



July 3, 2019

Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Attention: Ms. Kimberly D. Bose, Secretary

Re: El Paso Natural Gas Company, L.L.C.;
Docket No. CP19-28-000
Request for Alternative Measures

Dear Ms. Bose:

El Paso Natural Gas Company, L.L.C. ("EPNG") is herein submitting with the Federal Energy Regulatory Commission ("Commission") in Docket No. CP19-28-000, a request for alternative measures under Section IV.A.1 of the Commission's Upland Erosion Control, Revegetation, and Mitigation Plan related to its Northern Delaware Basin Expansion Project application. Specifically, EPNG seeks authorization to use additional work sites and construction measures to accomplish the hydrostatic testing of the Line No. 1105. EPNG is also providing the information attached hereto to support the instant request for alternative measures.

Description of Proceeding

On December 19, 2018, EPNG filed a prior notice request pursuant to Sections 157.205, 157.208(b), and 157.210 of the Commission's regulations under the Natural Gas Act for authorization to construct an approximate 14-mile twenty-four-inch (24") outside diameter ("O.D.") loop line of its existing 20-inch (20") O.D. Line No. 3162 in Winkler County, Texas, as well as make minor appurtenant facility modifications at an existing compressor station and other facility locations in Winkler, Crane, and Upton Counties, Texas. Additionally, EPNG is required to hydrostatically test approximately 51 miles of its existing 24-inch (24") O.D. Line No. 1105 that traverses Winkler, Ector, and Crane Counties, Texas. This project is referred to as the Northern Delaware Basin Expansion Project. Since no protests were filed within the comment period, the prior notice application was deemed to be authorized on February 26, 2019.

Request for Alternative Measures

Subsequent to submitting its prior notice application, EPNG determined that the proposed Line No. 1105 hydrostatic test plan would result in an extended interruption of service for certain customers and operators with facilities located on the Line No. 1105 segment to be tested. Further, such outage would likely adversely affect their

operations. EPNG is proposing to modify its plan in order to avoid any service interruptions to such customers. Currently, EPNG’s hydrostatic test plan involves five separate test header sites and provides for four test sections. In this alternative measures request, EPNG is proposing to revise its hydrostatic test plan to remove one of those original test header sites and add three new test header sites for a total of seven test header sites. This change will result in six test sections and, in doing so, allow EPNG to maintain service to such customers and operators. Additionally, EPNG has added one new workspace location. The table shown below summarizes EPNG’s proposed changes and compares them to the originally approved plan.

Previously Approved Test Header Sites	Alternative Measures Request for New Test Header Sites
Keystone Compressor Station at MP 0.00	No Changes
MLV 2 at MP 16.3	MLV 2 Site No Longer Required
MLV 4 at MP 32.0	No Changes
Line No. 3103 Take-off at MP 45.0	No Changes
MLV 5 at MP 51.0	No Changes
	MP 41.0 Site (new)
	Razor Sharp Meter Station at MP 13.0 (new)
	Hogg Meter Station at MP 21.0 (new)
	Dune Booster Meter Station/Line No. 3146 Take-off at MP 50.0 (new workspace location, no test header installation)

Although additional work sites will now be required to conduct the test, EPNG believes its alternative measures request provides an environmentally superior approach as compared to the previously approved plan. First, by increasing the number of test sections, the hydrostatic test pressure range will be reduced which lowers the risk of a test rupture and the uncontrolled loss of water in remote areas of the right-of-way (“ROW”). Also, the alternative hydrostatic test plan will lower the overall water volume that is required. The lower required water volume will reduce both the temporary water storage footprint as well as the duration that pumping equipment will need to be operating to transport the water before and after the hydrostatic test.

Description of New Hydrostatic Worksite Locations:

Milepost 41.0 Test Header Site¹:

The hydrostatic test header site at Milepost 41.0 located in Block B23, Public School Lands, Survey No. 17, Crane County, Texas, will require 0.42 acres of

¹ This site is referred to as the 2A/2B work site in EPNG’s correspondence to agencies as documented and provided as part of this request.

workspace within EPNG's Line No. 1105 existing ROW and approximately 1.0 acres of new, additional temporary workspace. No permanent or temporary above ground facilities will be required at this location. At this new test header site, EPNG is requesting use of an existing approximate 4.6 mile access road of which 3.4 miles is an existing caliche lease road that will not require improvements and 1.2 miles that will require improvements. The 3.4 mile segment is a loop consisting of 1.6 miles that will be used for entry to the site and 1.8 miles that will be used for exit purposes. EPNG is proposing this setup for safety enhancements with the flow of construction vehicles. EPNG will however make improvements to the 1.2-mile segment by putting down caliche in order to improve this access road segment and will leave it in place once construction is complete per the landowner request. The 1.2-mile access road improvement was approved by the affected landowner.

Razor Sharp Meter Station Test Header Site:

The hydrostatic test header site at EPNG's existing Razor Sharp Meter Station, located in Block 40, Public School Lands, Survey No. 13, Winkler County, Texas, will consist of workspace all located within previously disturbed areas. Approximately 0.29 acres of required workspace will be located within the existing meter station facility and on original construction workspace used for the construction of the meter station. In addition, approximately 0.68 acres of workspace will be required within EPNG's Line No. 1105 existing ROW. At the location of the test header EPNG will install a 24" mainline valve for increased pipeline safety. Access to the new test header site will utilize an existing 3.57 mile road that is currently being used by EPNG for routine maintenance at the meter station. No improvements will be required on this access road.

Hogg Meter Station Test Header Site:

The hydrostatic test header site at EPNG's existing Hogg Meter Station, located in Block B9, Public School Lands, Survey No. 11, Winkler County, Texas, will occur within the Hogg Meter Station and Line No. 1105 existing ROW. Approximately 1.18 acres of workspace will occur within these previously disturbed areas. Approximately 0.88 acres of new additional temporary workspace will be required for topsoil and spoil placement and for equipment parking. Access to the new test header site will utilize an approximate 180-foot existing lease road off of County Road 404 and Blockline Road. No improvements will be required on this access road. Similar to the work at the Razor Sharp test header location, EPNG will install a 24" mainline valve and a 120-foot 8-inch meter station piping bypass line for increased pipeline safety.

In order to maintain service to the Hogg Meter Station, PNG must bore underneath Blockline Road (a Winkler County-owned road) and install a temporary 180 to 200-foot 6-inch bypass line from the southeast side of Blockline Road to Hogg Meter Station on the northwest side. Upon completion of hydrostatic testing activities, EPNG will purge, plug, and cap the segment of the bypass line underneath Blockline Road and

leave it in place to minimize risk to the road subbase that extraction could cause. All required work for the bore will take place entirely within Line No. 1105 existing ROW. EPNG is currently in the process of obtaining permits and approvals from Winkler County in order to conduct the bore and will not commence any activities at this location until the appropriate Winkler County approvals are received.

Dune Booster Meter Station/Line No. 3146 Take-off Work Site:

The work site at EPNG's Dune Meter Station and Line No. 3146 take-off interconnection, located in Block 30, University Lands, Survey No. 5, Crane County, Texas, will require approximately 0.76 acres of workspace all entirely within EPNG's Line No. 1105 and Line No. 3146 existing ROW. EPNG will be using this site to temporarily realign gas flow during the Line No. 1105 hydrostatic test to further mitigate customer operational impacts. There will be no new permanent or temporary above ground facilities required at this location. Access to the work site will be on an approximate 0.65 mile existing lease road off of Farm Road 1233.² No improvements will be required on this access road.

