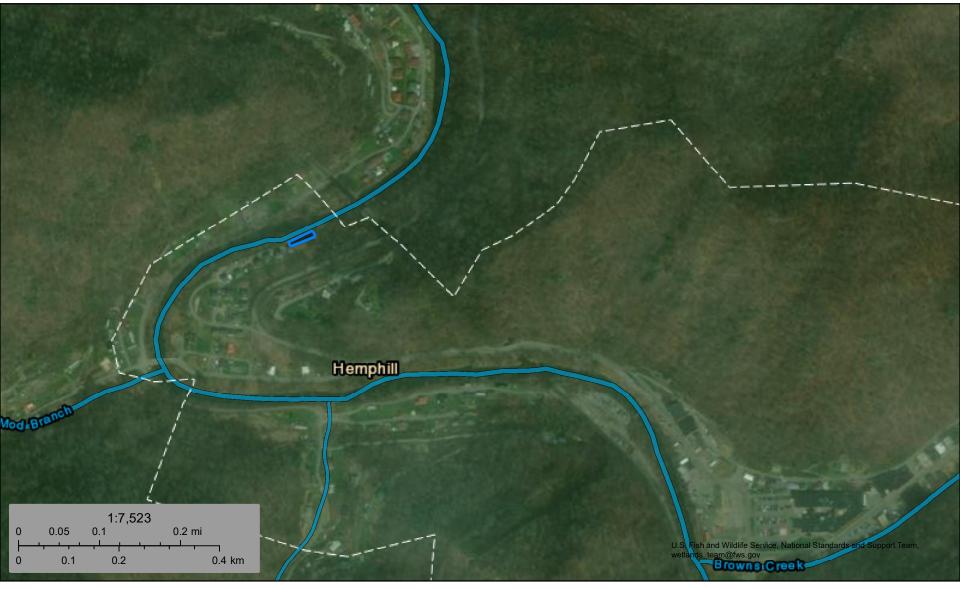
Freshwater Forested/Shrub Wetland Freshwater Pond

Freshwater Emergent Wetland

Lake Other Riverine



Area 3



January 17, 2024

Wetlands

- Estuarine and Marine Wetland

Estuarine and Marine Deepwater

- **Freshwater Pond**

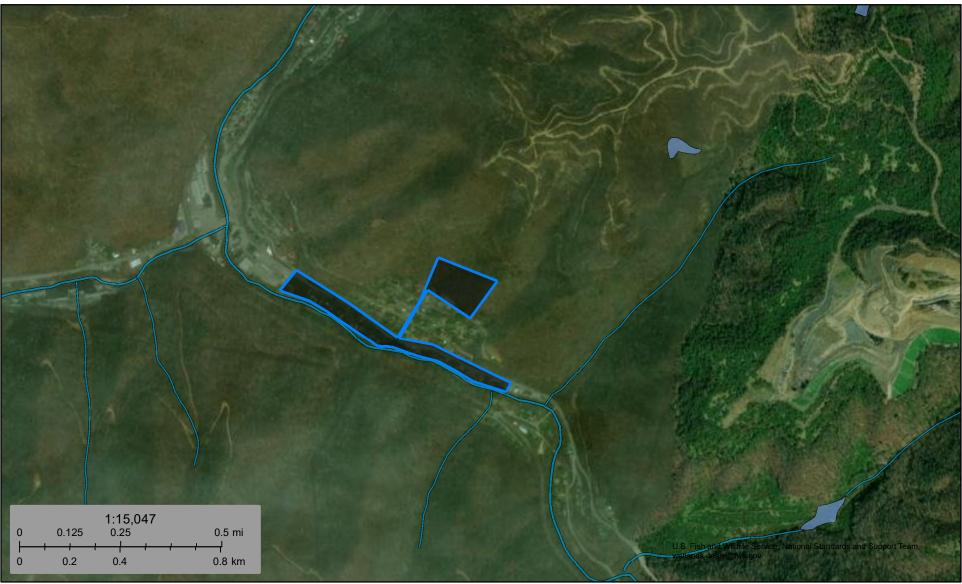
Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Lake Other Riverine



Area 4



January 17, 2024

Wetlands

- -
- Estuarine and Marine Wetland

Estuarine and Marine Deepwater

Freshwater Pond

Freshwater Emergent Wetland

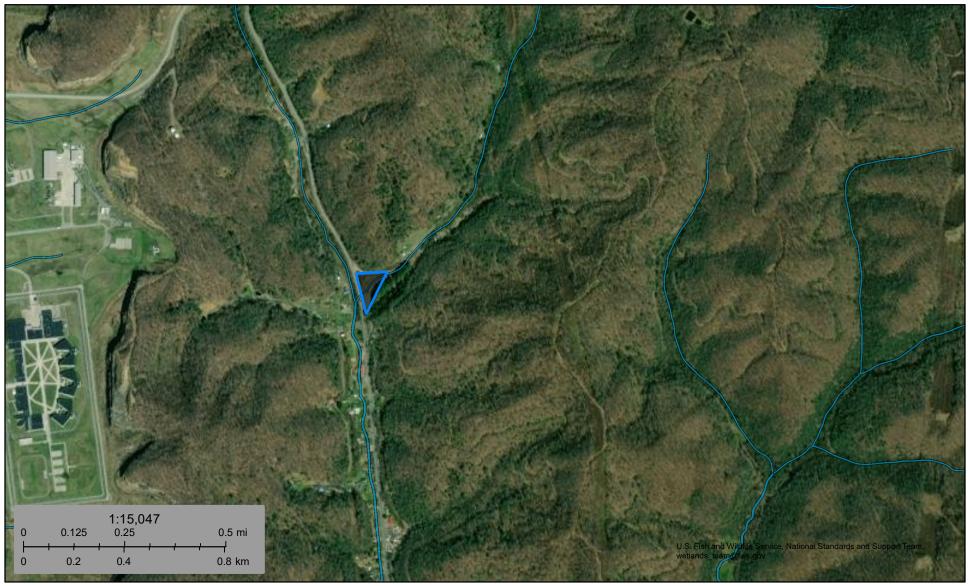
Freshwater Forested/Shrub Wetland

Lake Other Riverine



U.S. Fish and Wildlife Service **National Wetlands Inventory**

Area 5



January 17, 2024

Wetlands

- Estuarine and Marine Wetland

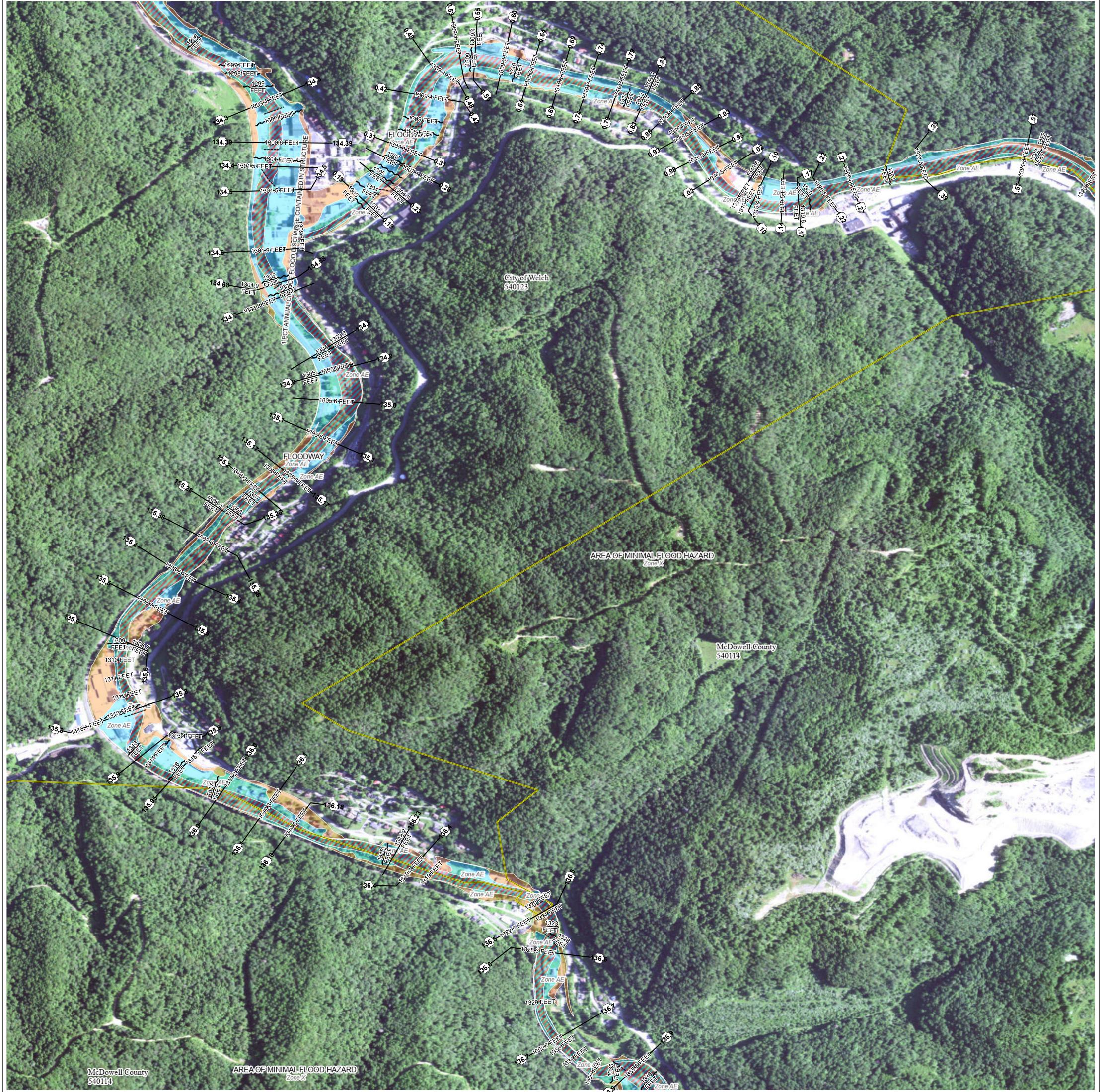
Estuarine and Marine Deepwater

- **Freshwater Pond**

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Lake Other Riverine This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



81°33'44.58"W 37°24'15.94"N

NUMBER

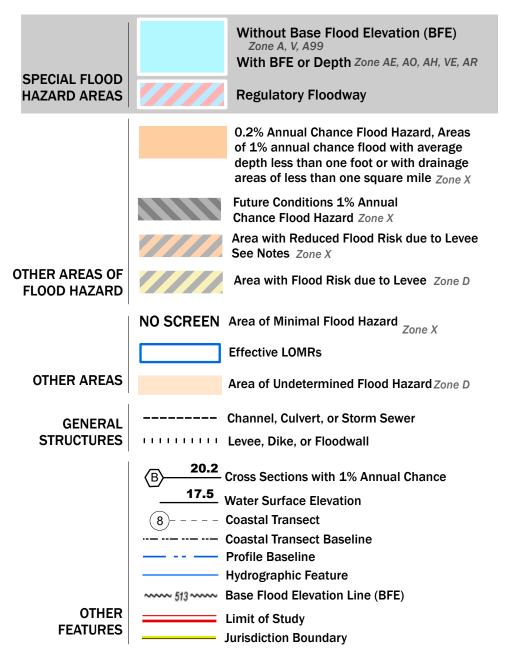
540114

RANEL

0187

FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR DRAFT FIRM PANEL LAYOUT



NOTES TO USERS

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with this FIRM, including historic versions, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Flood Map Service Center website at https://msc.fema.gov. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website.

Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Flood Map Service Center at the number listed above.

For community and countywide map dates, refer to the Flood Insurance Study Report for this jurisdiction.

To determine if flood insurance is available in this community, contact your Insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Basemap information shown on this FIRM was provided in digital format by USDA, Farm Service Agency (FSA). This information was derived from NAIP, dated April 11, 2018.

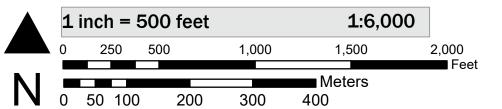
This map was exported from FEMA's National Flood Hazard Layer (NFHL) on 1/17/2024 2:37 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time. For additional information, please see the Flood Hazard Mapping Updates Overview Fact Sheet at https://www.fema.gov/media-library/assets/documents/118418

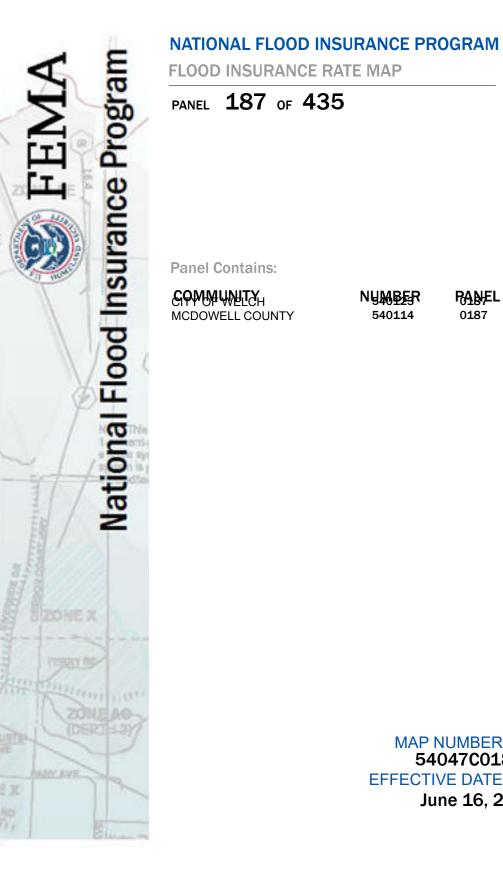
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards. This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date.

SCALE

Map Projection: GCS, Geodetic Reference System 1980; Vertical Datum: NGVD29 For information about the specific vertical datum for elevation features, datum

conversions, or vertical monuments used to create this map, please see the Flood Insurance Study (FIS) Report for your community at https://msc.fema.gov



