Pamela C. Dodds, Ph.D.
Registered Professional Geologist
P.O. Box 217
Montrose, WV 26283

December 13, 2011

Regional Director, Midwest Region, Attn: Lisa Mandell
US Fish and Wildlife Service
Ecological Services
5600 American Blvd. West Suite 990
Bloomington, MN 55437-1458

Re: US Fish and Wildlife Service's Draft Environmental Impact Statement Concerning the Nisource Gas Transmission and Storage Inc's Draft Habitat Conservation Plan.

Dear Lisa Mandell,

Please do not approve the NiSource Draft Habitat Conservation Plan (HCP). It is essential that a separate HCP and Incidental Take Permit (ITP) be evaluated separately for each watershed the proposed one-mile wide corridor will pass through in its entire extent of over 15,000 miles. Approval of such an inadequate plan for the duration of 50 years would not allow for assessment of continual changes in endangered species populations or cumulative impacts of habitat destruction

In the draft HCP proposed by NiSource, it is stated that, "The breadth of covered lands is necessary because NiSource cannot precisely predict the location of expansion or rerouting over the next 50 years." This documents that there is no knowledge or consideration of the specific watersheds in which construction will occur. The cumulative damage potential, especially in West Virginia, Ohio, and southwest Pennsylvania can be readily observed on "Figure 2-2: General Location of Covered Lands" of the NiSource Draft MSHCP. USFWS must require a site-by-site HCP and ITP because there is no consideration given to the specific watersheds that will be impacted. Some watersheds already have greatly impaired streams caused by over-development and extensive construction projects, such as for transmission line and industrial scale wind facilities. Scrutiny of the National Pollutant Discharge Elimination System (NPDES) permits by various agencies in all the states through which the one-mile corridor would be established provides that the definition of "watershed" includes only the portion of a disturbed area within a construction site to a constructed sediment erosion control discharge point. This is not the definition of "watershed" according to standard hydrological evaluations and does not constitute an adequate evaluation of the negative impacts construction stormwater will have on streams within specific watersheds. The NPDES permits do not consider the increase in downstream stream bank erosion and sedimentation caused by the increase in stormwater quantity and velocity from construction sites. Each

watershed must be evaluated separately to determine the amount of increased stormwater flow that will reach impaired streams, streams with endangered species, and/or streams that will become impaired due to the increase in sedimentation caused by the increase in construction stormwater flow.

The EPA recognizes that 10% impervious surfaces within a watershed will result in negative impacts to that specific watershed. Most construction does not consist of totally impervious surfaces; however, construction does result in surfaces that will allow greater volume of surface runoff that will cause negative impacts downstream by stream bank erosion and sedimentation. Each watershed should be assessed by NiSource for the increased stormwater discharge that would result from 10% impervious surfaces. That calculated discharge value should then be used as a threshold discharge amount to assess the cumulative stormwater discharge within each specific watershed. In watersheds where construction within the one-mile wide corridor, in combination with existing development within the watershed, will exceed the discharge threshold established by calculating the stormwater discharge that would result from 10% impervious surfaces, no construction should be allowed. In areas that are heavily impacted by cumulative projects, it is critical to perform adequate assessments of increased stormwater discharge because the impacts of this extend beyond the specific watersheds.

The allowable limits currently established for the health of the Chesapeake Bay should be considered in review of impacts to watersheds where the Chesapeake Bay headwaters are located. Sediment is considered the primary pollutant to the Chesapeake Bay. Increased stormwater discharge in headwaters of the Chesapeake Bay causes increased stream bank erosion and sedimentation, with the result of an unregulated increase in the amount of sediment accumulating in streams and, ultimately, in the Chesapeake Bay. Additionally, destruction of headwater areas negatively impacts the aquatic food chain, resulting in negative impacts to endangered aquatic species downstream.

It is critical to the welfare of endangered species to demand that each watershed be separately evaluated in order to prevent negative impacts caused by increased stormwater discharge within the watershed. It is critical that a 50-year permit cannot be allowed because this does not allow for consideration of cumulative negative impacts on endangered species and their habitats.

Thank you for your consideration of my comments.

Sincerely,

Pamela C. Dodds, Ph.D.