EPNG confirms that all affected landowners for these new test header sites, access roads and workspaces have been contacted and have given EPNG their approval and consent for work at these locations. In addition, EPNG has conducted the appropriate environmental reviews, surveys and consultations with the United States Fish and Wildlife Service, the Texas State Historic Preservation Office and Texas Parks and Wildlife Service ("TPWS") and has secured the required determinations and approvals which EPNG is including documentation of under Tab 3 to this request. A summary of EPNG's consultation efforts for each applicable agency are noted below.

Summary of Agency Consultations:

Texas Historical Commission ("THC"):

EPNG consulted with the THC concerning the new proposed sites and received a determination from the THC that no historic properties are present or would be affected by the proposed activities.³ The cultural resource report submitted to the THC

² EPNG notes that this work site was part of the original hydrostatic test plan, but was erroneously reported to be within the original MLV 5 at MP 51.0 work space. Subsequent field investigation revealed that the actual existing facilities that will be realigned were at a separate location.

³ Since the proposed workspace at the Dune Meter Station and Line No. 3146 take-off worksite is located on lands owned by the University of Texas ("UT"), UT takes the lead in managing agency consultations when required for work on their land. As such, EPNG reached out to UT regarding this site and received confirmation that no cultural surveys would be required.

is being provided under the Privileged and Confidential Information section of this request and is marked as “Contains CUI//PRIV Information – Do Not Release”.

United States Fish & Wildlife Service (“USFWS”):

EPNG conducted a review through the USFWS’s Information for Planning and Consultation (“IPaC”) to determine if there were any threatened and endangered species that may occur in the proposed new workspaces. The IPaC results (USFWS 2018a) listed four of the same federally listed species that were part of the original review for the Line No. 1105 hydrotest portion of the project. These include the Least Tern, Piping Plover, Red Knot and the Aplomado Falcon. Three of these species only need to be considered for wind energy type projects. The one potential species, the Northern Aplomado Falcon could potentially be a concern in the project area of Hogg Meter Station and Razor Sharp Meter Station. However, both of these areas are disturbed by previous pipeline or associated facility construction that do not comprise suitable habitat for this species. In addition, existing native vegetation in these areas and vicinity are not suitable habitat as they contain high levels of shrub encroachment (e.g., mesquite trees and other woody shrubs), or open areas that consist of sand dunes. Further, this species has no occurrence records in the vicinity of the proposed project areas. Also, none of the proposed project areas are considered critical habitat for any federally listed species. Based on this review, a determination of No Effect is made for each of the species listed. EPNG has included the IPaC reviews for each proposed new work site as part of this request under Tab 3.

Texas Parks and Wildlife Service (“TPWS”):

EPNG consulted with the TPWS on April 24, 2019 and received comments back from the TPWS on June 11, 2019. TPWS’s response concerning these new test header sites and workspaces, identified four new species of concern (Western Box Turtle, Western Hognose Snake, Western Rattle Snake, and the Massasauga Snake). The TPWS’s recommendations point back to conservation measures mentioned in its October 31, 2018 letter provided in Appendix 3D of Tab A of EPNG’s original application and pertain to awareness training, and general best management practices. EPNG will follow the mitigation measures to address TPWS’s recommendations. EPNG is providing under Tab 3 the documentation from these agencies.

As part of this request, EPNG is herein providing the following information:

- **Tab 1:** Aerial maps of each requested test header sites depicting the required workspaces along with an overview map of the requested new test header sites compared to EPNG’s previously approved test header sites;
- **Tab 2:** A revised land disturbance table; and
- **Tab 3:** All agency documentation.
 - Attachment 1 – THC consultation documentation



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TAB 1 – Aerial Maps

Line No. 1105 Hydrotest Worksites

EPNG's Alternative Measures Request in Docket CP19-28-000

Keystone trap (No Changes)

Razor Sharp MS MP 13.0 (New Site)

L1105 MLV 2 (No Longer Needed)

Hogg MS MP 21.0 (New Site)

L1105 MLV 4 MP 32.0 (No Changes)

MP 41.0 test break (New Site)

Line 3103 takeoff MP 45.0 (No Changes)

Dune MS/L3146 Take-off MP 50 (New Site)

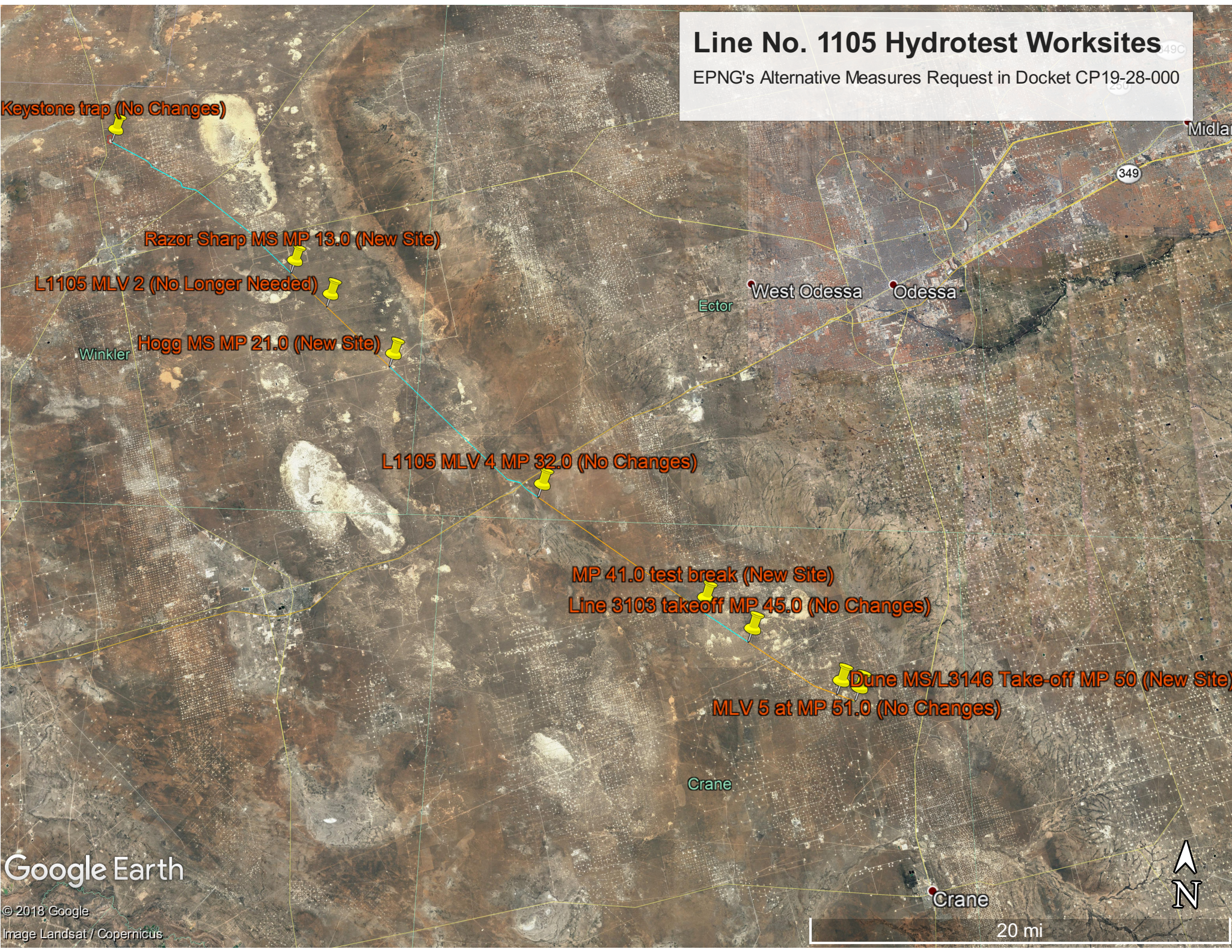
MLV 5 at MP 51.0 (No Changes)

Google Earth

© 2018 Google
Image Landsat / Copernicus

Crane


20 mi



MP 41 work site

0.42 acre EPNG RoW
1.00 new TWS

Legend

 work space boundaries

All work at this location temporary for EPNG 1105 hydrotest only, no permanent or above-ground additions. Landowner has requested us to leave the caliche access road when complete.