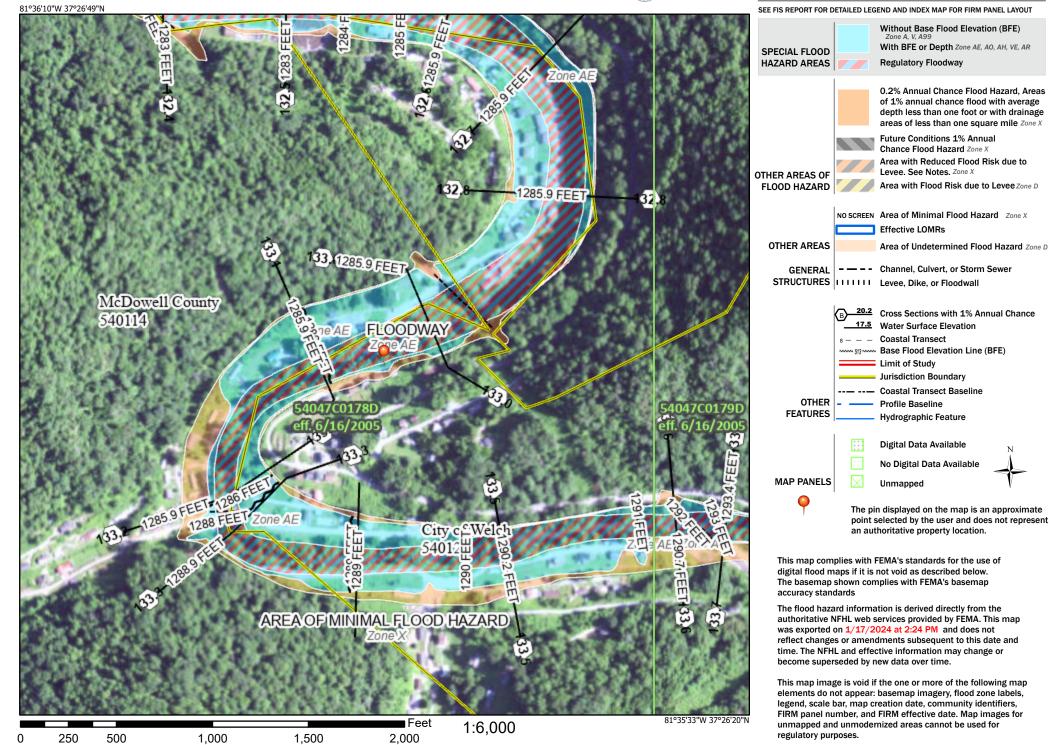


MAP NUMBER 54047C0187D EFFECTIVE DATE June 16, 2005

National Flood Hazard Layer FIRMette



Legend

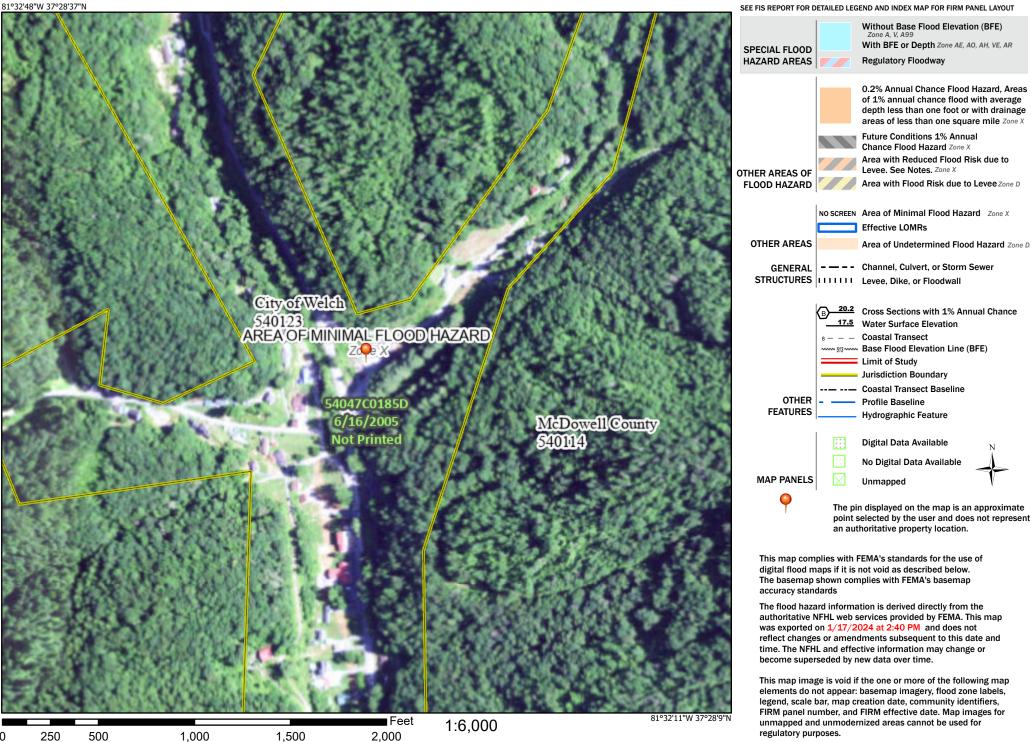


Basemap Imagery Source: USGS National Map 2023

National Flood Hazard Layer FIRMette



Legend

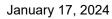


Basemap Imagery Source: USGS National Map 2023

Appendix C

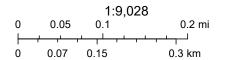
Water Resources







Hazardous Waste (RCRAInfo)





January 17, 2024

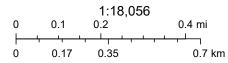


Hazardous Waste (RCRAInfo)

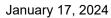
Hazardous Waste (RCRAInfo)

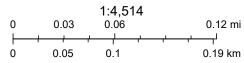
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Brownfields (ACRES) Search Result (point)

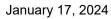






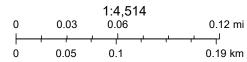






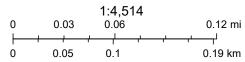


Hazardous Waste (RCRAInfo)





January 17, 2024



 \circledast 2024 Microsoft Corporation \circledast 2023 Maxar $\circledast CNES$ (2023) Distribution Airbus DS \circledast 2023 TomTom

An official website of the United States government

MENU

Search EPA.gov

You are here: EPA Home <https://epa.gov//www.epa.gov/>>>Cleanups <https://epa.gov//www.epa.gov/cleanups>>>Cleanups In My Community (CIMC)

CONTACT US <https://www.epa.gov/cleanups/forms/contact-us

Property Details for McDowell County Commission,

On this page:

. . . .

- Profile Information
- Property Location
- Property Progress
- CAs Associated with this Property
- Assessment Activities at this Property
- Contaminants and Media
- Cleanup Activities
- Institutional & Engineering Controls
- Redevelopment and Other Leveraged Accomplishments
- Additional Property Attributes

Legal Notices https://www.epa.gov/cleanups/cimc-legal-notices

Profile Information

Property Alias	
Property Owner	
ACRES Property ID	251238
Property Address	109 Wyoming Street WELCH, WV 24801
Size	.42
Parcel Numbers	
Latitude/Longitude	37.43291301067589 / -81.58475600256806
Congressional District	1
Property Contact	Nowak, Joseph
	Nowak.Joseph@epa.gov
	215-814-3303

Top of Pag

Property Location

Top of Pag

Property Progress

Assessment	×
Clean Up	×
Institutional Controls in Place	×
Engineering Controls in Place	×
Ready for Anticipated Use	×
Redevelopment Underway	×

Top of Pag

CAs Associated with this Property

CA Name	CA #	State	Туре	Announcement Year
West Virginia Department of Environmental Protection	BF96379501	WV	Assessment	2020

Top of Pag

Assessment Activities at this Property

Activity	EPA Funding	Start Date	Completion Date	CA	Accomplishment Counted?	Counted When?
Phase I Environmental Assessment	\$2,980.00	10/21/2021	12/10/2021	West Virginia Department of Environmental Protection	Y	FY22

Is Cleanup Necessary? **Unknown** EPA Assessment Funding: **\$2,980.00** Leveraged Funding: Total Funding: **\$2,980.00**

Contaminants and Media

Contaminant Found Media Affected Remediating Action for Contaminants Remediating Action for Media

Top of Pag

Cleanup Activities

There are no current cleanup activities.

Cleanup/Treatment Implemented: Cleanup/Treatement Categories: Addl Cleanup/Treatment info: Address of Data Source:

Top of Pag

Institutional and Engineering Controls

Indicate whether Institutional Controls are required

Categories of Controls Additional

Institutional Controls Information

Address of Data Source (URL if available)

Are Institutional Controls in Place

Date Institutional Controls were put in place

Indicate whether Engineering Controls are required

Categories of Controls

Additional Engineering controls information

Address of Data Source (URL if available) Indicate whether Engineering Controls are in place

Date Engineering Controls were put in place

Top of Pag

Redevelopment and Other Leveraged Accomplishments

There are no current redevelopment activities.

Number of Redevelopment Jobs Leveraged: Actual Acreage of Greenspace Created: Leveraged Funding:

Top of Pag

Additional Property Attributes

Property Highlights Predominant Past Usage What types of funding are being used on this property? State and Tribal Program Information

Date No Further Action Letter Received

Date Letter/Signed Report Received from a Qualified Professional

Other Cleanup Documentation

Top of Pag



Discover.

Accessibility <https://www.epa.gov/accessi bility>

Budget &

Performance <https://www.epa.gov/planan dbudget>

Connect.

Data.gov 🖄 https://www.data.gov/

Inspector General

<https://www.epa.gov/officeinspector-general/aboutepas-office-inspectorgeneral>

Ask.

Contact EPA <https://www.epa.gov/aboute pa/forms/contact-epa>

EPA Disclaimers <https://www.epa.gov/web-

>nttps://www.epa.gov/webpolicies-and-procedures/epadisclaimers>

Contracting <https://www.epa.gov/contra cts>

EPA www Web Snapshots <https://www.epa.gov/home/ wwwepagov-snapshots>

Grants <https://www.epa.gov/grants >

No FEAR Act Data <https://www.epa.gov/ocr/wh istleblower-protections-epa-

and-how-they-relate-nondisclosure-agreementssigned-epa-employees>

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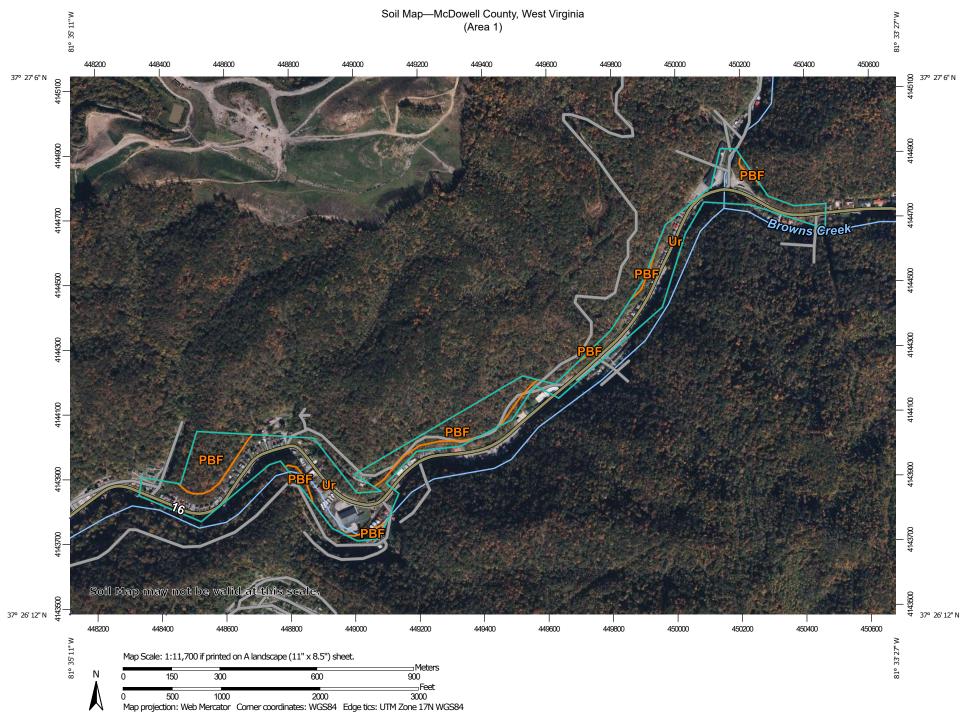
FOIA Requests <https://www.epa.gov/foia>

Frequent Questions <https://www.epa.gov/aboute pa/frequent-questionsspecific-epa-programstopics>

Follow.

Appendix E

Soils Report



USDA Natural Resources

Conservation Service

Web Soil Survey National Cooperative Soil Survey 1/17/2024 Page 1 of 3

MAP LEGEND		MAP INFORMATION	
Area of Interest (AOI) Area of Interest (AOI) Soils Soil Map Unit Polygons		The soil surveys that comprise your AOI were mapped at 1:24,000. Warning: Soil Map may not be valid at this scale. Enlargement of maps beyond the scale of mapping can cause	
Soil Map Unit Lines Soil Map Unit Points Special Point Features	∆ Other Special Line Features	misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.	
⊍ Blowout ⊠ Borrow Pit ¥ Clay Spot ♦ Closed Depression	Water Features Streams and Canals Transportation H Rails Interstate Highways	Please rely on the bar scale on each map sheet for map measurements. Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)	
Gravel Pit Gravelly Spot Landfill	US Routes Major Roads Local Roads	Maps from the Web Soil Survey are based on the Web Mercato projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.	
Marsh or swamp Mine or Quarry Miscellaneous Water	Background Aerial Photography	This product is generated from the USDA-NRCS certified data a of the version date(s) listed below. Soil Survey Area: McDowell County, West Virginia Survey Area Data: Version 15, Sep 4, 2023 Soil map units are labeled (as space allows) for map scales	
Rock Outcrop Saline Spot Sandy Spot		1:50,000 or larger. Date(s) aerial images were photographed: Oct 15, 2020—Mai 20, 2021	
 Severely Eroded Spot Sinkhole Slide or Slip Sodic Spot 		The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.	



Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
PBF	Pineville-Berks association, 35 to 80 percent slopes, rocky, extremely stony	17.3	28.5%
Ur	Urban land-Chavies complex	43.2	71.5%
Totals for Area of Interest		60.5	100.0%

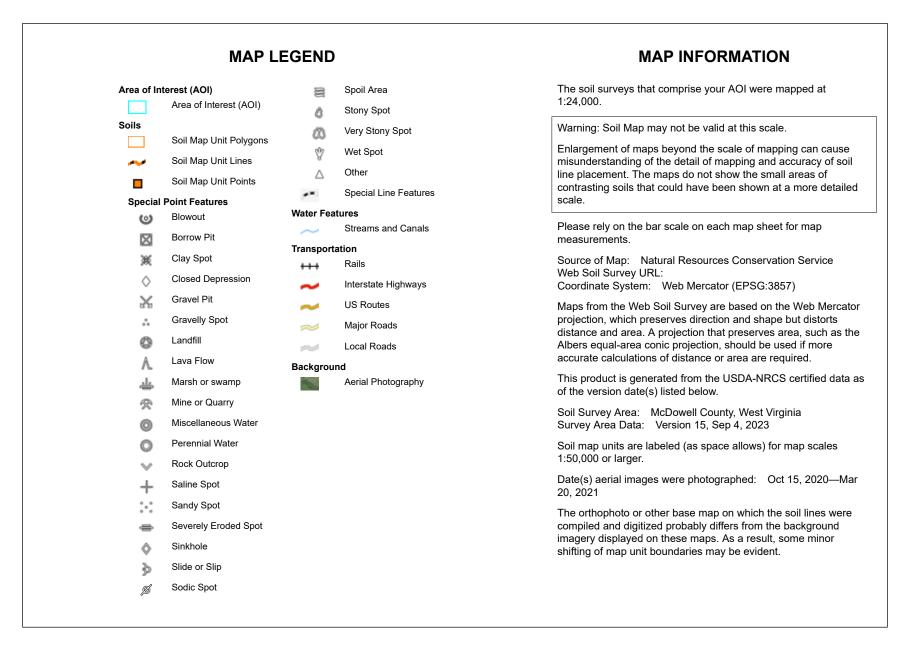




Page 1 of 3

Conservation Service

Web Soil Survey National Cooperative Soil Survey





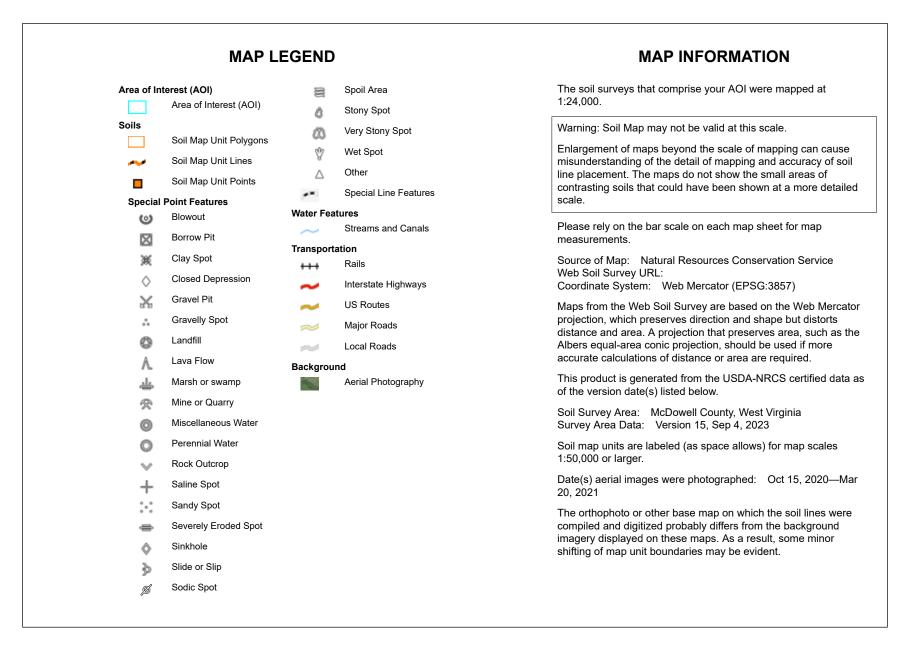
Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
PBF	Pineville-Berks association, 35 to 80 percent slopes, rocky, extremely stony	47.4	58.2%
Ur	Urban land-Chavies complex	34.0	41.7%
Totals for Area of Interest		81.4	100.0%





USDA Natural Resources Conservation Service Web Soil Survey National Cooperative Soil Survey



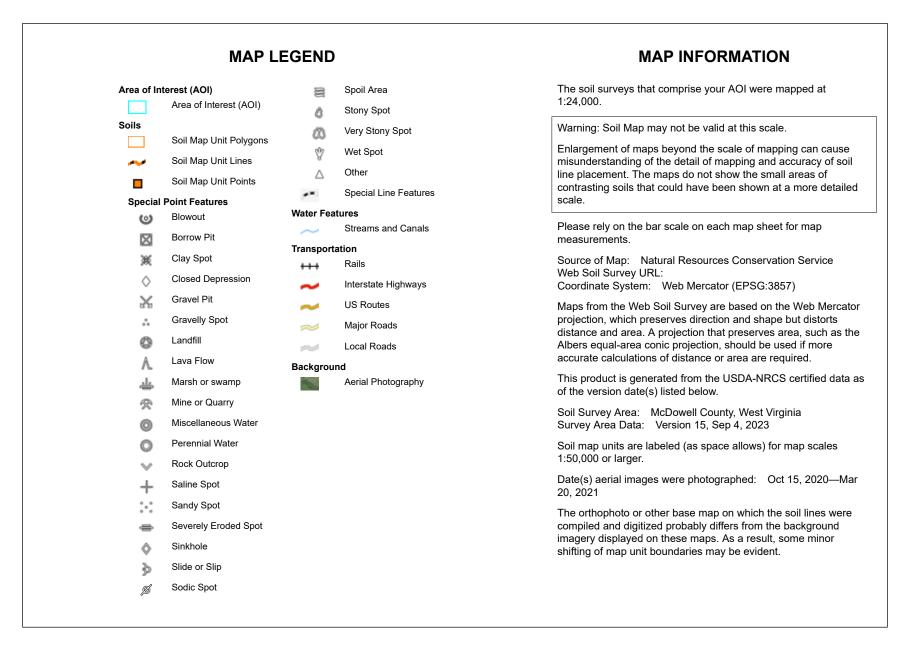


Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Ur	Urban land-Chavies complex	0.5	100.0%
Totals for Area of Interest		0.5	100.0%



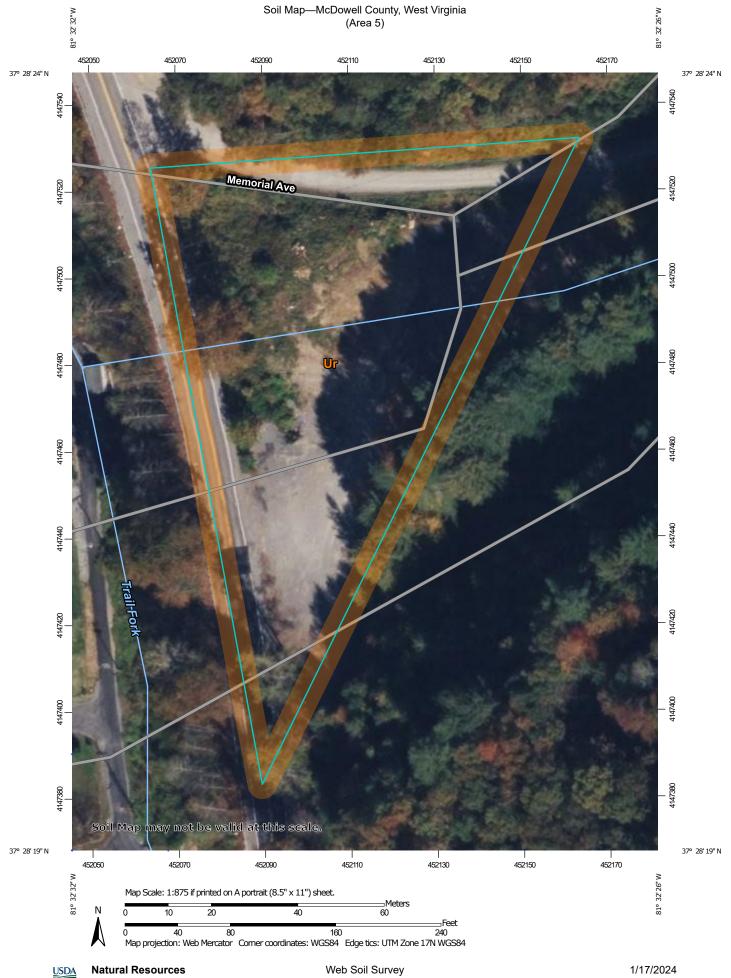
Natural Resources Conservation Service Web Soil Survey National Cooperative Soil Survey





Map Unit Legend

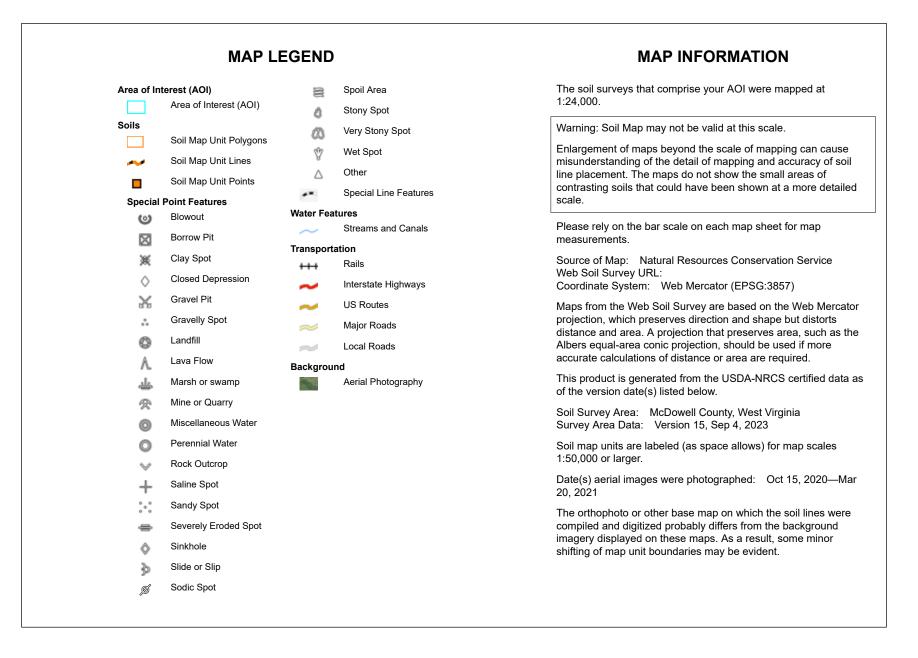
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
PBF	Pineville-Berks association, 35 to 80 percent slopes, rocky, extremely stony	14.6	58.0%
Ur	Urban land-Chavies complex	10.6	42.0%
Totals for Area of Interest		25.2	100.0%



National Cooperative Soil Survey

Conservation Service

1/17/2024 Page 1 of 3





Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Ur	Urban land-Chavies complex	1.8	100.0%
Totals for Area of Interest		1.8	100.0%

Appendix F

Biological Resources



United States Department of the Interior

FISH AND WILDLIFE SERVICE West Virginia Ecological Services Field Office 6263 Appalachian Highway Davis, WV 26260-8061 Phone: (304) 866-3858 Fax: (304) 866-3852



In Reply Refer To: Project Code: 2024-0046771 Project Name: Welch Gas Cooperative Association February 08, 2024

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/whatwe-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office. Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

West Virginia Ecological Services Field Office 6263 Appalachian Highway Davis, WV 26260-8061 (304) 866-3858

PROJECT SUMMARY

Project Code:2024-0046771Project Name:Welch Gas Cooperative AssociationProject Type:Operations and Maintenance - Natural Gas Distribution FacilitiesProject Description:Area 1Project Location:Velch Gas Cooperative Association

The approximate location of the project can be viewed in Google Maps: <u>https://www.google.com/maps/@37.4442673,-81.56725469972176,14z</u>



Counties: McDowell County, West Virginia

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/6329</u>	Endangered
 Indiana Bat Myotis sodalis There is final critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: All activities in this location should consider potential effects to this species. This project is not within a known-use area, but potentially occupied habitat may exist. Please contact the WVFO for further coordination. Species profile: <u>https://ecos.fws.gov/ecp/species/5949</u> 	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/9045</u>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/10515</u>	Proposed Endangered

INSECTS

NAMESTATUSMonarch Butterfly Danaus plexippus
No critical habitat has been designated for this species.Candidate

Species profile: <u>https://ecos.fws.gov/ecp/species/9743</u>

CRUSTACEANS

NAME	STATUS
Big Sandy Crayfish Cambarus callainus	Threatened
There is final critical habitat for this species. Your location does not overlap the critical habitat.	
This species only needs to be considered under the following conditions:	
 This project is in close proximity of a stream known to support this species; all activities in 	
this location should consider potential effects to the species. Review the project design	
guidelines for information about next steps and contacting the WVFO.	
Species profile: <u>https://ecos.fws.gov/ecp/species/8285</u>	
General project design guidelines:	
https://ipac.ecosphere.fws.gov/project/Z23O7YJQRBEJXP7PLORAN2AEIY/documents/	
generated/6455.pdf	

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the <u>"Supplemental Information on Migratory Birds and Eagles"</u>.

1. The <u>Bald and Golden Eagle Protection Act</u> of 1940.

- 2. The <u>Migratory Birds Treaty Act</u> of 1918.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO BALD AND GOLDEN EAGLES WITHIN THE VICINITY OF YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the <u>"Supplemental Information on Migratory Birds and Eagles"</u>.

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The <u>Bald and Golden Eagle Protection Act</u> of 1940.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <u>https://ecos.fws.gov/ecp/species/9406</u>	Breeds Mar 15 to Aug 25
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read <u>"Supplemental Information on Migratory Birds and Eagles"</u>, specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (

https://ecos.fws.gov/ecp/species/9431

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (=)

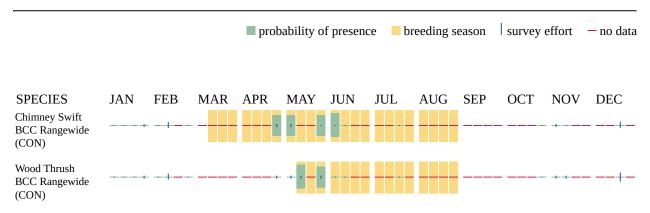
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort ()

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <u>https://www.fws.gov/program/eagle-management</u>
- Measures for avoiding and minimizing impacts to birds <u>https://www.fws.gov/library/</u> <u>collections/avoiding-and-minimizing-incidental-take-migratory-birds</u>
- Nationwide conservation measures for birds <u>https://www.fws.gov/sites/default/files/</u> <u>documents/nationwide-standard-conservation-measures.pdf</u>
- Supplemental Information for Migratory Birds and Eagles in IPaC <u>https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action</u>

WETLANDS

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of</u> <u>Engineers District</u>.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R4SBC
- R3UBH
- R5UBH

IPAC USER CONTACT INFORMATION

Agency:Department of TransportationName:Shelby HancheraAddress:220 BinneyCity:CambridgeState:MAZip:02142Emailshelby.hanchera@dot.govPhone:8572708603

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Pipeline and Hazardous Materials Safety Administration



United States Department of the Interior

FISH AND WILDLIFE SERVICE West Virginia Ecological Services Field Office 6263 Appalachian Highway Davis, WV 26260-8061 Phone: (304) 866-3858 Fax: (304) 866-3852



In Reply Refer To: Project Code: 2024-0046781 Project Name: Welch Gas Cooperative Association February 08, 2024

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/whatwe-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office. Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

West Virginia Ecological Services Field Office 6263 Appalachian Highway Davis, WV 26260-8061 (304) 866-3858

PROJECT SUMMARY

Project Code:2024-0046781Project Name:Welch Gas Cooperative AssociationProject Type:Operations and Maintenance - Natural Gas Distribution FacilitiesProject Description:Area 2Project Location:Verse 2

The approximate location of the project can be viewed in Google Maps: <u>https://www.google.com/maps/@37.42936765,-81.58532458625382,14z</u>



Counties: McDowell County, West Virginia

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/6329</u>	Endangered
 Indiana Bat Myotis sodalis There is final critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: All activities in this location should consider potential effects to this species. This project is not within a known-use area, but potentially occupied habitat may exist. Please contact the WVFO for further coordination. Species profile: <u>https://ecos.fws.gov/ecp/species/5949</u> 	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/9045</u>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/10515</u>	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly Danaus plexippus	Candidate
No critical habitat has been designated for this species.	
Species profile: <u>https://ecos.fws.gov/ecp/species/9743</u>	

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NAME	STATUS
Big Sandy Crayfish Cambarus callainus	Threatened
There is final critical habitat for this species. Your location overlaps the critical habitat.	
This species only needs to be considered under the following conditions:	
• This project is in close proximity of a stream known to support this species; all activities in	
this location should consider potential effects to the species. Review the project design	
guidelines for information about next steps and contacting the WVFO.	
Species profile: <u>https://ecos.fws.gov/ecp/species/8285</u>	
General project design guidelines:	
https://ipac.ecosphere.fws.gov/project/LNGWVQ4YUVCPDO2DF3SNVKDM31/	
documents/generated/6455.pdf	

CRITICAL HABITATS

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Big Sandy Crayfish Cambarus callainus	Final
https://ecos.fws.gov/ecp/species/8285#crithab	

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider

implementing appropriate conservation measures, as described in the links below. Specifically, please review the <u>"Supplemental Information on Migratory Birds and Eagles"</u>.

- 1. The <u>Bald and Golden Eagle Protection Act</u> of 1940.
- 2. The Migratory Birds Treaty Act of 1918.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO BALD AND GOLDEN EAGLES WITHIN THE VICINITY OF YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the <u>"Supplemental Information on Migratory Birds and Eagles"</u>.

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The <u>Bald and Golden Eagle Protection Act</u> of 1940.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Chimney Swift <i>Chaetura pelagica</i>	Breeds Mar 15 to Aug 25
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	
https://ecos.fws.gov/ecp/species/9406	
Wood Thrush Hylocichla mustelina	Breeds May 10 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the	
continental USA and Alaska.	
https://ecos.fws.gov/ecp/species/9431	

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read <u>"Supplemental Information on Migratory Birds and Eagles"</u>, specifically the FAQ section titled "Proper

Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (=)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort ()

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (–)

A week is marked as having no data if there were no survey events for that week.

	probability of presence breeding season survey effort — no data
SPECIES	JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC
Chimney Swift BCC Rangewide (CON)	
Wood Thrush BCC Rangewide (CON)	

Additional information can be found using the following links:

- Eagle Management <u>https://www.fws.gov/program/eagle-management</u>
- Measures for avoiding and minimizing impacts to birds <u>https://www.fws.gov/library/</u> <u>collections/avoiding-and-minimizing-incidental-take-migratory-birds</u>
- Nationwide conservation measures for birds <u>https://www.fws.gov/sites/default/files/</u> <u>documents/nationwide-standard-conservation-measures.pdf</u>
- Supplemental Information for Migratory Birds and Eagles in IPaC <u>https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action</u>

WETLANDS

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of</u> <u>Engineers District</u>.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

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IPAC USER CONTACT INFORMATION

Agency:Department of TransportationName:Shelby HancheraAddress:220 BinneyCity:CambridgeState:MAZip:02142Emailshelby.hanchera@dot.govPhone:8572708603

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Pipeline and Hazardous Materials Safety Administration



United States Department of the Interior

FISH AND WILDLIFE SERVICE West Virginia Ecological Services Field Office 6263 Appalachian Highway Davis, WV 26260-8061 Phone: (304) 866-3858 Fax: (304) 866-3852



In Reply Refer To: Project Code: 2024-0046753 Project Name: Welch Gas Cooperative Association February 08, 2024

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/whatwe-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office. Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

West Virginia Ecological Services Field Office 6263 Appalachian Highway Davis, WV 26260-8061 (304) 866-3858

PROJECT SUMMARY

Project Code:2024-0046753Project Name:Welch Gas Cooperative AssociationProject Type:Operations and Maintenance - Natural Gas Distribution FacilitiesProject Description:Segment 9 - Spruce RoadProject Location:Vertice Complexities

The approximate location of the project can be viewed in Google Maps: <u>https://www.google.com/maps/@37.44272555,-81.59754862889201,14z</u>



Counties: McDowell County, West Virginia

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/6329</u>	Endangered
 Indiana Bat Myotis sodalis There is final critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: All activities in this location should consider potential effects to this species. This project is not within a known-use area, but potentially occupied habitat may exist. Please contact the WVFO for further coordination. Species profile: <u>https://ecos.fws.gov/ecp/species/5949</u> 	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/9045</u>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/10515</u>	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species.	Candidate
Species profile: <u>https://ecos.fws.gov/ecp/species/9743</u>	

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NAME	STATUS
Big Sandy Crayfish Cambarus callainus	Threatened
There is final critical habitat for this species. Your location overlaps the critical habitat.	
This species only needs to be considered under the following conditions:	
• This project is in close proximity of a stream known to support this species; all activities in	
this location should consider potential effects to the species. Review the project design	
guidelines for information about next steps and contacting the WVFO.	
Species profile: <u>https://ecos.fws.gov/ecp/species/8285</u>	
General project design guidelines:	
https://ipac.ecosphere.fws.gov/project/66X7E7Q5QFBUDLAMZNSJOGZCUQ/	
documents/generated/6455.pdf	

CRITICAL HABITATS

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Big Sandy Crayfish Cambarus callainus	Final
https://ecos.fws.gov/ecp/species/8285#crithab	

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider

implementing appropriate conservation measures, as described in the links below. Specifically, please review the <u>"Supplemental Information on Migratory Birds and Eagles"</u>.