Google Earth

600 ft




MP 41.0 access

3.4 miles existing lease road
1.2 miles new access road

Access is from Hwy 1601 on existing caliche lease roads (1.6 mile entry, 1.8 mile exit) and 1.2 mile section that will require improvements along fence line per landowner request.

Legend

 D7/7b - MP 41 access

Section to be used for entry.
No improvements required.

1.2 mile section
that will require
improvements.

Section to be used for exit.
No improvements required.


MP 41 test break (new)



Razor Sharp worksite

0.97 acre previous disturbance

Legend

 work space boundaries

workspace consists of 0.29 acre existing facility and original construction workspace, and 0.68 acre EPNG L 1105 RoW


add 24" MLV

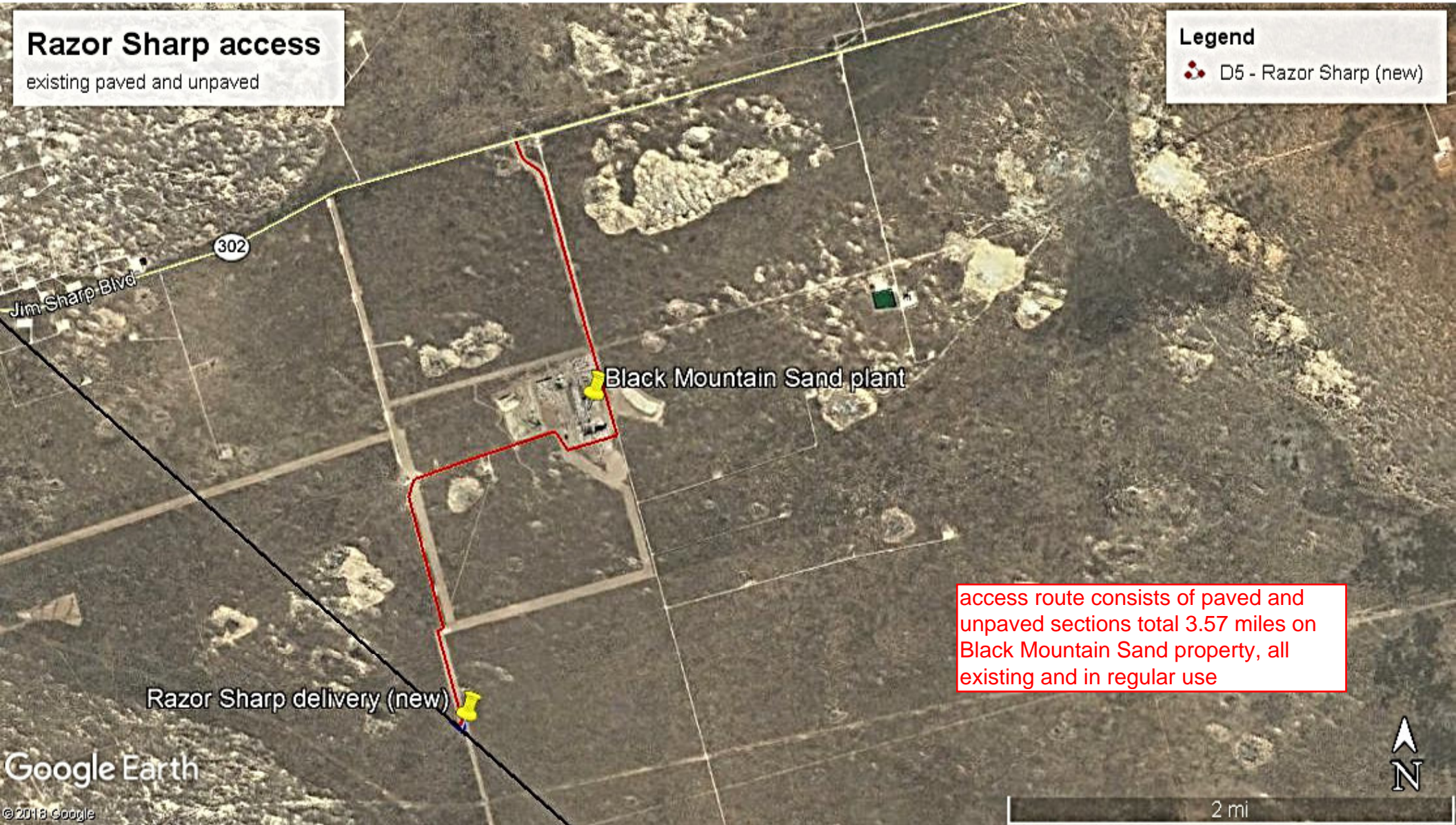


Razor Sharp access

existing paved and unpaved

Legend

 D5 - Razor Sharp (new)



Hogg work site

1.18 acre previously disturbed
0.88 acre new TWS

Legend

- 6" bypass line
- work space boundaries

0.25 acre EPNG

6" bypass line to be abandoned in place to protect road

add 24" MLV with 8" bypass

0.65 acre EPNG

0.28 acre Hogg MS

0.68 acre TWS for topsoil & spoil only

0.20 acre TWS for equipment, parking


Blockline Rd



Hogg access

180' existing unpaved access

Legend

 access from named road

Hogg delivery (new)

Blockline Rd

access is existing lease road from CR 404 and Blockline RD into site

Google Earth

© 2018 Google


1000 ft



Dune worksite

0.78 acre EPNG RoW

Legend

 work space boundaries

All work at this location temporary for EPNG 1105 hydrotest only, no permanent or above-ground additions.

Google Earth

©2018 Google


300 ft



Dune access

0.85 mile existing lease road

Legend

 D8 - 3146 access - 3,420'

Farm Rd-1233

Geeter Rd

access is from FM 1233 on
existing caliche lease road

Mobile Rd

Dune delivery (new)

Google Earth

©2018 Google

2000 ft





NORTHERN DELAWARE BASIN EXPANSION PROJECT
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TAB 2 – Revised Land Disturbance Tables