- 1. The <u>Bald and Golden Eagle Protection Act</u> of 1940.
- 2. The Migratory Birds Treaty Act of 1918.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO BALD AND GOLDEN EAGLES WITHIN THE VICINITY OF YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the <u>"Supplemental Information on Migratory Birds and Eagles"</u>.

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The <u>Bald and Golden Eagle Protection Act</u> of 1940.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Chimney Swift <i>Chaetura pelagica</i>	Breeds Mar 15 to Aug 25
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	
https://ecos.fws.gov/ecp/species/9406	
Wood Thrush Hylocichla mustelina	Breeds May 10 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the	
continental USA and Alaska.	
https://ecos.fws.gov/ecp/species/9431	

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read <u>"Supplemental Information on Migratory Birds and Eagles"</u>, specifically the FAQ section titled "Proper

Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (=)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.

	probability of presence breeding season survey effort — no data
SPECIES Chimney Swift	JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC
BCC Rangewide (CON)	
Wood Thrush BCC Rangewide (CON)	

Additional information can be found using the following links:

- Eagle Management <u>https://www.fws.gov/program/eagle-management</u>
- Measures for avoiding and minimizing impacts to birds <u>https://www.fws.gov/library/</u> <u>collections/avoiding-and-minimizing-incidental-take-migratory-birds</u>
- Nationwide conservation measures for birds <u>https://www.fws.gov/sites/default/files/</u> <u>documents/nationwide-standard-conservation-measures.pdf</u>
- Supplemental Information for Migratory Birds and Eagles in IPaC <u>https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action</u>

WETLANDS

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of</u> <u>Engineers District</u>.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency:Department of TransportationName:Shelby HancheraAddress:220 BinneyCity:CambridgeState:MAZip:02142Emailshelby.hanchera@dot.govPhone:8572708603

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Pipeline and Hazardous Materials Safety Administration



United States Department of the Interior

FISH AND WILDLIFE SERVICE West Virginia Ecological Services Field Office 6263 Appalachian Highway Davis, WV 26260-8061 Phone: (304) 866-3858 Fax: (304) 866-3852



In Reply Refer To: Project Code: 2024-0046778 Project Name: Welch Gas Cooperative Association February 08, 2024

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/whatwe-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office. Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

West Virginia Ecological Services Field Office 6263 Appalachian Highway Davis, WV 26260-8061 (304) 866-3858

PROJECT SUMMARY

Project Code:2024-0046778Project Name:Welch Gas Cooperative AssociationProject Type:Operations and Maintenance - Natural Gas Distribution FacilitiesProject Description:Area 4Project Location:Verse (Verse)

The approximate location of the project can be viewed in Google Maps: <u>https://www.google.com/maps/@37.4141838,-81.58322154771889,14z</u>



Counties: McDowell County, West Virginia

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/6329</u>	Endangered
 Indiana Bat Myotis sodalis There is final critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: All activities in this location should consider potential effects to this species. This project is not within a known-use area, but potentially occupied habitat may exist. Please contact the WVFO for further coordination. Species profile: <u>https://ecos.fws.gov/ecp/species/5949</u> 	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/9045</u>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/10515</u>	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species.	Candidate
Species profile: <u>https://ecos.fws.gov/ecp/species/9743</u>	

CRUSTACEANS

NAME	STATUS
Big Sandy Crayfish Cambarus callainus	Threatened
There is final critical habitat for this species. Your location does not overlap the critical habitat.	
This species only needs to be considered under the following conditions:	
 This project is in close proximity of a stream known to support this species; all activities in 	
this location should consider potential effects to the species. Review the project design	
guidelines for information about next steps and contacting the WVFO.	
Species profile: <u>https://ecos.fws.gov/ecp/species/8285</u>	
General project design guidelines:	
https://ipac.ecosphere.fws.gov/project/O2QB7NPTXFAQJKAHIGFVDNHBKA/	
documents/generated/6455.pdf	

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the <u>"Supplemental Information on Migratory Birds and Eagles"</u>.

1. The <u>Bald and Golden Eagle Protection Act</u> of 1940.

- 2. The <u>Migratory Birds Treaty Act</u> of 1918.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO BALD AND GOLDEN EAGLES WITHIN THE VICINITY OF YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the <u>"Supplemental Information on Migratory Birds and Eagles"</u>.

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The <u>Bald and Golden Eagle Protection Act</u> of 1940.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <u>https://ecos.fws.gov/ecp/species/9406</u>	Breeds Mar 15 to Aug 25
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read <u>"Supplemental Information on Migratory Birds and Eagles"</u>, specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (

https://ecos.fws.gov/ecp/species/9431

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (=)

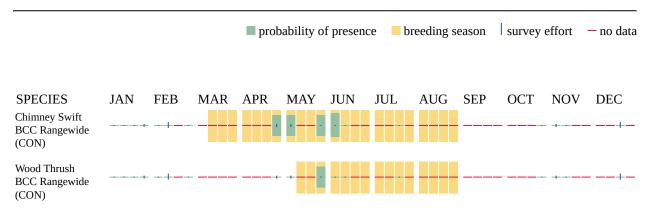
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort ()

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <u>https://www.fws.gov/program/eagle-management</u>
- Measures for avoiding and minimizing impacts to birds <u>https://www.fws.gov/library/</u> <u>collections/avoiding-and-minimizing-incidental-take-migratory-birds</u>
- Nationwide conservation measures for birds <u>https://www.fws.gov/sites/default/files/</u> <u>documents/nationwide-standard-conservation-measures.pdf</u>
- Supplemental Information for Migratory Birds and Eagles in IPaC <u>https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action</u>

WETLANDS

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of</u> <u>Engineers District</u>.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

R3UBH

IPAC USER CONTACT INFORMATION

Agency:Department of TransportationName:Shelby HancheraAddress:220 BinneyCity:CambridgeState:MAZip:02142Emailshelby.hanchera@dot.govPhone:8572708603

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Pipeline and Hazardous Materials Safety Administration



United States Department of the Interior

FISH AND WILDLIFE SERVICE West Virginia Ecological Services Field Office 6263 Appalachian Highway Davis, WV 26260-8061 Phone: (304) 866-3858 Fax: (304) 866-3852



In Reply Refer To: Project Code: 2024-0046762 Project Name: Welch Gas Cooperative Association February 08, 2024

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/whatwe-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office. Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

West Virginia Ecological Services Field Office 6263 Appalachian Highway Davis, WV 26260-8061 (304) 866-3858

PROJECT SUMMARY

Project Code:2024-0046762Project Name:Welch Gas Cooperative AssociationProject Type:Operations and Maintenance - Natural Gas Distribution FacilitiesProject Description:Area 5Project Location:Velch Gas Cooperative Association

The approximate location of the project can be viewed in Google Maps: <u>https://www.google.com/maps/@37.4727294,-81.54163276769933,14z</u>



Counties: McDowell County, West Virginia

ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/6329</u>	Endangered
 Indiana Bat Myotis sodalis There is final critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: All activities in this location should consider potential effects to this species. This project is not within a known-use area, but potentially occupied habitat may exist. Please contact the WVFO for further coordination. Species profile: <u>https://ecos.fws.gov/ecp/species/5949</u> 	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/9045</u>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/10515</u>	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species.	Candidate
Species profile: <u>https://ecos.fws.gov/ecp/species/9743</u>	

CRUSTACEANS

NAME	STATUS
Big Sandy Crayfish Cambarus callainus	Threatened
There is final critical habitat for this species. Your location does not overlap the critical habitat.	
This species only needs to be considered under the following conditions:	
 This project is in close proximity of a stream known to support this species; all activities in 	
this location should consider potential effects to the species. Review the project design	
guidelines for information about next steps and contacting the WVFO.	
Species profile: <u>https://ecos.fws.gov/ecp/species/8285</u>	
General project design guidelines:	
https://ipac.ecosphere.fws.gov/project/AXUVX4EK7ZGNFHLZFZZNS5EOSA/	
documents/generated/6455.pdf	

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the <u>"Supplemental Information on Migratory Birds and Eagles"</u>.

1. The <u>Bald and Golden Eagle Protection Act</u> of 1940.

- 2. The <u>Migratory Birds Treaty Act</u> of 1918.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO BALD AND GOLDEN EAGLES WITHIN THE VICINITY OF YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the <u>"Supplemental Information on Migratory Birds and Eagles"</u>.

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The <u>Bald and Golden Eagle Protection Act</u> of 1940.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Wood Thrush Hylocichla mustelina	Breeds May 10 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the	
continental USA and Alaska.	
https://ecos.fws.gov/ecp/species/9431	

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read <u>"Supplemental Information on Migratory Birds and Eagles"</u>, specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (=)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort ()

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.

				p ro	bability o	of preser	ice 📕 b	reeding	season	survey	effort	— no data
SPECIES Wood Thrush BCC Rangewide (CON)	JAN	FEB	MAR	APR	MAY 	JUN	JUL	AUG	SEP	OCT	NOV	DEC

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds <u>https://www.fws.gov/library/</u> <u>collections/avoiding-and-minimizing-incidental-take-migratory-birds</u>
- Nationwide conservation measures for birds <u>https://www.fws.gov/sites/default/files/</u> <u>documents/nationwide-standard-conservation-measures.pdf</u>
- Supplemental Information for Migratory Birds and Eagles in IPaC <u>https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action</u>

WETLANDS

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of</u> <u>Engineers District</u>.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

R4SBC

IPAC USER CONTACT INFORMATION

Agency:Department of TransportationName:Shelby HancheraAddress:220 BinneyCity:CambridgeState:MAZip:02142Emailshelby.hanchera@dot.govPhone:8572708603

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Pipeline and Hazardous Materials Safety Administration

Appendix G

Cultural Resources



U.S. Department of Transportation **Pipeline and Hazardous Materials Safety Administration**

1200 New Jersey Avenue, SE Washington, DC 20590

March 15, 2024

Susan Pierce Director – Deputy State Historic Preservation Officer State Historic Preservation Office West Virginia Department of Arts, Culture and History 1900 Kanawha Boulevard East Charleston, WV 25305

Section 106 Consultation: PHMSA Pipeline Replacement Project in the City of Welch Grant Recipient: Welsh Gas Cooperative Association (WGCA) Project Location: City of Welch, McDowell County, West Virginia

Dear Susan Pierce:

The Pipeline and Hazardous Materials Safety Administration (PHMSA) provides funds authorized under the Natural Gas Distribution Infrastructure Safety and Modernization Grant Program. PHMSA proposes to provide funds to the Welsh Gas Cooperative Association (WGCA) for the removal, relocation, and replacement of pipeline (Undertaking). PHMSA is initiating consultation for the above referenced Undertaking in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, and the associated implementing regulations, 36 CFR Part 800 (Section 106).

Project Description/Background

The Undertaking consists of the replacement of 17,273 linear feet (LF) of aging and failing Aldyl-A polyethylene (PE) pipeline installed prior to 1973 with modern PE pipe. All work will be completed in modestly developed locations within the City of Welch that include a mixture of paved areas (sidewalks and paved streets), open grassy areas and woodlots, and on residential/commercial properties. Project location maps are enclosed in **Attachment A** and photographs presenting the overall character of the project area are included in **Attachment B**.

The Undertaking has been organized into fifteen (15) segments described in **Table 1** below. The existing pipes include 2-inch and 4-inch Aldyl-A PE mains. In most cases the replacement pipe will be installed in the same location as the existing line within the existing utility right of way (ROW); however, new pipes may be offset 1-3 feet (ft) to either side of the existing line as necessary. Within two of the segments (Segment 7 [Park Avenue] and Segment 15 [Central Ave. #2]) the existing pipeline will be capped, purged, and abandoned in place and new replacement pipe will be installed within existing West Virginia Department of Highways (WVDOH) ROW. In the case of Segment 4 (Fed Prison 2A) the existing 2-inch pipe will be capped, purged, and abandoned in place and no replacement made, a 4-inch high-density polyethylene (HDPE) replacement line having already been installed. Construction methods will include

open trenching and insertion.¹ The anticipated width of ground disturbance is approximately 18 inches (in), and the anticipated depth of disturbance would be no more than 4 ft below grade.

Table 1. Project Segments

Segment Number (Name)	Action	Segment Location	Length	Pipe Diameter	Installation Location	Width of ROW	Installation Method
1	Replacement	Maple Ave at the rear of buildings fronting on Summers Street/WV-16	1,396 LF	4 in	Same as existing pipe	10 ft	Trenching
2	Replacement	Along Maple Terrace/U.S. Route 52	255 LF	4 in	Same as existing pipe	10 ft	Trenching
3 (Edmore Road)	Replacement	Along Stewart Street/ WV- 16/	49 LF	2 in	Same as existing pipe	3 ft	Trenching
4 (Fed Prison 2A)	Removal	Along Stewart Street from just southwest of Arrowhead Drive to just east of Roselawn Avenue	4,433 LF	2 in	NA	10 ft	Existing 2-inch pipe will be capped, purged and abandoned in place; at the same time old taps on the recently installed 4-inch high-density polyethylene (HDPE) line will be removed and replaced
5	Replacement	Perpendicular to Grandview Street/Hobart Street	315 LF	2 in	Same as existing pipe	3 ft	Insertion
6	Replacement	Along Beech Street	424 LF	2 in	Same as existing pipe	3 ft	Trenching

¹ Insertion, sometimes referred to as sliplining, involves the installation of a new pipe of slightly smaller diameter into an existing pipe, filling the space between the two with grout, and sealing the ends. This process allows for substantially reduced ground disturbance, only two small excavations, known as entry and exit pits, being required at the termini of the existing pipe.

Segment Number (Name)	Action	Segment Location	Length	Pipe Diameter	Installation Location	Width of ROW	Installation Method
7 (Park Ave.)	Relocation	Along Riverside Drive	2,423 LF	2 in	Within existing WVDOH ROW	20 ft	Existing 2,233 LF of pipe will be capped, purged, and abandoned in place; 2,423 LF of new pipe will be installed within existing WVDOH ROW using trenching
8 (Roger St.)	Replacement	Along Cornell Avenue	402 LF	2 in	Same as existing pipe	10 ft	Trenching
9	Replacement	Along Spruce Street	87 LF	2 in	Same as existing pipe	10 ft	Trenching
10	Replacement	Near Welch Hospital perpendicular to Grandview Street	295 LF	2 in	Same as existing pipe	10 ft	Trenching
11 (Riverside Dr.)	Replacement	At the rear of buildings fronting on the south side of Franklin Street	1,042 LF	2 in and 4 in	Same as existing pipe	10 ft	Trenching
12	Replacement	Along Mercer Street	824 LF	4 in	Same as existing pipe	10 ft	Trenching
13 (Tug St.)	Replacement	Along Martha H. Moore Parkway/Tug Street	1,886 LF	4 in	Same as existing pipe	3 ft	Insertion
14 (Central Ave. #1)	Replacement	Northwest of Central Avenue southwest of Indian Ridge Road at the rear of properties fronting on Stewart Street/WV-16	2,265 LF	2 in	Same as existing pipe	10 ft	Trenching

Segment Number (Name)	Action	Segment Location	Length	Pipe Diameter	Installation Location	Width of ROW	Installation Method
15 (Central Ave. #2)	Relocation	Along Stewart Street/WV-16 between Berwind Lane and Grandview Street	1,367 LF	2 in	Within existing WVDOH ROW	20 ft	Existing 1,367 LF of pipe will be capped, purged, and abandoned in place; 1,367 LF of new pipe will be installed within existing WVDOH ROW using trenching

As part of the Undertaking service lines will be replaced on select properties located outside of the WVDOH ROW along Segment 7 (Park Ave.) and Segment 15 (Central Ave. #2). The location and extent of the service line work will vary depending on the location of the existing gas meters, some meters being located on the side of the building and others located at the rear of the building. The service line work will be completed beneath both paved and open grassy areas leading from the newly installed 2-inch mains up to the existing meter locations in areas that have likely been disturbed by prior buried utility installation. The depth of disturbance required for the service line installation will be no greater than 3 ft and the width of disturbance will measure no greater than 1 ft.

Two staging areas have been identified for the Undertaking. One is located near Segment 4 (Fed Prison 2a), the other is located 2.8 miles north of the project area on WV Route 16. The second area will be utilized to store project materials. Both consist of roadside gravel lots that have been utilized for other utility projects in the past (see **Attachment B**).

Area of Potential Effects (APE)

Pursuant to 36 CFR 800.4(a)(1), the Area of Potential Effects (APE) is defined as the geographic area(s) within which the undertaking may directly or indirectly affect historic resources. Based on the proposed scope of work for this Undertaking, PHMSA has delineated the APE to encompass:

- Those portions of the existing utility ROW and WVDOH ROW that encompass the 15 project segments;
- All parcels fronting on the Segment 7 (Park Ave.) and Segment 15 (Central Ave. #2) ROWs; and
- The two roadside gravel lots identified as staging areas.