TABLE 1-1 PROPOSED PROJECT FACILITIES

Facility	Description	County, State	Milepost(s)	Temporary Construction Land Use (acres)	Permanent Operational Land Use (acres)	Land Requirements by Project Element (acres)
14-mile Loop Line	14 miles of new pipeline ROW (50')	Winkler, TX	0.0 - 14.4	-	87.39	87.39
	Temporary construction ROW (50')	Winkler, TX	0.0 - 14.4	87.16	-	87.16
	ATWS	Winkler, TX	variable between 0.0 - 14.4	4.24	-	4.24
	Land Use			91.40	87.39	178.79
Keystone Compressor Station	New pig launcher/receiver and valve for loop line tie-in	Winkler, TX	0.00	-	0.14 (50'x120')	0.14
	New loop line piping (50' ROW)	Winkler, TX	0.00	0.78 (678x50')	0.78 (678'x50')	1.56
	Staging area inside compressor station parcel	Winkler, TX	0.00	69.24	-	69.24
	Land Use			70.02	0.92	70.94
Wink Compressor Station	New pig launcher/receiver, and valves for loop line tie-in	Winkler, TX	14.40	-	0.14 (50'x120')	0.14
	New loop line piping (50' ROW)	Winkler, TX	14.40	0.26 (50'x225')	0.26 (50'x225')	0.52
	Staging area inside compressor station parcel	Winkler, TX	14.40	8.45	-	8.45
	Land Use			8.71	0.40	9.11
Line No. 1105 Hydrostatic Testing	Temporary test header at Keystone Compressor Station	Winkler, TX	0.00	-	1.45	1.45
	Temporary test header at Razor Sharp Meter Station (new)	Winkler, TX	13.0	-	0.97	0.97
	Temporary test header at MLV 2	Winkler, TX	16.3	1.03	0.41	1.44
	Temporary test header at Hogg Meter Station (new)	Winkler, TX	21.0	0.88	1.18	2.06
	Temporary test header at MLV 4	Ector, TX	32.0	1.03	0.41	1.44
	Temporary test header at Line No. 3103 take-off	Crane, TX	45.0	1.03	0.41	1.44
	Temporary test header at MLV 5	Crane, TX	51.0	1.03	1.50	2.53
	Temporary test header at MP 41.0 (new)	Crane, TX	41.0	1.42	-	1.42
	Workspace at Dune/Line No. 3146 take-off (new)	Crane, TX	50.0	0.76	-	0.76
	ATWS at MLV 5 for frac pond	Crane, TX	51.0	10.25	-	10.25
	Land Use			16.414.37	5.924.18	22.3218.55
Line No. 1105 MLV 12 Trap Modifications	Modify pig launcher/receiver at MLV 12	Upton, TX	88.6	0.15	0.44	0.59
	Land Use			0.15	0.44	0.59
Line No. 2000 MLV 1 Trap Modifications and MLV 0.5 Automation	Modify pig launcher/receiver at MLV 1	Crane, TX	1070.60	0.63	0.21	0.84
	Automate MLV 0.5	Crane, TX	1070.63	-	0.93	0.93
	Land Use			0.63	1.14	1.77
Project Total Land Use				187.31185.28	96.2194.47	283.52279.75

TABLE 1-1 PROPOSED PROJECT FACILITIES

Facility	Description	County, State	Milepost(s)	Temporary Construction Land Use (acres)	Permanent Operational Land Use (acres)	Land Requirements by Project Element (acres)
14-mile Loop Line	14 miles of new pipeline ROW (50')	Winkler, TX	0.0 - 14.4	-	87.39	87.39
	Temporary construction ROW (50')	Winkler, TX	0.0 - 14.4	87.16	-	87.16
	ATWS	Winkler, TX	variable between 0.0 - 14.4	4.24	-	4.24
	Land Use			91.40	87.39	178.79
Keystone Compressor Station	New pig launcher/receiver and valve for loop line tie-in	Winkler, TX	0.00	-	0.14 (50'x120')	0.14
	New loop line piping (50' ROW)	Winkler, TX	0.00	0.78 (678x50')	0.78 (678'x50')	1.56
	Staging area inside compressor station parcel	Winkler, TX	0.00	69.24		69.24
	Land Use			70.02	0.92	70.94
Wink Compressor Station	New pig launcher/receiver, and valves for loop line tie-in	Winkler, TX	14.40	-	0.14 (50'x120')	0.14
	New loop line piping (50' ROW)	Winkler, TX	14.40	0.26 (50'x225')	0.26 (50'x225')	0.52
	Staging area inside compressor station parcel	Winkler, TX	14.40	8.45	-	8.45
	Land Use			8.71	0.40	9.11
Line No. 1105 Hydrostatic Testing	Temporary test header at Keystone Compressor Station	Winkler, TX	0.00	-	1.45	1.45
	Temporary test header at Razor Sharp Meter Station (new)	Winkler, TX	13.0	-	0.97	0.97
	Temporary test header at Hogg Meter Station (new)	Winkler, TX	21.0	0.88	1.18	2.06
	Temporary test header at MLV 4	Ector, TX	32.0	1.03	0.41	1.44
	Temporary test header at Line No. 3103 take-off	Crane, TX	45.0	1.03	0.41	1.44
	Temporary test header at MLV 5	Crane, TX	51.0	1.03	1.50	2.53
	Temporary test header at MP 41.0 (new)	Crane, TX	41.0	1.42	-	1.42
	Workspace at Dune/Line No. 3146 take-off (new)	Crane, TX	50.0	0.76	-	0.76
	ATWS at MLV 5 for frac pond	Crane, TX	51.0	10.25	-	10.25
Land Use			16.4	5.92	22.32	
Line No. 1105 MLV 12 Trap Modifications	Modify pig launcher/receiver at MLV 12	Upton, TX	88.6	0.15	0.44	0.59
	Land Use			0.15	0.44	0.59
Line No. 2000 MLV 1 Trap Modifications and MLV 0.5 Automation	Modify pig launcher/receiver at MLV 1	Crane, TX	1070.60	0.63	0.21	0.84
	Automate MLV 0.5	Crane, TX	1070.63	-	0.93	0.93
	Land Use			0.63	1.14	1.77
Project Total Land Use				187.31	96.21	283.52



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REQUEST FOR ALTERNATIVE MEASURES
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TAB 3 – Agency Documentation

Attachment 1 – THC Documentation

Attachment 2 – USFWS IPaC Review Reports

Attachment 3 – TPWS Consultation Documentation

Attachment 4 – Correspondence with the University of Texas

Attachment 1 – THC Documentation

Note: The THC response to EPNG's consultation is being filed here as a public document. The cultural resource report is being submitted as Privileged and Confidential and marked accordingly as "Contains CUI//PRIV Information – Do Not Release."

Harding, Nicholas M (Nich)

Subject: EXTERNAL:Project Review: 201908358

From: noreply@thc.state.tx.us <noreply@thc.state.tx.us>

Sent: Tuesday, May 28, 2019 11:50 AM

To: Tony DeCunzo <ADecunzo@swca.com>; reviews@thc.state.tx.us

Subject: EXTERNAL:Project Review: 201908358



Re: Project Review under Section 106 of the National Historic Preservation Act and/or the Antiquities Code of Texas
201908358

EPNG Line 1105 Hydrotest Locations
Southeast Winkler County, northwest Crane County
Kermit, TX

Dear Antonio De Cunzo:

Thank you for your submittal regarding the above-referenced project. This response represents the comments of the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC), pursuant to review under Section 106 of the National Historic Preservation Act.

The review staff led by Drew Sitters and Caitlin Brashear has completed its review and has made the following determinations based on the information submitted for review:

Above-Ground Resources

- No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties.

Archeology Comments

- THC/SHPO concurs with information provided.
- Property/properties are not eligible for listing in the National Register of Historic Places.
- THC/SHPO has comments on the draft report submitted to this office for review.

We have the following comments: Please address the following comments prior to the submission of a Final Report: 1) Include setting photographs for Razor Sharp, 2A/2B, and the access road; 2) While difficult to tell from the photograph, I believe the projectile point found at site 41WK130 more closely resembles the Hueco, Edgewood, and Ellis varieties, which date from the Late to Transitional Archaic; 3) Include a statement regarding unanticipated discoveries to the Summary and Recommendations. Please send shapefiles depicting the proposed project areas to archeological_projects@thc.texas.gov with the THC Tracking No (201908358) as the subject.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this review process, and for your efforts to preserve the irreplaceable heritage of Texas. If you have any questions concerning our review or if we can be of further assistance, please email the following reviewers: drew.sitters@thc.texas.gov, caitlin.brashear@thc.texas.gov.