The APE is anticipated to extend downward no more than 4 ft below grade within the existing utility ROW and WVDOH ROW and no more than 3 ft below grade for the service line installations. The Undertaking does not have the potential to cause visual, vibrational, or audible effects after the completion of construction. The APE encompasses paved public roadways and sidewalks, adjacent open grassy areas and woodlots, and various residential and commercial properties. The APE is depicted on maps included in **Attachment A**.

Identification and Evaluation

To identify historic properties in the APE, individuals who meet the Secretary of the Interior's (SOI) Professional Qualification Standards reviewed publicly available information on previously identified historic properties in the APE included in the National Register of Historic Places (NRHP) database and the West Virginia State Historic Preservation Office's Interactive Map. PHMSA does not currently have

access to restricted archaeological site information maintained by the West Virginia State Historic Preservation Office. SOI-qualified individuals likewise conducted research to determine if there are any previously unidentified properties within the APE that are 45 years of age or older and may be eligible for the NRHP and assess the archaeological sensitivity of the area.

Historic Architecture

Segments 12 and 13 intersect the NRHP-listed Welch Commercial Historic District (NRHP #92000305). The district features 57 contributing and 10 noncontributing elements and is listed under Criteria A and C for commerce and architecture with a period of significance from 1900-1941. No other previously documented architectural resources are located within the APE.

Due to the scale and nature of the Undertaking, which is limited to the replacement of pipelines and service lines within the existing ROW and utility easements and the replacement or relocation of existing gas meters, the identification effort for additional above-ground historic properties focused on identifying properties that are susceptible to any limited effects of the Undertaking and could experience diminished integrity. A review of the APE found no potentially significant above-ground resources that have the potential to be affected by the Undertaking, which will not include any physical changes to buildings or lasting visual or audible impacts to their surroundings.

Archaeology

Soils Survey Geographic Database (SSURGO) soils data identifies two soil types in the APE: Pineville-Berks association soils and Urban land-Chavies complex soils. These soil associations/complexes, their component soils, drainage class, slope, and APE percentage are described in **Table 2**. The soils in the APE—with the exception of Urban land which consists of natural soils capped by impervious manmade materials including concrete and asphalt paving and built construction—are uniformly well drained, a characteristic that is regularly associated with human habitation during the precontact and historic periods. Likewise, a review of USGS topographic mapping indicates that the entire APE lies within a short distance (less than 500 ft), of Little Club Branch of Tug Creek, Browns Creek, Tug Fork, and/or Elkhorn Creek. Proximity to major waterways generally indicates a suitable environment for both precontact and historic human activity. Conversely, a substantial portion of the APE presents greater than 15% slope, a condition that would generally preclude long term occupation.

Soil Complex/Association	Percent of APE	Soil Type	Drainage Class	Slope
Pineville-Berks association	28%	Pineville, very stony	Well drained	35-80%
		Berks, very stony	Well drained	35-80%
Urban land-Chavies complex	72%	Urban land	N/A	N/A
complex		Chavies	Well drained	0-3%

Table 2. Soils in the APE

Although environmental conditions favorable to precontact and historic use and occupation of the area are present in and around the APE, and archaeological deposits associated with the NRHP-listed Welch Commercial Historic District and other undocumented above-ground historic properties are likely present in the vicinity of the Undertaking, much if not all of the APE has been disturbed by prior buried utility work. Prior disturbance includes the installation of the original pipeline in the existing utility ROW; the installation and maintenance of water, sewer, and stormwater drainage infrastructure within the existing

WVDOH ROW; and the prior installation and maintenance of utility service lines within existing utility easements. Consequently, there is low probability for intact archaeological resources to be present in the APE, and no archaeological survey is recommended at this time.

Determination of Effect

Based on the preceding identification and evaluation, PHMSA had determined that there are historic properties as defined in 36 CFR 800.16(l) within the APE: the NRHP-listed Welch Commercial Historic District.

The Undertaking will not alter any of the character-defining features of the Welch Commercial Historic District that qualify it for inclusion in the NRHP under Criteria A and/or C or diminish its integrity. The work associated with the Undertaking consists of the installation and replacement of pipelines and service lines within existing ROWs and utility easements. No alterations to existing buildings are anticipated and the work will have no lasting physical, visual, or audible effects to the Historic District or its contributing features. The Undertaking also does not include land acquisition, nor would it limit access to or change the use of the district. Furthermore, the work associated with the Undertaking is restricted to areas that demonstrate a low probability for intact significant archaeological resources. Therefore, in accordance with 36 CFR Part 800.5, the Undertaking will have No Adverse Effect on historic properties identified within the APE.

Consulting Party Outreach

PHMSA has identified parties that may be interested in the Project and its effects on historic properties. PHMSA invites the individuals/organizations copied on this letter to participate as Section 106 consulting parties. Invited parties should indicate their willingness to participate as a consulting party and provide comments on the enclosed form (**Attachment C**) within 30 calendar days from the date on this letter. Note that a non-response is considered to be a declination to participate; however, interested parties can request to join consultation at any time in the process. If any invited party expresses concern about the Project's potential effects to historic properties, PHMSA will consult with the party to resolve those concerns prior to project implementation.

PHMSA will also invite the following federally recognized tribes to participate in consultation by separate letter:

- Cherokee Nation
- Eastern Band of Cherokee Indians

Request for Information and Comments

Based on the information presented above, PHMSA has determined that the Undertaking will result in No Adverse Effect to properties that are either in, or eligible for inclusion in, the National Register of Historic Places. PHMSA is submitting this Undertaking to your office for your review and comment. PHMSA requests your concurrence with this determination of effect within 30 calendar days of the date of this letter. Should you need additional information please contact Brian M. Albright, Section 106 specialist, at PHMSASection106@dot.gov or 856-381-6233.

Sincerely,

Mart Tult

Matt Fuller Senior Environmental Protection Specialist

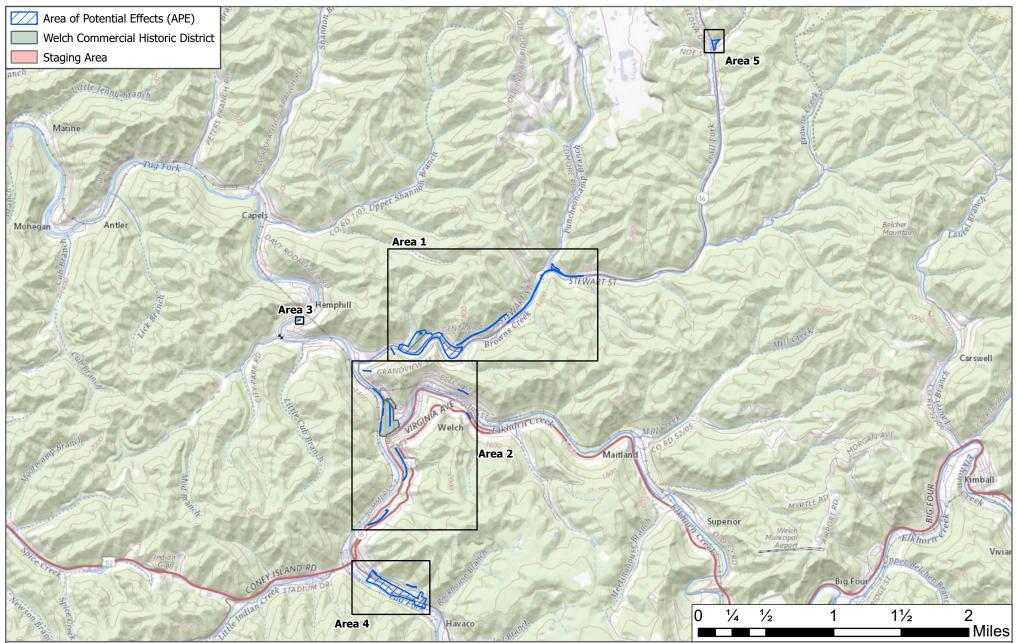
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cc: Shelby Hanchera Environmental Protection Specialist, USDOT Volpe Center Renee Taylor, PHMSA Grant Specialist Ronnie Clemins, Welsh Gas Cooperative Association Yvette Montanez, State Historic Preservation Office McDowell County WV Historical Society

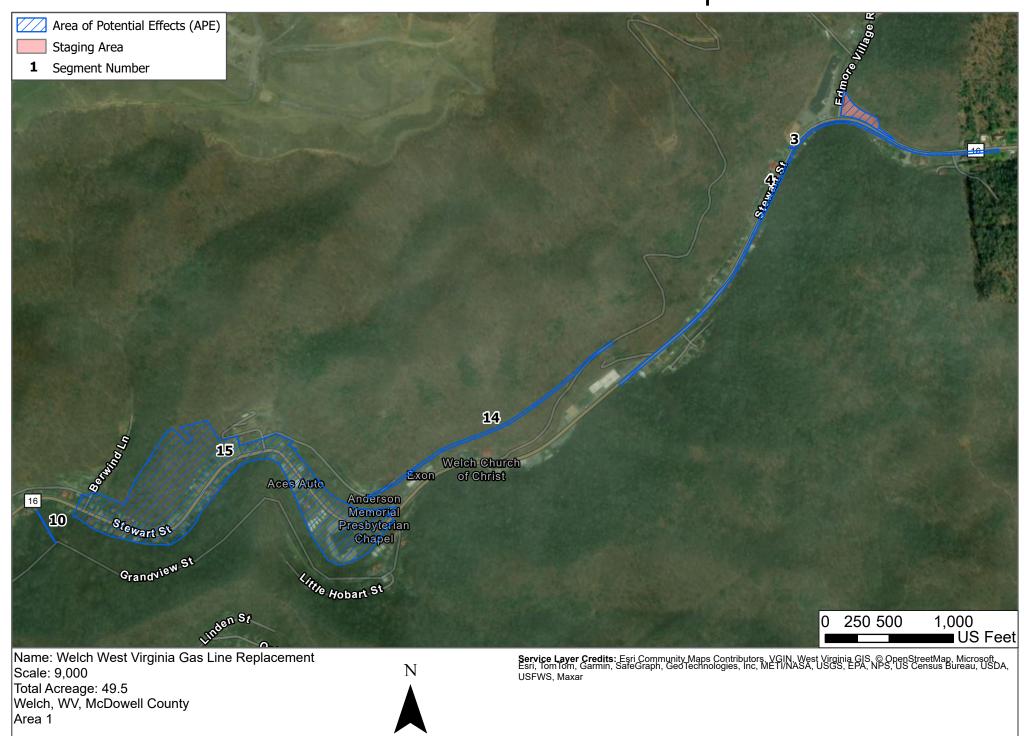
Enclosures:

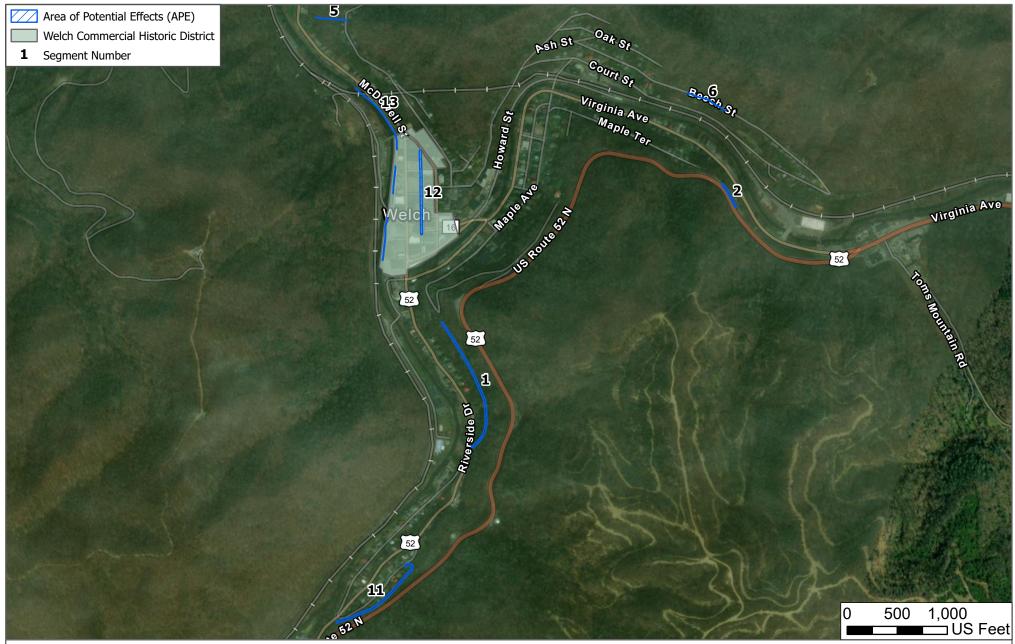
Attachment A: Project Location and APE Maps Attachment B: Project Area Photographs Attachment C: Consulting Party Response Form

Project Location and APE Maps



Name: Welch West Virginia Gas Line Replacement Scale: 45,000 Total Acreage: 49.5 USGS Basemap: Welch Welch, WV, McDowell County Service Layer Credits: USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed April, 2023.





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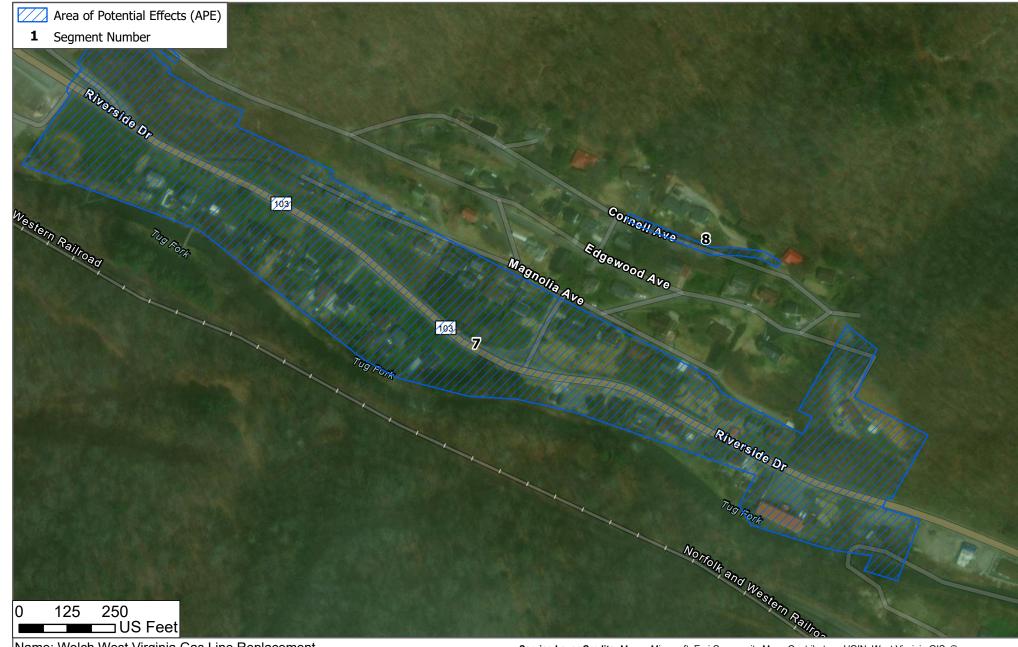
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Name: Welch West Virginia Gas Line Replacement Scale: 1,250 Total Acreage: 49.5 Welch, WV, McDowell County Area 3



Service Layer Credits: Maxar, Microsoft, Esri Community Maps Contributors, VGIN, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS



Name: Welch West Virginia Gas Line Replacement Scale: 3,000 Total Acreage: 49.5 Welch, WV, McDowell County Area 4



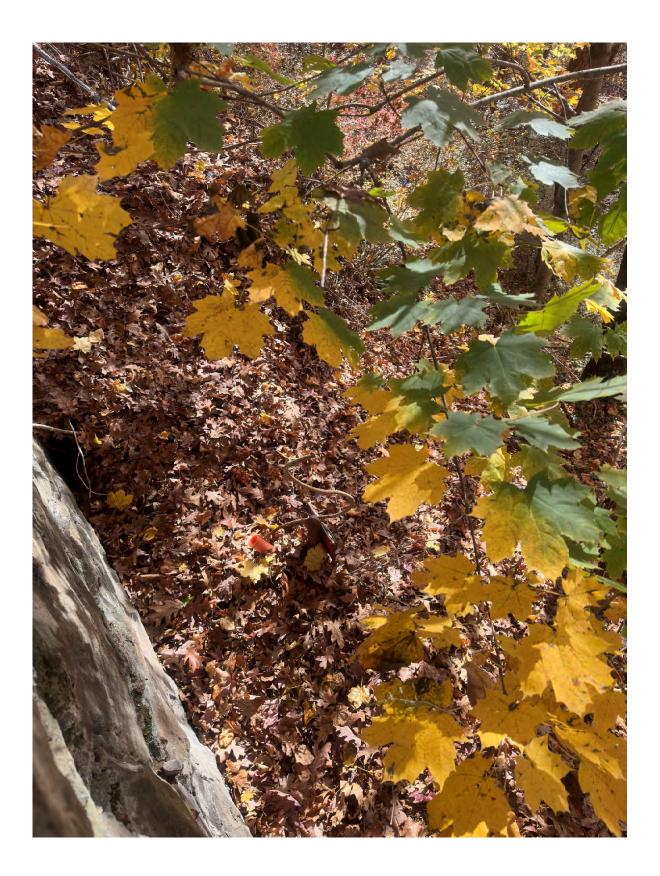
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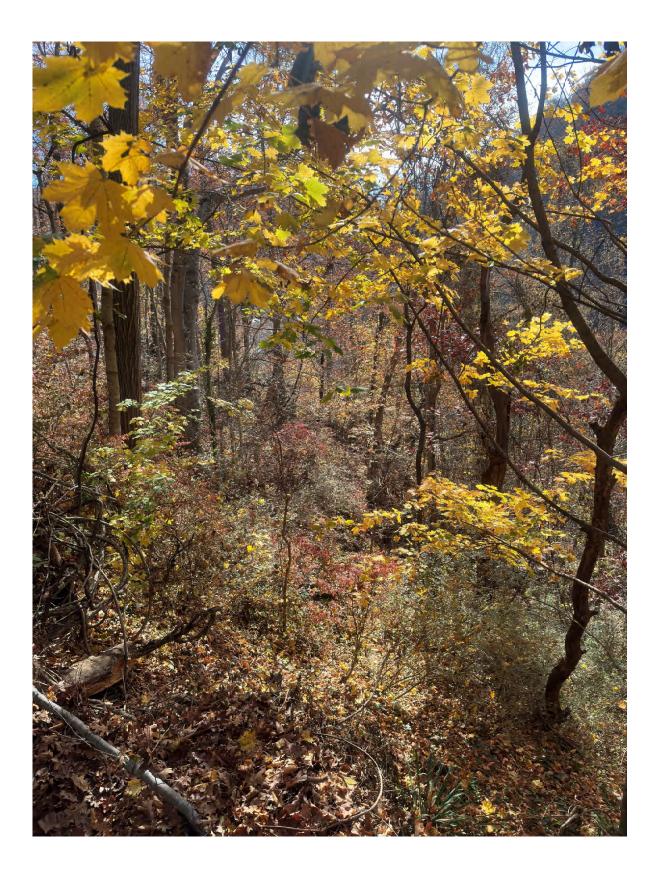


Name: Welch West Virginia Gas Line Replacement Scale: 2,000 Total Acreage: 49.5 Welch, WV, McDowell County Area 5

Service Layer Credits: Maxar, Microsoft, Esri Community Maps Contributors, VGIN, West Virginia GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Project Area Photographs