Sincerely,



For Mark Wolfe, State Historic Preservation Officer
Executive Director, Texas Historical Commission

Please do not respond to this email.

Attachment 2 – USFWS IPaC Review Reports



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Austin Ecological Services Field Office

10711 Burnet Road, Suite 200

Austin, TX 78758-4460

Phone: (512) 490-0057 Fax: (512) 490-0974

<http://www.fws.gov/southwest/es/AustinTexas/>

<http://www.fws.gov/southwest/es/EndangeredSpecies/lists/>

In Reply Refer To:

June 24, 2019

Consultation Code: 02ETAU00-2019-SLI-1323

Event Code: 02ETAU00-2019-E-02670

Project Name: EPNG North Delaware Expansion Project_Dune Delivery MS

Subject: List of threatened and endangered species that may occur in your proposed project location, and/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 county 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.*).

Please note that new information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. 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. Also 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 ECOS-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 ECOS-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 federally listed as threatened

or endangered species and to determine whether projects may affect these 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.

While a Federal agency may designate a non-Federal representative to conduct informal consultation or prepare a biological assessment, the Federal Agency must notify the Service in writing of any such designation. The Federal agency shall also independently review and evaluate the scope and content of a biological assessment prepared by their designated non-Federal representative before that document is submitted to the Service.

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 a federally funded, permitted or authorized activity, the agency is required to consult with the Service pursuant to 50 CFR 402. The following definitions are provided to assist you in reaching a determination:

- *No effect* - the proposed action will not affect federally listed species or critical habitat. A “no effect” determination does not require section 7 consultation and no coordination or contact with the Service is necessary. However, if the project changes or additional information on the distribution of listed or proposed species becomes available, the project should be reanalyzed for effects not previously considered.
 - *May affect, but is not likely to adversely affect* - the project may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effect. The Federal agency or the designated non-Federal representative should consult with the Service to seek written concurrence that adverse effects are not likely. Be sure to include all of the information and documentation used to reach your decision with your request for concurrence. The Service must have this documentation before issuing a concurrence.
 - *Is likely to adversely affect* - adverse effects to listed species may occur as a direct or indirect result of the proposed action. For this determination, the effect of the action is neither discountable nor insignificant. If the overall effect of the proposed action is beneficial to the listed species but the action is also likely to cause some adverse effects to individuals of that species, then the proposed action “is likely to adversely affect” the listed species. The analysis should consider all interrelated and interdependent actions. An “is likely to adversely affect” determination requires the Federal action agency to initiate formal section 7 consultation with our office.
-

Regardless of the determination, the Service recommends that the Federal agency maintain a complete record of the evaluation, including steps leading to the determination of effect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related information. 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: <http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>.

Migratory Birds

For projects that may affect migratory birds, the Migratory Bird Treaty Act (MBTA) implements various treaties and conventions for the protection of these species. Under the MBTA, taking, killing, or possessing migratory birds is unlawful. Migratory birds may nest in trees, brushy areas, or other areas of suitable habitat. The Service recommends activities requiring vegetation removal or disturbance avoid the peak nesting period of March through August to avoid destruction of individuals, nests, or eggs. If project activities must be conducted during this time, we recommend surveying for nests prior to conducting work. If a nest is found, and if possible, the Service recommends a buffer of vegetation remain around the nest until the young have fledged or the nest is abandoned.

For additional information concerning the MBTA and recommendations to reduce impacts to migratory birds please contact the U.S. Fish and Wildlife Service Migratory Birds Office, 500 Gold Ave. SW, Albuquerque, NM 87102. A list of migratory birds may be viewed at <https://www.fws.gov/birds/management/managed-species/migratory-bird-treaty-act-protected-species.php>. Guidance for minimizing impacts to migratory birds for projects including communications towers can be found at: <https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/communication-towers.php>. Additionally, wind energy projects should follow the wind energy guidelines

<https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/wind-energy.php>) for minimizing impacts to migratory birds and bats.

Finally, please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan <https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/eagles.php>.

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 Tracking Number 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
-

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:

Austin Ecological Services Field Office

10711 Burnet Road, Suite 200

Austin, TX 78758-4460

(512) 490-0057

Project Summary

Consultation Code: 02ETAU00-2019-SLI-1323

Event Code: 02ETAU00-2019-E-02670

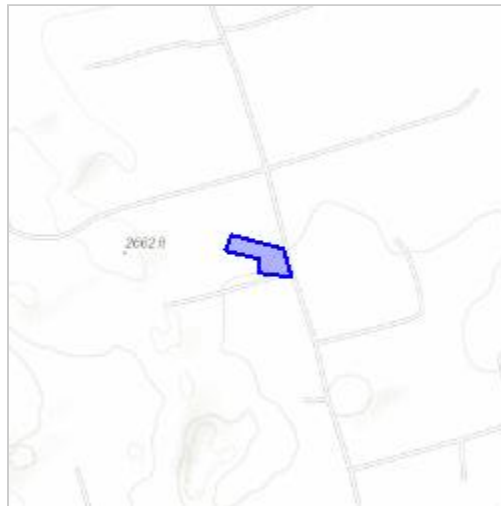
Project Name: EPNG North Delaware Expansion Project_Dune Delivery MS

Project Type: OIL OR GAS

Project Description: EPNG will install a temporary test header for the hydrostatic test of the existing L1105 at the existing, previously disturbed Dune Delivery Meter Station.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/31.530417295227654N102.42518222227945W>



Counties: Crane, TX

Endangered Species Act Species

There is a total of 3 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 3 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. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
<p>Least Tern <i>Sterna antillarum</i></p> <p>Population: interior pop.</p> <p>No critical habitat has been designated for this species.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind Energy Projects <p>Species profile: https://ecos.fws.gov/ecp/species/8505</p>	Endangered
<p>Piping Plover <i>Charadrius melodus</i></p> <p>Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered.</p> <p>There is final critical habitat for this species. Your location is outside the critical habitat.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind Energy Projects <p>Species profile: https://ecos.fws.gov/ecp/species/6039</p>	Threatened
<p>Red Knot <i>Calidris canutus rufa</i></p> <p>No critical habitat has been designated for this species.</p> <p>This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind Energy Projects <p>Species profile: https://ecos.fws.gov/ecp/species/1864</p>	Threatened

Critical habitats

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



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Austin Ecological Services Field Office

10711 Burnet Road, Suite 200

Austin, TX 78758-4460

Phone: (512) 490-0057 Fax: (512) 490-0974

<http://www.fws.gov/southwest/es/AustinTexas/>

<http://www.fws.gov/southwest/es/EndangeredSpecies/lists/>

In Reply Refer To:

June 24, 2019

Consultation Code: 02ETAU00-2019-SLI-1325

Event Code: 02ETAU00-2019-E-02674

Project Name: EPNG North Delaware Expansion Project_Hogg Delivery MS

Subject: List of threatened and endangered species that may occur in your proposed project location, and/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 county 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.).

Please note that new information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. 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. Also 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 ECOS-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 ECOS-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 federally listed as threatened

or endangered species and to determine whether projects may affect these 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.

While a Federal agency may designate a non-Federal representative to conduct informal consultation or prepare a biological assessment, the Federal Agency must notify the Service in writing of any such designation. The Federal agency shall also independently review and evaluate the scope and content of a biological assessment prepared by their designated non-Federal representative before that document is submitted to the Service.