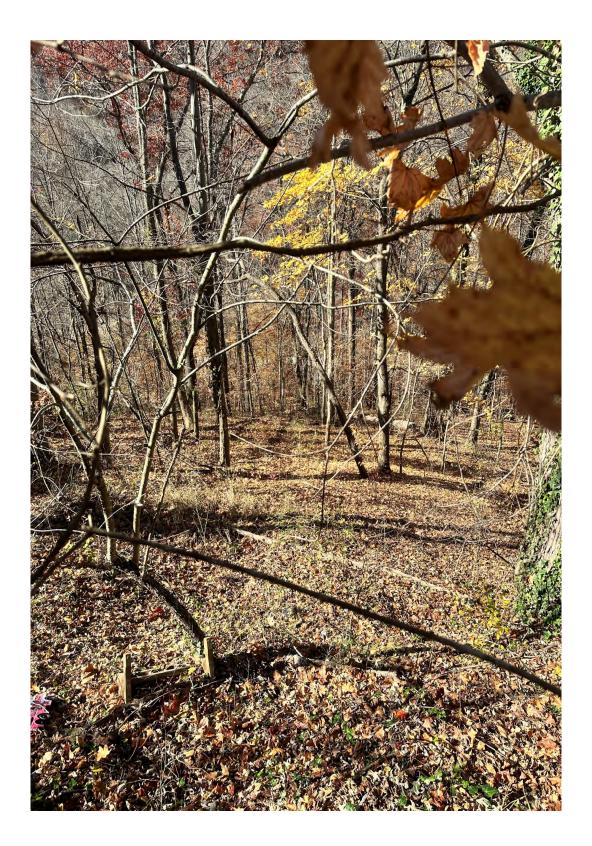


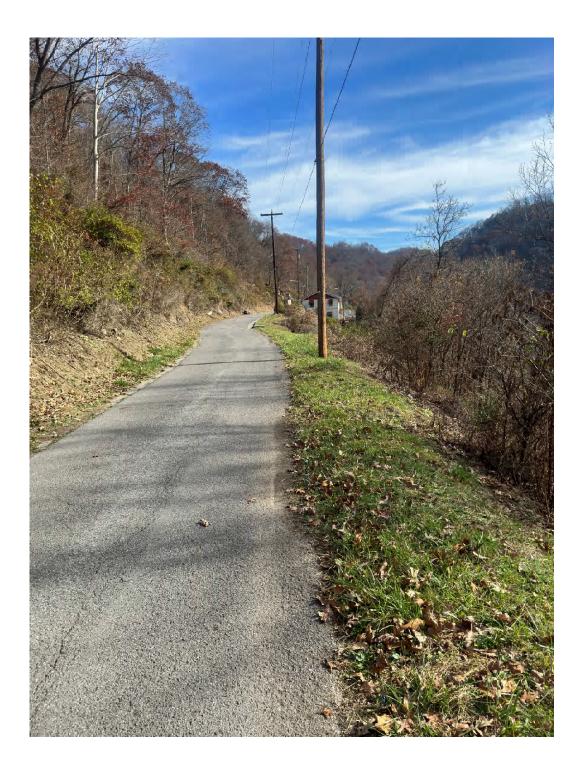


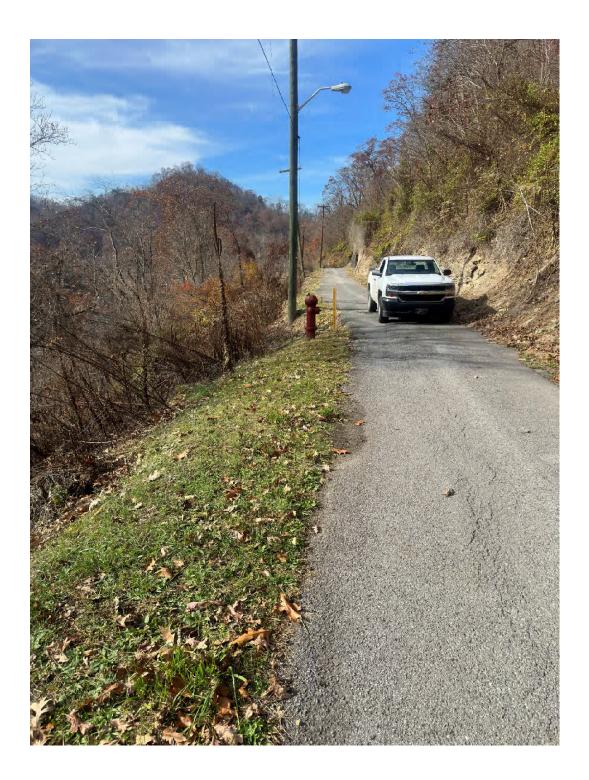


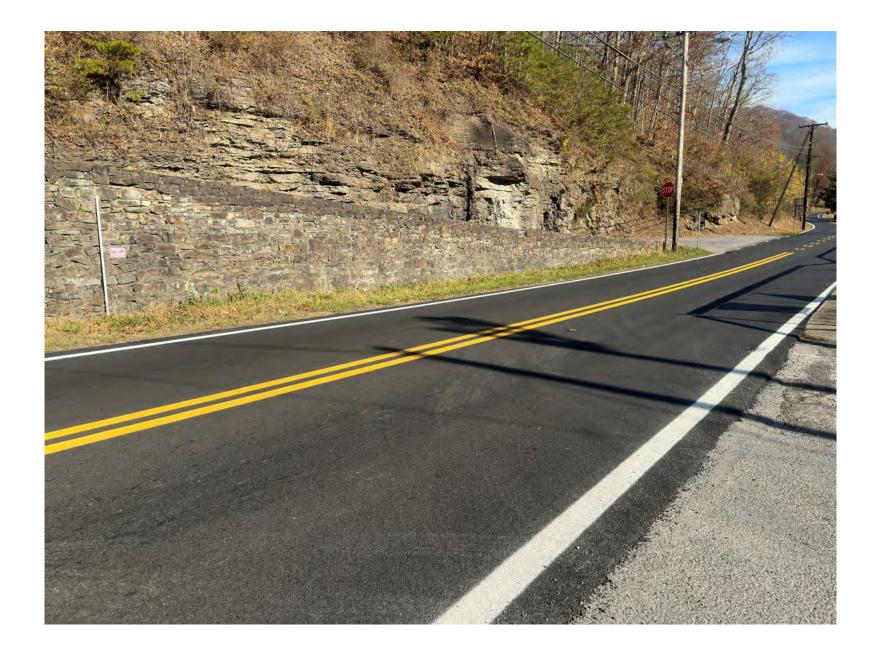


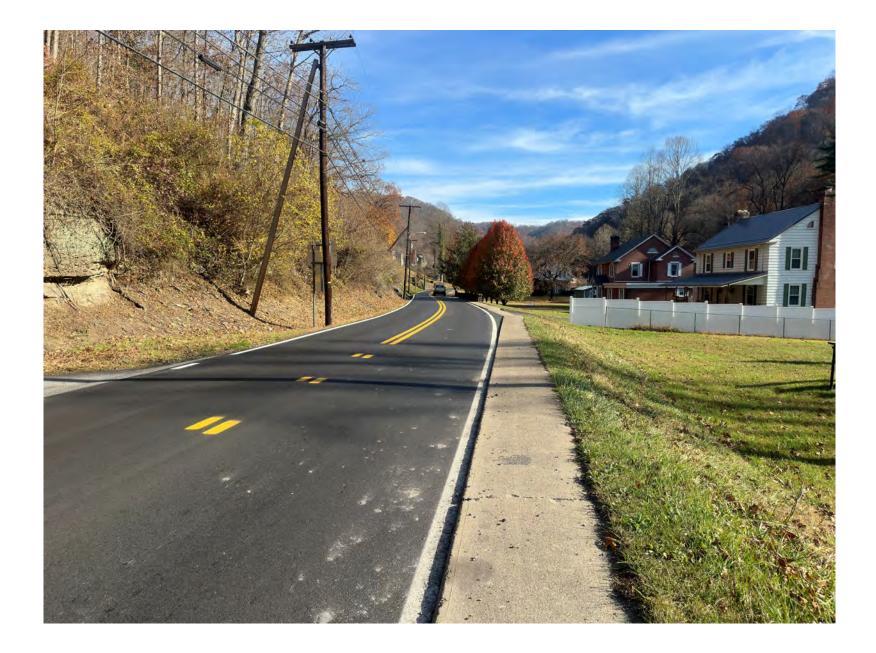


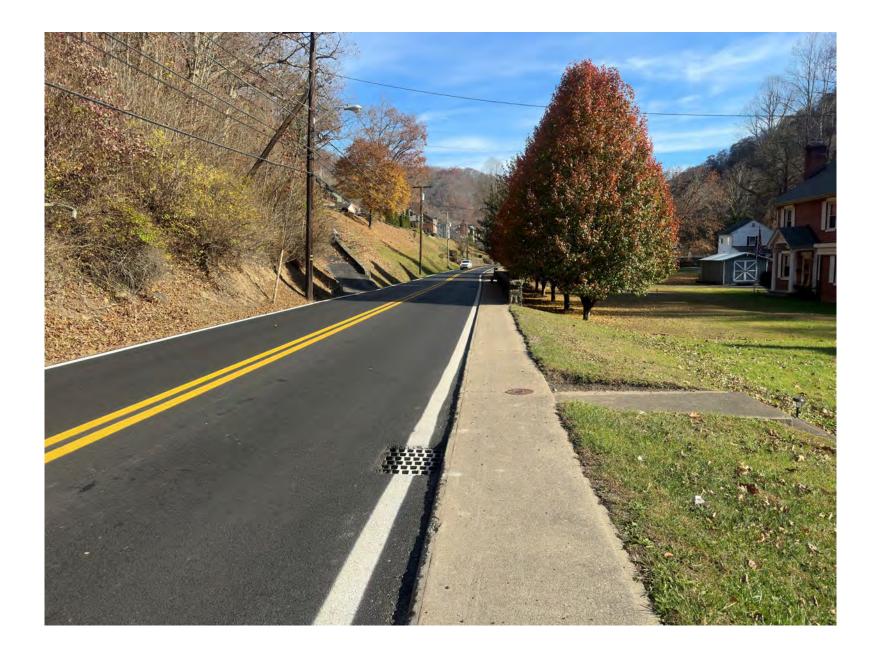


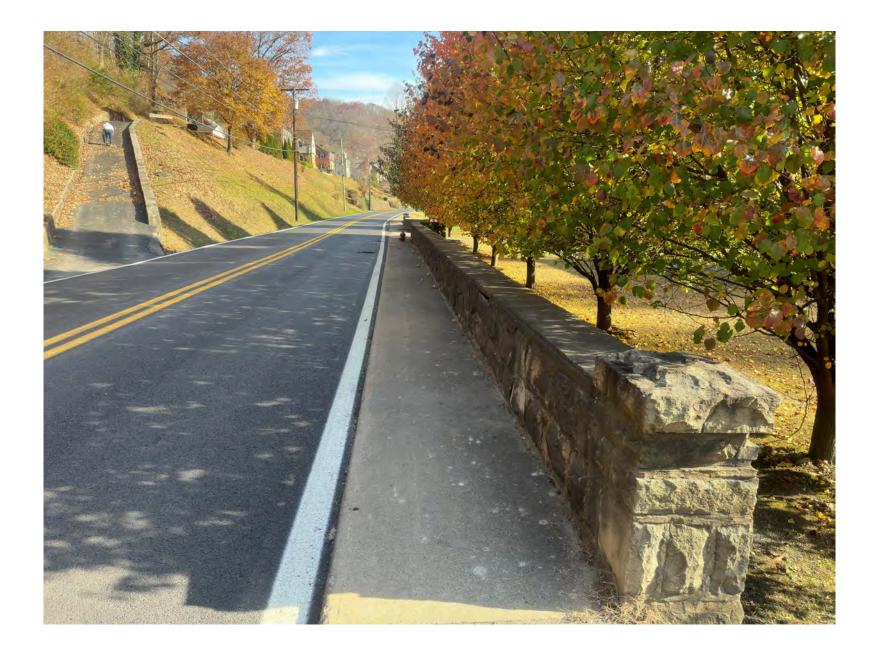


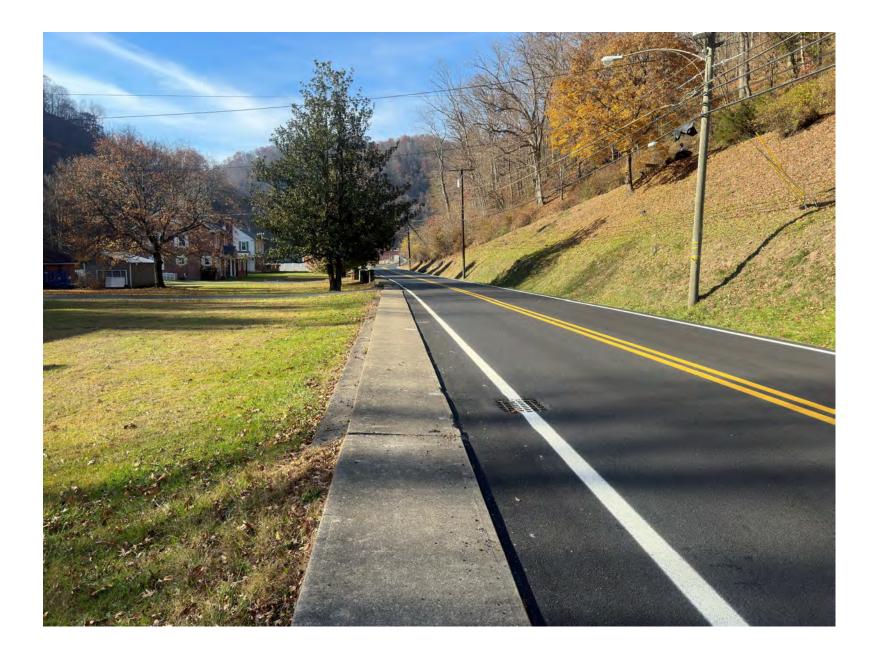






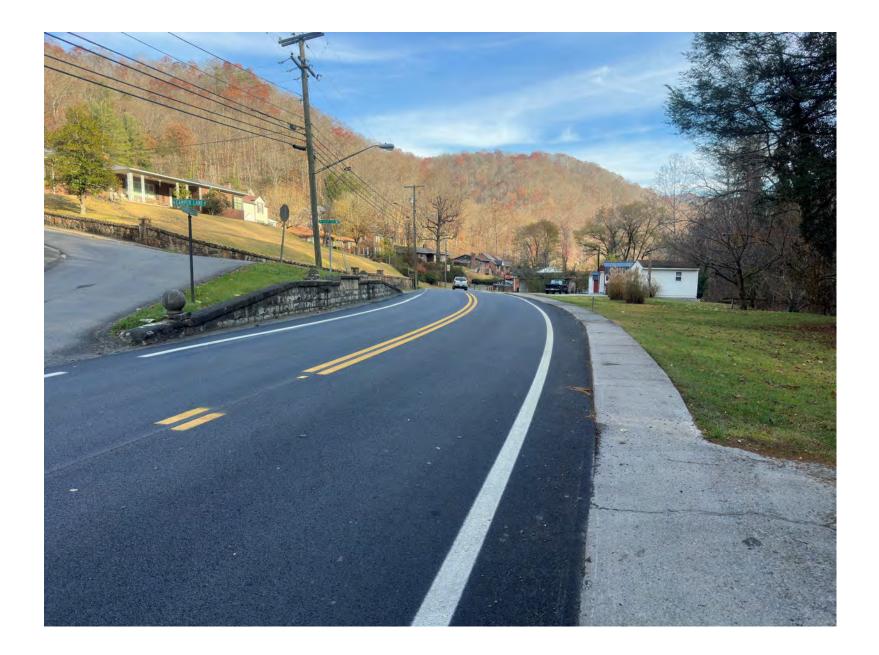












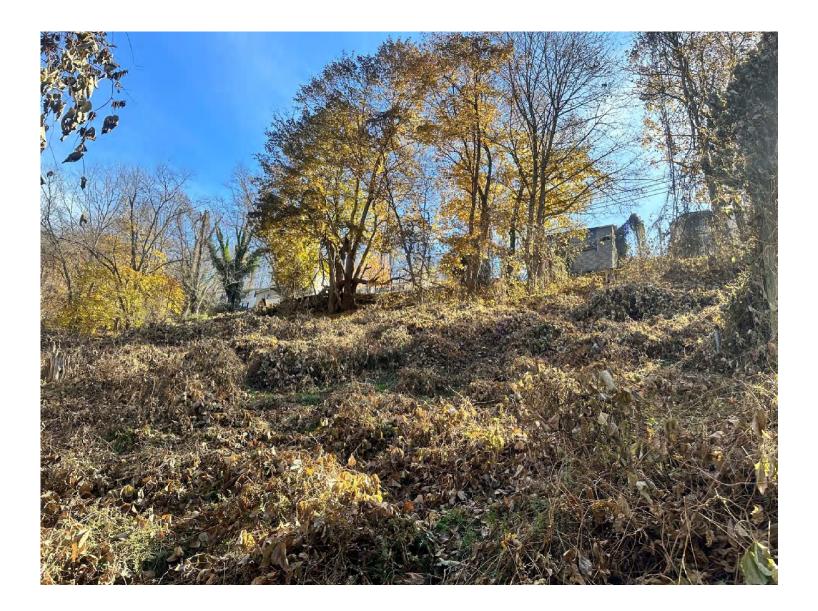










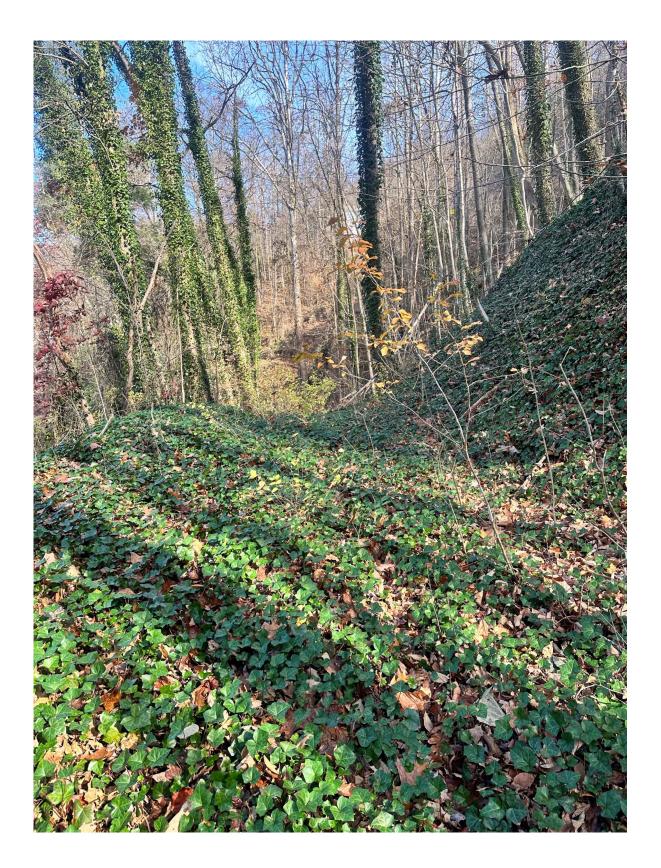


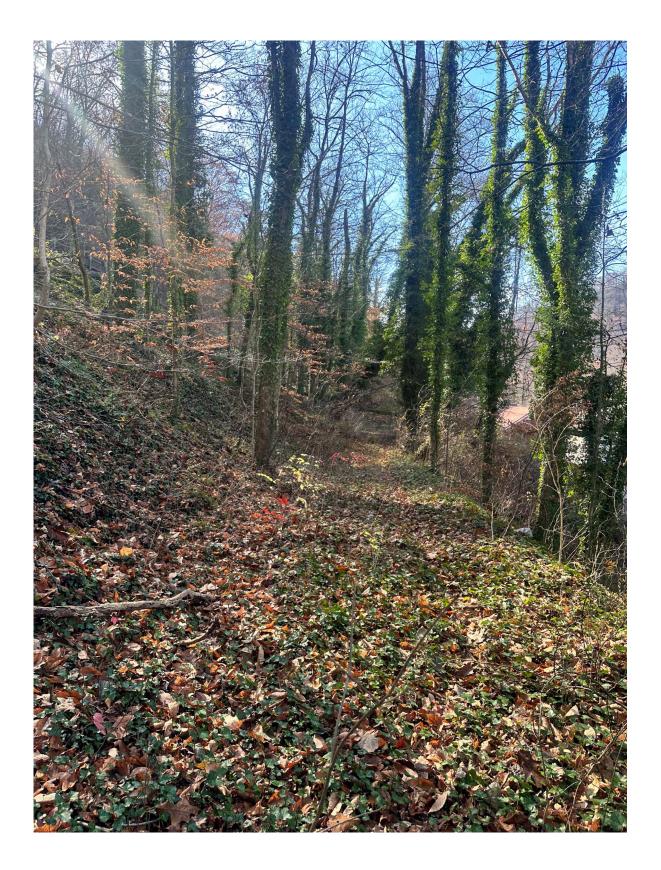


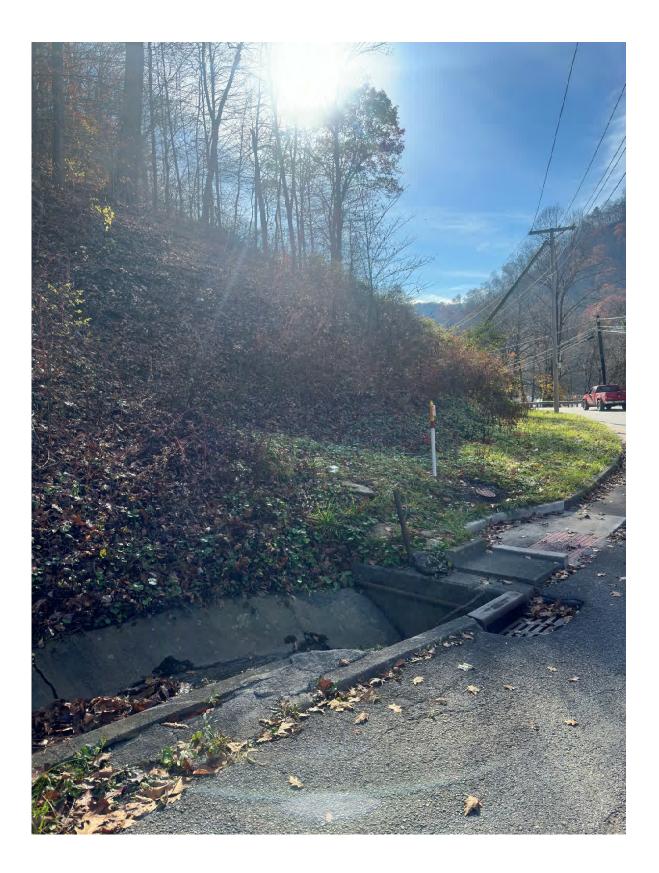




















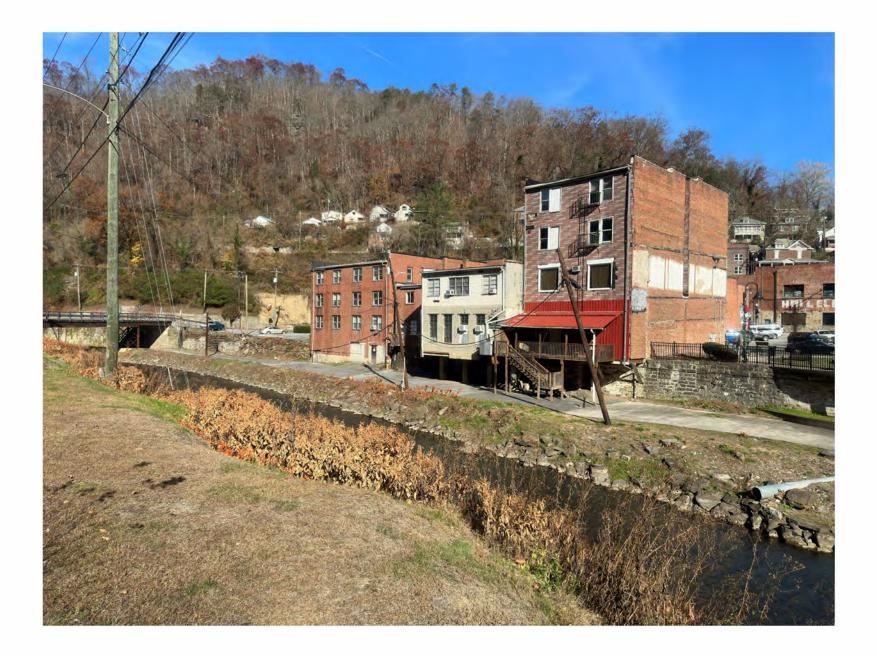








Segment 13







Segment 14

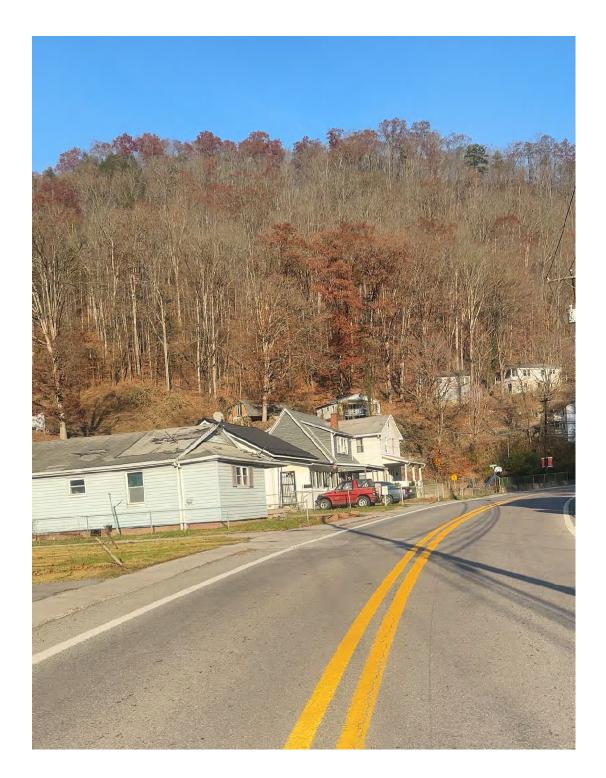


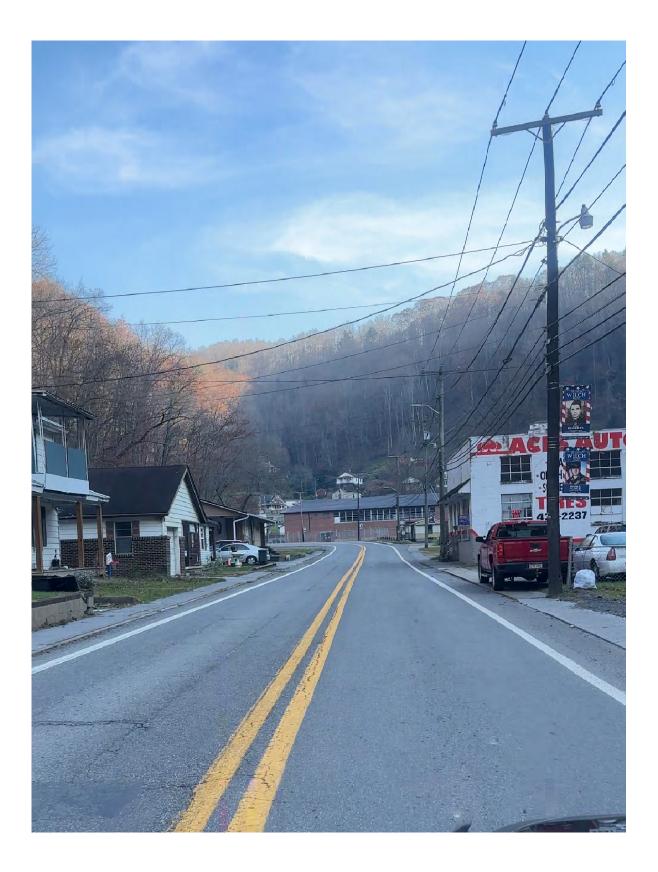


Segment 15



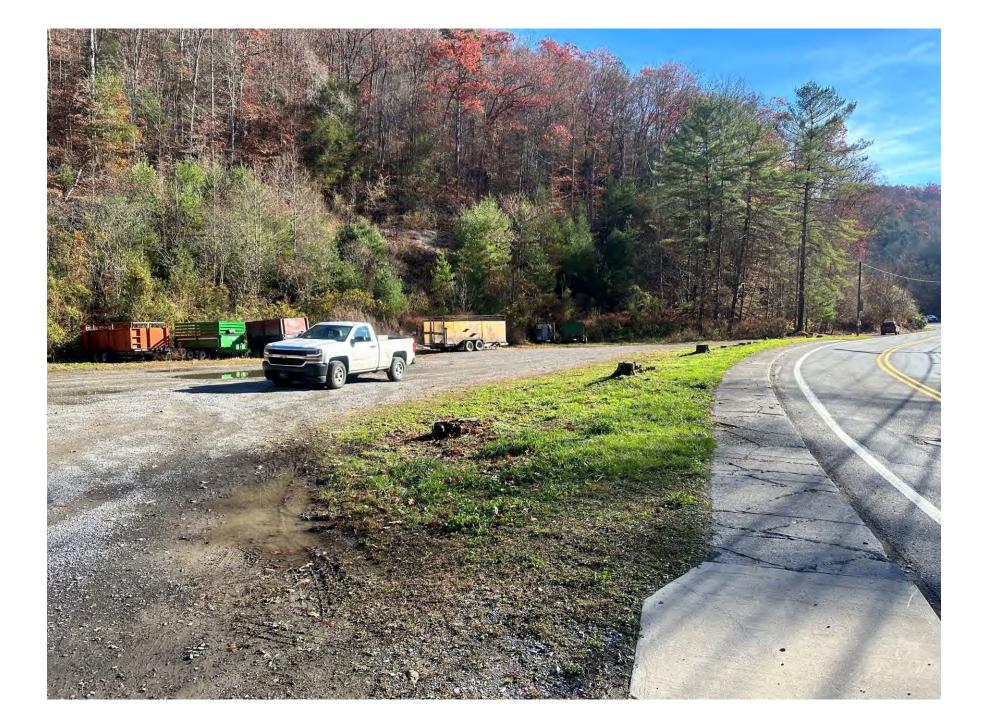






Laydown Areas





Consulting Party Response Form

Section 106 Consulting Party Response Form

Pipeline and Hazardous Materials Safety Administration (PHMSA)

Natural Gas Distribution Infrastructure Safety and Modernization Grant Program

Project Name/Location:

Date:	Organization:
Name:	Affiliation:
Address:	Phone Number:
	E-mail:

Please check one of the following:

Yes, I, or my organization, would like to participate in consultation on the project's potential effects to historic properties. I, or my organization, has a legal or economic relation to the project or affected properties or have a concern with the project's effects on historic properties.

No, I, or my organization, do(es) not wish to participate as a consulting party for the project.

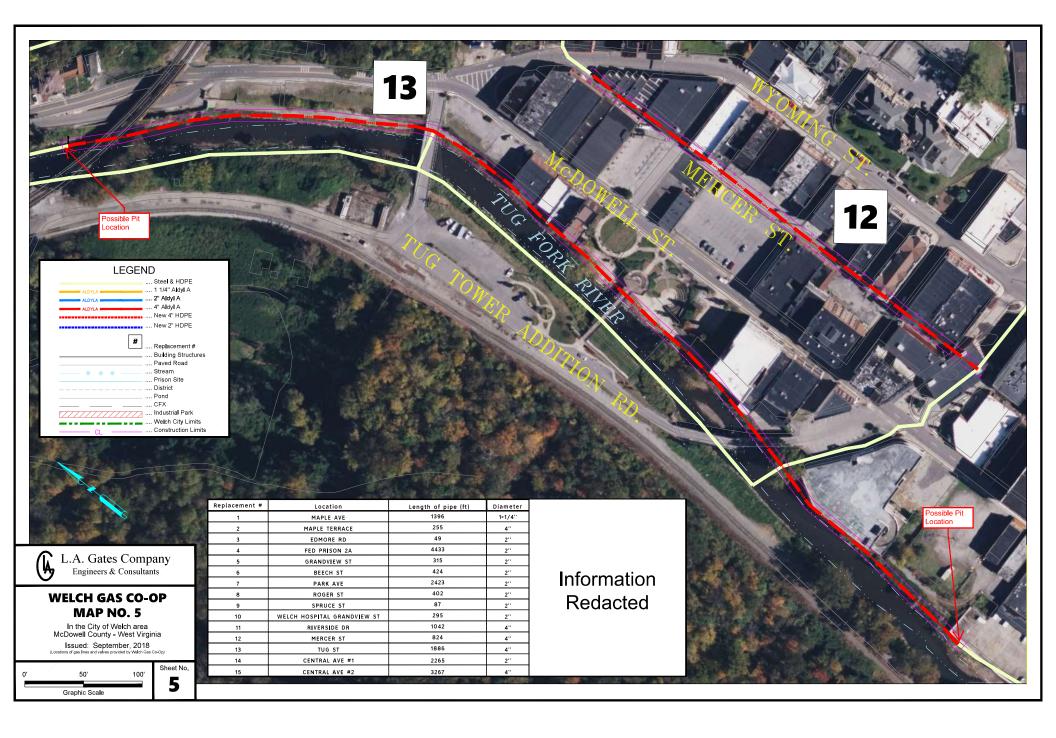
Do you know of any other potential consulting parties that should be contacted? If so, please list the name, email, or other contact information below.

Comments:

Please return by:

Please return to: Brian M. Albright USDOT Volpe Center 220 Binney Street, Cambridge, MA E-mail: PHMSASection106@dot.gov Appendix H

Section 4(f)



Appendix H

Environmental Justice

EJScreen Community Report

This report provides environmental and socioeconomic information for user defined areas, and combines that data into environmental justice and supplemental indexes.

McDowell County, WV



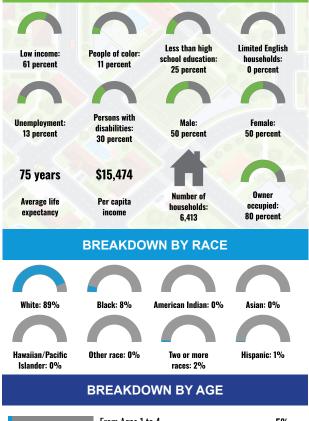
LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	99%
Spanish	1%
Total Non-English	1%

County: McDowell Population: 19,334 Area in square miles: 534.90

COMMUNITY INFORMATION

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From Ages 1 to 4	5%
From Ages 1 to 18	20 %
From Ages 18 and up	80 %
From Ages 65 and up	22%

LIMITED ENGLISH SPEAKING BREAKDOWN

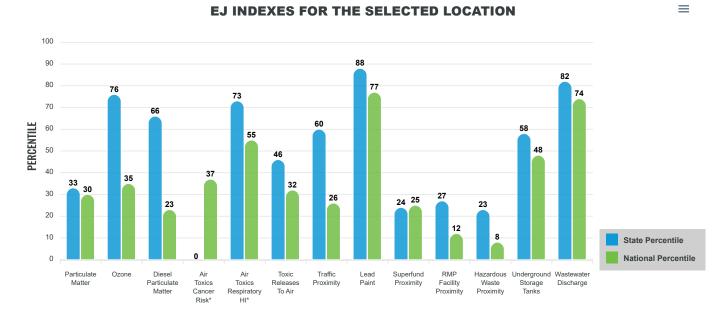
Speak Spanish	33%
Speak Other Indo-European Languages	67%
Speak Asian-Paci c Island Languages	0%
Speak Other Languages	0%

Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race. Source: U.S. Census Bureau, American Community Survey (ACS) 2017-2021. Life expectancy data comes from the Centers for Disease Control.

Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen re ecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the EJScreen website.

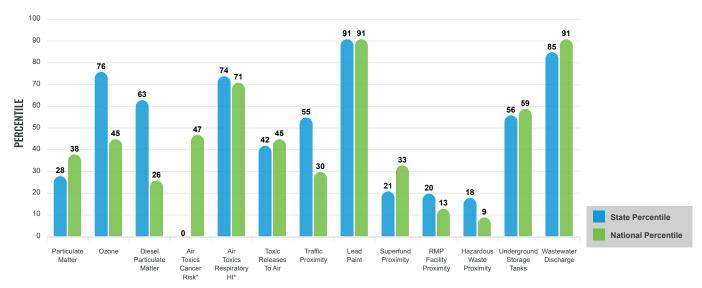
EJ INDEXES



The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community level vulnerability. They combine data on percent low income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.



SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION

These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation.

Report for County: McDowell

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SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA		
POLLUTION AND SOURCES							
Particulate Matter (µg/m ³)	6.81	7.47	17	8.08	17		
Ozone (ppb)	57.4	57.1	49	61.6	20		
Diesel Particulate Matter (µg/m ³)	0.0828	0.12	35	0.261	11		
Air Toxics Cancer Risk* (lifetime risk per million)	20	28	0	25	5		
Air Toxics Respiratory HI*	0.29	0.3	0	0.31	4		
Toxic Releases to Air	76	5,200	25	4,600	21		
Tra c Proximity (daily tra c count/distance to road)	9.5	56	40	210	16		
Lead Paint (% Pre-1960 Housing)	0.52	0.36	75	0.3	75		
Superfund Proximity (site count/km distance)	0.017	0.092	13	0.13	14		
RMP Facility Proximity (facility count/km distance)	0.035	0.35	13	0.43	5		
Hazardous Waste Proximity (facility count/km distance)	0.029	0.6	11	1.9	4		
Underground Storage Tanks (count/km ²)	0.17	2	37	3.9	31		
Wastewater Discharge (toxicity-weighted concentration/m distance)		3.3	83	22	89		
SOCIOECONOMIC INDICATORS							
Demographic Index	36%	23%	85	35%	59		
Supplemental Demographic Index	24%	16%	90	14%	87		
People of Color	11%	9%	74	39%	25		
Low Income	61%	38%	86	31%	89		
Unemployment Rate	13%	7%	83	6%	89		
Limited English Speaking Households	0%	0%	0	5%	0		
Less Than High School Education	25%	12%	90	12%	87		
Under Age 5	5%	5%	57	6%	51		
Over Age 64	22%	21%	58	17%	73		
Low Life Expectancy	22%	22%	56	20%	75		

*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: https://www.epa.gov/haps/air-toxics-data-update.

Sites reporting to EPA within defined area:	
Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	
	462
Air Pollution	
Brown elds	

Other community features within defined area:

Schools	
Hospitals	
Places of Worship	

Other environmental data:

Air Non-attainment	No
Impaired Waters	Yes

Selected location contains American Indian Reservation Lands*	No
Selected location contains a "Justice40 (CEJST)" disadvantaged community	Yes
Selected location contains an EPA IRA disadvantaged community	Yes

Report for County: McDowell

HEALTH INDICATORS								
INDICATOR VALUE STATE AVERAGE STATE PERCENTILE US AVERAGE US PERCENTILE								
Low Life Expectancy	22%	22%	56	20%	75			
Heart Disease	11.7	8.7	98	6.1	99			
Asthma	13.9	11.7	97	10	98			
Cancer	7.2	7	51	6.1	74			
Persons with Disabilities	30.4%	19.9%	90	13.4%	98			

CLIMATE INDICATORS								
INDICATOR VALUE STATE AVERAGE STATE PERCENTILE US AVERAGE US PERCENTILE								
Flood Risk	59%	28%	89	12%	96			
Wild re Risk	6%	2%	92	14%	81			

CRITICAL SERVICE GAPS								
INDICATOR VALUE STATE AVERAGE STATE PERCENTILE US AVERAGE US PERCENTILE								
Broadband Internet	24%	20%	66	14%	81			
Lack of Health Insurance	5%	7%	41	9%	39			
Housing Burden	No	N/A	N/A	N/A	N/A			
Transportation Access	Yes	N/A	N/A	N/A	N/A			
Food Desert	No	N/A	N/A	N/A	N/A			

Footnotes

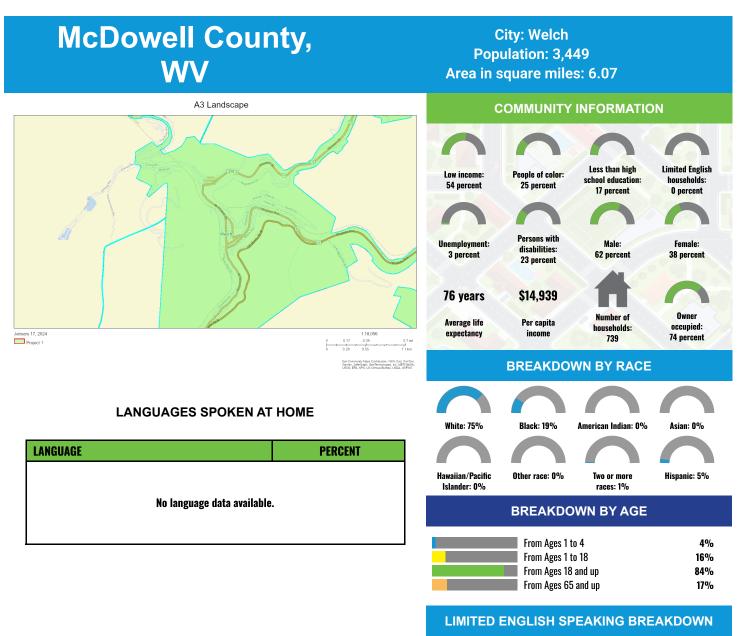
Report for County: McDowell

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EJScreen Community Report

This report provides environmental and socioeconomic information for user defined areas, and combines that data into environmental justice and supplemental indexes.



Speak Spanish 0% Speak Other Indo-European Languages 0% Speak Asian-Paci c Island Languages 0%

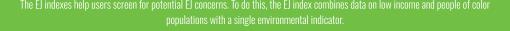
Sheak Orner mun-Entohean Faulanages	U%0
Speak Asian-Paci c Island Languages	0%
Speak Other Languages	0%

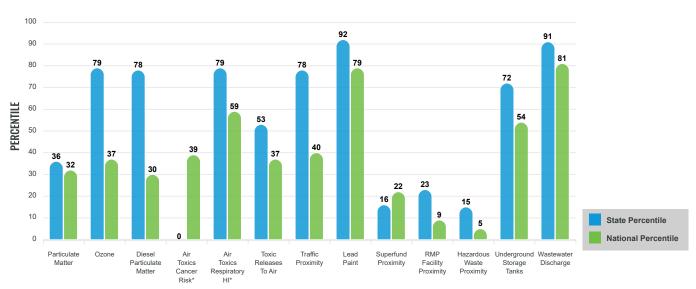
Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race. Source: U.S. Census Bureau, American Community Survey (ACS) 2017-2021. Life expectancy data comes from the Centers for Disease Control.

Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen re ecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the EJScreen website.

EJ INDEXES

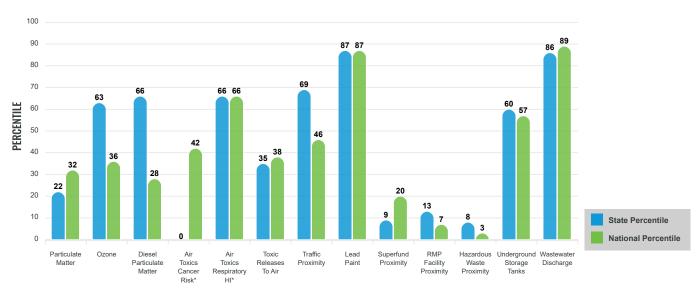




EJ INDEXES FOR THE SELECTED LOCATION

SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community level vulnerability. They combine data on percent low income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.



SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION

These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation.

Report for City: Welch

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SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter (µg/m ³)	6.82	7.47	17	8.08	17
Ozone (ppb)	57.4	57.1	49	61.6	20
Diesel Particulate Matter (µg/m ³)	0.0951	0.12	47	0.261	14
Air Toxics Cancer Risk* (lifetime risk per million)	20	28	0	25	5
Air Toxics Respiratory HI*	0.3	0.3	23	0.31	31
Toxic Releases to Air	78	5,200	25	4,600	21
Tra c Proximity (daily tra c count/distance to road)	24	56	56	210	27
Lead Paint (% Pre-1960 Housing)	0.59	0.36	80	0.3	79
Superfund Proximity (site count/km distance)	0.015	0.092	8	0.13	11
RMP Facility Proximity (facility count/km distance)	0.031	0.35	10	0.43	4
Hazardous Waste Proximity (facility count/km distance)	0.024	0.6	7	1.9	2
Underground Storage Tanks (count/km ²)	0.3	2	45	3.9	35
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.52	3.3	84	22	89
SOCIOECONOMIC INDICATORS					
Demographic Index	38%	23%	89	35%	62
Supplemental Demographic Index	19%	16%	71	14%	76
People of Color	25%	9%	92	39%	44
Low Income	54%	38%	78	31%	84
Unemployment Rate	3%	7%	41	6%	42
Limited English Speaking Households	0%	0%	0	5%	0
Less Than High School Education	17%	12%	73	12%	75
Under Age 5	4%	5%	51	6%	45
Over Age 64	17%	21%	35	17%	55
Low Life Expectancy	23%	22%	61	20%	80

*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: https://www.epa.gov/haps/air-toxics-data-update.

Sites reporting to EPA within defined area:

Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	0
Water Dischargers	29
Air Pollution	1
Brown elds	2
Toxic Release Inventory	1

Other community features within defined area:

Schools	3
Hospitals	3
Places of Worship	11

Other environmental data:

Air Non-attainment	No
Impaired Waters	Yes

Selected location contains American Indian Reservation Lands*	No
Selected location contains a "Justice40 (CEJST)" disadvantaged community	Yes
Selected location contains an EPA IRA disadvantaged community	Yes

Report for City: Welch

HEALTH INDICATORS					
INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	23%	22%	61	20%	80
Heart Disease	10.4	8.7	86	6.1	97
Asthma	13.3	11.7	92	10	96
Cancer	7	7	31	6.1	67
Persons with Disabilities	29.5%	19.9%	89	13.4%	98

CLIMATE INDICATORS							
INDICATOR	DICATOR VALUE STATE AVERAGE STATE PERCENTILE US AVERAGE US PERCENTI						
Flood Risk	48%	28%	82	12%	95		
Wild re Risk	11%	2%	95	14%	82		

CRITICAL SERVICE GAPS								
INDICATOR VALUE STATE AVERAGE STATE PERCENTILE US AVERAGE US PERCENTILE								
Broadband Internet	24%	20%	66	14%	81			
Lack of Health Insurance	9%	7%	80	9%	63			
Housing Burden	No	N/A	N/A	N/A	N/A			
Transportation Access	Yes	N/A	N/A	N/A	N/A			
Food Desert	No	N/A	N/A	N/A	N/A			

Footnotes

Report for City: Welch

www.epa.gov/ejscreen