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 a federally funded, permitted or authorized activity, the agency is required to consult with the Service pursuant to 50 CFR 402. The following definitions are provided to assist you in reaching a determination:

- *No effect* - the proposed action will not affect federally listed species or critical habitat. A “no effect” determination does not require section 7 consultation and no coordination or contact with the Service is necessary. However, if the project changes or additional information on the distribution of listed or proposed species becomes available, the project should be reanalyzed for effects not previously considered.
 - *May affect, but is not likely to adversely affect* - the project may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effect. The Federal agency or the designated non-Federal representative should consult with the Service to seek written concurrence that adverse effects are not likely. Be sure to include all of the information and documentation used to reach your decision with your request for concurrence. The Service must have this documentation before issuing a concurrence.
 - *Is likely to adversely affect* - adverse effects to listed species may occur as a direct or indirect result of the proposed action. For this determination, the effect of the action is neither discountable nor insignificant. If the overall effect of the proposed action is beneficial to the listed species but the action is also likely to cause some adverse effects to individuals of that species, then the proposed action “is likely to adversely affect” the listed species. The analysis should consider all interrelated and interdependent actions. An “is likely to adversely affect” determination requires the Federal action agency to initiate formal section 7 consultation with our office.
-

Regardless of the determination, the Service recommends that the Federal agency maintain a complete record of the evaluation, including steps leading to the determination of effect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related information. 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: <http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>.

Migratory Birds

For projects that may affect migratory birds, the Migratory Bird Treaty Act (MBTA) implements various treaties and conventions for the protection of these species. Under the MBTA, taking, killing, or possessing migratory birds is unlawful. Migratory birds may nest in trees, brushy areas, or other areas of suitable habitat. The Service recommends activities requiring vegetation removal or disturbance avoid the peak nesting period of March through August to avoid destruction of individuals, nests, or eggs. If project activities must be conducted during this time, we recommend surveying for nests prior to conducting work. If a nest is found, and if possible, the Service recommends a buffer of vegetation remain around the nest until the young have fledged or the nest is abandoned.

For additional information concerning the MBTA and recommendations to reduce impacts to migratory birds please contact the U.S. Fish and Wildlife Service Migratory Birds Office, 500 Gold Ave. SW, Albuquerque, NM 87102. A list of migratory birds may be viewed at <https://www.fws.gov/birds/management/managed-species/migratory-bird-treaty-act-protected-species.php>. Guidance for minimizing impacts to migratory birds for projects including communications towers can be found at: <https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/communication-towers.php>. Additionally, wind energy projects should follow the wind energy guidelines

<https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/wind-energy.php>) for minimizing impacts to migratory birds and bats.

Finally, please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan <https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/eagles.php>.

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 Tracking Number 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
-

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:

Austin Ecological Services Field Office

10711 Burnet Road, Suite 200

Austin, TX 78758-4460

(512) 490-0057

Project Summary

Consultation Code: 02ETAU00-2019-SLI-1325

Event Code: 02ETAU00-2019-E-02674

Project Name: EPNG North Delaware Expansion Project_Hogg Delivery MS

Project Type: OIL OR GAS

Project Description: EPNG will install a new temporary testheader to be used during the hydrostatic testing of the existing EPNG L1105. In addition, EPNG will install a temporary 2-in fuel line from the MS to the south side of the existing Blockline Rd for the continued natural gas service to the meter station. All disturbance will be temporary in nature and will be reseeded at the conclusion of project activities.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/31.765963848638272N102.82439062227633W>



Counties: Winkler, TX

Endangered Species Act Species

There is a total of 4 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 3 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. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.
-

Birds

NAME	STATUS
<p>Least Tern <i>Sterna antillarum</i> Population: interior pop. No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind Energy Projects <p>Species profile: https://ecos.fws.gov/ecp/species/8505</p>	Endangered
<p>Northern Aplomado Falcon <i>Falco femoralis septentrionalis</i> Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1923</p>	Endangered
<p>Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location is outside the critical habitat. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind Energy Projects <p>Species profile: https://ecos.fws.gov/ecp/species/6039</p>	Threatened
<p>Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind Energy Projects <p>Species profile: https://ecos.fws.gov/ecp/species/1864</p>	Threatened

Critical habitats

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



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Austin Ecological Services Field Office

10711 Burnet Road, Suite 200

Austin, TX 78758-4460

Phone: (512) 490-0057 Fax: (512) 490-0974

<http://www.fws.gov/southwest/es/AustinTexas/>

<http://www.fws.gov/southwest/es/EndangeredSpecies/lists/>

In Reply Refer To:

June 24, 2019

Consultation Code: 02ETAU00-2019-SLI-1324

Event Code: 02ETAU00-2019-E-02672

Project Name: EPNG North Delaware Expansion Project_2A2B Testheader

Subject: List of threatened and endangered species that may occur in your proposed project location, and/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 county 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.).

Please note that new information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. 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. Also 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 ECOS-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 ECOS-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 federally listed as threatened

or endangered species and to determine whether projects may affect these species and/or designated critical habitat.

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 - *Is likely to adversely affect* - adverse effects to listed species may occur as a direct or indirect result of the proposed action. For this determination, the effect of the action is neither discountable nor insignificant. If the overall effect of the proposed action is beneficial to the listed species but the action is also likely to cause some adverse effects to individuals of that species, then the proposed action “is likely to adversely affect” the listed species. The analysis should consider all interrelated and interdependent actions. An “is likely to adversely affect” determination requires the Federal action agency to initiate formal section 7 consultation with our office.
-

Regardless of the determination, the Service recommends that the Federal agency maintain a complete record of the evaluation, including steps leading to the determination of effect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related information. 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: <http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>.

Migratory Birds

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For additional information concerning the MBTA and recommendations to reduce impacts to migratory birds please contact the U.S. Fish and Wildlife Service Migratory Birds Office, 500 Gold Ave. SW, Albuquerque, NM 87102. A list of migratory birds may be viewed at <https://www.fws.gov/birds/management/managed-species/migratory-bird-treaty-act-protected-species.php>. Guidance for minimizing impacts to migratory birds for projects including communications towers can be found at: <https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/communication-towers.php>. Additionally, wind energy projects should follow the wind energy guidelines

<https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/wind-energy.php>) for minimizing impacts to migratory birds and bats.

Finally, please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan <https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/eagles.php>.

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 Tracking Number 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
-

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:

Austin Ecological Services Field Office

10711 Burnet Road, Suite 200

Austin, TX 78758-4460

(512) 490-0057

Project Summary

Consultation Code: 02ETAU00-2019-SLI-1324

Event Code: 02ETAU00-2019-E-02672

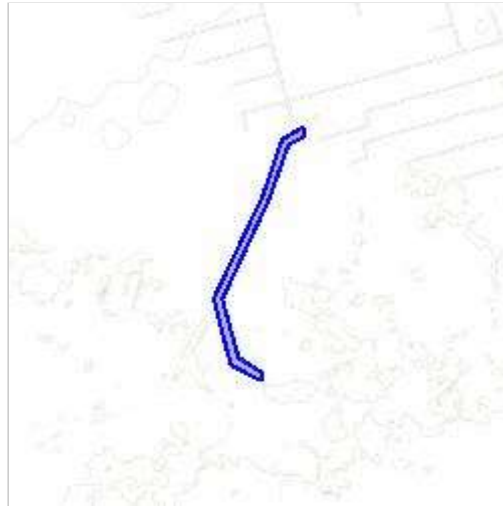
Project Name: EPNG North Delaware Expansion Project_2A2B Testheader

Project Type: OIL OR GAS

Project Description: EPNG will install a temporary test header on the existing EPNG L1105. In addition, a temporary access road will be constructed for project vehicles. All disturbance will be revegetated using a native seed mix at the conclusion of hydrostatic testing activities.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/31.593685276155043N102.54017450099194W>



Counties: Crane, TX

Endangered Species Act Species

There is a total of 3 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 3 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. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
<p>Least Tern <i>Sterna antillarum</i></p> <p>Population: interior pop. No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind Energy Projects <p>Species profile: https://ecos.fws.gov/ecp/species/8505</p>	Endangered
<p>Piping Plover <i>Charadrius melodus</i></p> <p>Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location is outside the critical habitat. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind Energy Projects <p>Species profile: https://ecos.fws.gov/ecp/species/6039</p>	Threatened
<p>Red Knot <i>Calidris canutus rufa</i></p> <p>No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind Energy Projects <p>Species profile: https://ecos.fws.gov/ecp/species/1864</p>	Threatened

Critical habitats

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



United States Department of the Interior



FISH AND WILDLIFE SERVICE

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10711 Burnet Road, Suite 200

Austin, TX 78758-4460

Phone: (512) 490-0057 Fax: (512) 490-0974

<http://www.fws.gov/southwest/es/AustinTexas/>

<http://www.fws.gov/southwest/es/EndangeredSpecies/lists/>

In Reply Refer To:

June 24, 2019

Consultation Code: 02ETAU00-2019-SLI-1326

Event Code: 02ETAU00-2019-E-02676

Project Name: EPNG North Delaware Expansion Project_Razor Sharp Delivery MS

Subject: List of threatened and endangered species that may occur in your proposed project location, and/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 county 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.).

Please note that new information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. 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. Also 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 ECOS-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 ECOS-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 federally listed as threatened

or endangered species and to determine whether projects may affect these 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.

While a Federal agency may designate a non-Federal representative to conduct informal consultation or prepare a biological assessment, the Federal Agency must notify the Service in writing of any such designation. The Federal agency shall also independently review and evaluate the scope and content of a biological assessment prepared by their designated non-Federal representative before that document is submitted to the Service.

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 a federally funded, permitted or authorized activity, the agency is required to consult with the Service pursuant to 50 CFR 402. The following definitions are provided to assist you in reaching a determination:

- *No effect* - the proposed action will not affect federally listed species or critical habitat. A “no effect” determination does not require section 7 consultation and no coordination or contact with the Service is necessary. However, if the project changes or additional information on the distribution of listed or proposed species becomes available, the project should be reanalyzed for effects not previously considered.
 - *May affect, but is not likely to adversely affect* - the project may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effect. The Federal agency or the designated non-Federal representative should consult with the Service to seek written concurrence that adverse effects are not likely. Be sure to include all of the information and documentation used to reach your decision with your request for concurrence. The Service must have this documentation before issuing a concurrence.
 - *Is likely to adversely affect* - adverse effects to listed species may occur as a direct or indirect result of the proposed action. For this determination, the effect of the action is neither discountable nor insignificant. If the overall effect of the proposed action is beneficial to the listed species but the action is also likely to cause some adverse effects to individuals of that species, then the proposed action “is likely to adversely affect” the listed species. The analysis should consider all interrelated and interdependent actions. An “is likely to adversely affect” determination requires the Federal action agency to initiate formal section 7 consultation with our office.
-

Regardless of the determination, the Service recommends that the Federal agency maintain a complete record of the evaluation, including steps leading to the determination of effect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related information. 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: <http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>.

Migratory Birds

For projects that may affect migratory birds, the Migratory Bird Treaty Act (MBTA) implements various treaties and conventions for the protection of these species. Under the MBTA, taking, killing, or possessing migratory birds is unlawful. Migratory birds may nest in trees, brushy areas, or other areas of suitable habitat. The Service recommends activities requiring vegetation removal or disturbance avoid the peak nesting period of March through August to avoid destruction of individuals, nests, or eggs. If project activities must be conducted during this time, we recommend surveying for nests prior to conducting work. If a nest is found, and if possible, the Service recommends a buffer of vegetation remain around the nest until the young have fledged or the nest is abandoned.

For additional information concerning the MBTA and recommendations to reduce impacts to migratory birds please contact the U.S. Fish and Wildlife Service Migratory Birds Office, 500 Gold Ave. SW, Albuquerque, NM 87102. A list of migratory birds may be viewed at <https://www.fws.gov/birds/management/managed-species/migratory-bird-treaty-act-protected-species.php>. Guidance for minimizing impacts to migratory birds for projects including communications towers can be found at: <https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/communication-towers.php>. Additionally, wind energy projects should follow the wind energy guidelines

<https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/wind-energy.php>) for minimizing impacts to migratory birds and bats.

Finally, please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan <https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/eagles.php>.

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 Tracking Number 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
-

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:

Austin Ecological Services Field Office

10711 Burnet Road, Suite 200

Austin, TX 78758-4460

(512) 490-0057

Project Summary

Consultation Code: 02ETAU00-2019-SLI-1326

Event Code: 02ETAU00-2019-E-02676

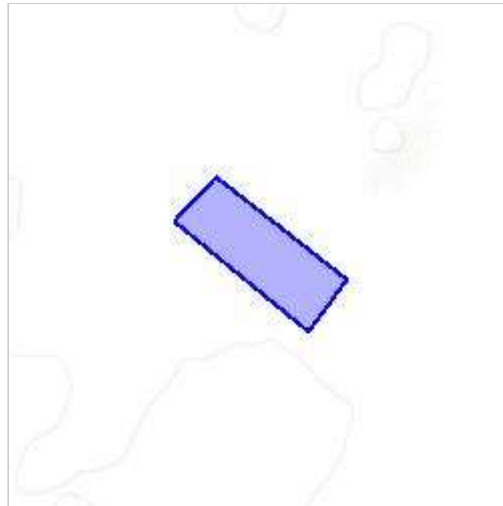
Project Name: EPNG North Delaware Expansion Project_Razor Sharp Delivery MS

Project Type: OIL OR GAS

Project Description: EPNG will install a temporary test header at the existing, previously disturbed Razor Sharp delivery MS and along the existing L1105 previously disturbed right of way. All disturbance will be temporary and will be revegetated at the conclusion of the hydrostatic test of the existing L1105.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/31.840419508888516N102.92263387138594W>



Counties: Winkler, TX

Endangered Species Act Species

There is a total of 4 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 3 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. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.
-

Birds

NAME	STATUS
<p>Least Tern <i>Sterna antillarum</i></p> <p>Population: interior pop. No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind Energy Projects <p>Species profile: https://ecos.fws.gov/ecp/species/8505</p>	Endangered
<p>Northern Aplomado Falcon <i>Falco femoralis septentrionalis</i></p> <p>Population: Wherever found, except where listed as an experimental population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1923</p>	Endangered
<p>Piping Plover <i>Charadrius melodus</i></p> <p>Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. Your location is outside the critical habitat. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind Energy Projects <p>Species profile: https://ecos.fws.gov/ecp/species/6039</p>	Threatened
<p>Red Knot <i>Calidris canutus rufa</i></p> <p>No critical habitat has been designated for this species. This species only needs to be considered under the following conditions:</p> <ul style="list-style-type: none"> ▪ Wind Energy Projects <p>Species profile: https://ecos.fws.gov/ecp/species/1864</p>	Threatened

Critical habitats

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

Attachment 3 – TPWS Consultation Documentation

Harding, Nicholas M (Nich)

Subject: FW: EPNG_North Delaware Basin Expansion Project _ L1105 Scope Revision

From: Jessica Schmerler <Jessica.Schmerler@tpwd.texas.gov>
Sent: Tuesday, June 11, 2019 2:14 PM
To: Castellano, Sheila Fennell (Contractor) <Sheila_Castellano@KinderMorgan.com>
Subject: RE: EPNG_North Delaware Basin Expansion Project _ L1105 Scope Revision

[This email message was received from the Internet and came from outside of Kinder Morgan]

Hi Sheila,

Please find my comments below regarding the North Delaware Basin Expansion Project – L1105 Scope Revision. Please let me know if you would prefer me to send this to you on letterhead or if an email would suffice.

I also want to note that for some species discussed below, I will be referring back to the original letter I wrote on this project (attached) just to try and avoid any duplication of efforts. The recommendations included in the original letter remain applicable to the revised portions of the proposed project. Additionally, the recommendations included below are also applicable to the original scope of the proposed project. Please let me know if you have any questions!

Thanks!
Jessica

Recommendation: Please review the TPWD county list of rare and protected species for Winkler and Crane Counties (as well as counties included in the original scope of this project) because species in addition to those discussed below could be present within the project area depending upon habitat availability. **Please note that the TPWD county list was updated in April 2019. Please review the updated county list for all projects moving forward.** The USFWS should be contacted for species occurrence data, guidance, permitting, survey protocols, and mitigation for federally-listed species.

Update regarding the spot-tailed earless lizard:

Northern spot-tailed earless lizard (*Holbrookia lacerata lacerata*)

The spot-tailed earless lizard (STEL) (*Holbrookia lacerata*) occurs in central and southern Texas. It has been determined that these are distinct and separate populations; therefore, the STEL had been split into two subspecies, the northern STEL and the southern STEL (*Holbrookia lacerata subcaudalis*).

Recommendation: TPWD recommends implementing the following Best Management Practices (BMPs) to assist in minimizing potential impacts to the STEL. TPWD notes that implementing the following BMPs could also help minimize impacts to a variety of native wildlife species that may inhabit the project area.

- A major threat to the STEL is road traffic, as this species has exhibited behavior indicating that they prefer roads and tend to cross roads often, potentially for thermoregulation. TPWD recommends reducing the amount of roads, both temporary and permanent, planned to be constructed for the proposed project.

TPWD also recommends reducing speed limits in the project area to at least 15 mph (or slower) to help prevent vehicle-induced mortality of this species.

- This species prefers a mixture of bare ground and sparse vegetation, including disturbed areas. TPWD recommends avoiding impacts to suitable habitat for this species. Areas disturbed by project-related construction activities within suitable habitat for the STEL should be revegetated with site-specific native, patchy vegetation rather than sod-forming grasses.
- The STEL utilizes burrows for shelter. TPWD recommends identifying locations of burrows on the project site and avoiding impacts to burrows if feasible.
- TPWD recommends providing contractor training for the identification, behavior, and habitat requirements of the STEL. It is important for construction personnel to be able to identify this species and to be on the lookout for them during construction and to avoid impacting them if encountered on-site.

Dunes sagebrush lizard (*Sceloporus arenicolus*)

TPWD notes that Razor sharp, Hogg, Dune Delivery, D8-3146 access, and 2A/2B test break are located within (or very close to) the Texas Conservation Plan permit area (probability of suitable dunes sagebrush lizard [DSL] habitat). Razor sharp is located approximately 1,200 feet from an area designated as having a “very high” likelihood of occurrence of the DSL, Hogg is located within an area designated as having a “low” likelihood of occurrence of the DSL, Dune Delivery is located approximately 2,700 feet from an area designated as “very low” likelihood of occurrence of the DSL, D8-3146 access is located approximately 420 feet from an area designated as “very low” likelihood of occurrence of the DSL, and 2A/2B test break is located within an area designated as having a “very low” likelihood of occurrence of the DSL. TPWD also notes that there are several research-grade iNaturalist (www.inaturalist.org) observations for this species located in the general vicinity of the new project elements included in the revised project scope.

Recommendation: TPWD recommends referring to the October 31, 2018 letter written for the original scope of the proposed project for specific conservation measures recommended for the DSL. As it appears that total avoidance of suitable DSL habitat is not possible, TPWD strongly recommends reviewing the Texas Conservation Plan and enrollment in the Candidate Conservation Agreement with Assurances program. Please contact Colin McDonald, Texas Comptroller of Public Accounts Policy Analyst, at 512-936-8591 regarding enrollment in the plan and specific mitigation requirements.

Texas horned lizard (*Phrynosoma cornutum*)

TPWD notes that there are research-grade iNaturalist (www.inaturalist.org) observations for the Texas horned lizard located in the general vicinity of the new project elements included in the revised project scope.

Recommendation: TPWD recommends referring to the October 31, 2018 letter written for the original scope of the proposed project for specific recommendations for the Texas horned lizard.

Black-tailed Prairie dog (*Cynomys ludovicianus*)

There is potential habitat for the black-tailed prairie dog located within the project area for the revised project scope.

Recommendation: TPWD recommends referring to the October 31, 2018 letter written for the original scope of the proposed project for specific recommendations for the black-tailed prairie dog.

Western burrowing owl (*Athene cunicularia hypugaea*)

TPWD notes that there are eBird (www.ebird.org) observations for the western burrowing owl in the general vicinity of the new project elements included in the revised project scope.

Recommendation: TPWD recommends referring to the October 31, 2018 letter written for the original scope of the proposed project for specific recommendations for the western burrowing owl.

Western box turtle (*Terrapene ornata*)

TPWD notes that there are several research-grade iNaturalist (www.inaturalist.org) observations for the western box turtle located in the general vicinity of the new project elements included in the revised project scope. The Ornate or western box turtle occurs throughout Texas, typically in open habitats such as prairie grasslands, pastures, fields, sandhills, and open woodlands. Adults have a home-range size of approximately 6 to 14 acres. The ornate box turtle is omnivorous although the bulk of the diet consists of insects. This species is active spring through fall with courtship and mating occurring primarily in the spring. For shelter, they burrow into soil (e.g., under plants such as yucca) or enter burrows made by other species. Eggs are laid in nests dug in soft well-drained soil in open areas. Ornate box turtles are threatened by habitat loss and fragmentation, vehicle strikes on roads, and collection for the pet trade and food markets. The project area may provide suitable habitat for this species.

Recommendation: TPWD recommends referring to the October 31, 2018 letter written for the original scope of the proposed project for recommendations for the Texas horned lizard as those recommendations are applicable to the ornate/western box turtle as well. TPWD also recommends referring to the BMPs listed above for the STEL as implementation of those BMPs would also benefit the western box turtle.

Massasauga (*Sistrurus tergeminus*)

TPWD notes that there are several research-grade iNaturalist (www.inaturalist.org) observations for the massasauga located in the general vicinity of the new project elements included in the revised project scope. The massasauga ranges from flat grasslands to low rocky hillsides. The project area may provide suitable habitat for this species.

Western hognose snake (*Heterodon nasicus*)

TPWD notes that there are several research-grade iNaturalist (www.inaturalist.org) observations for the western hognose snake located in the general vicinity of the new project elements included in the revised project scope. The western hognose snake is found in areas with sandy or gravelly soils, including prairies, sandhills, wide valleys, river floodplains, bajadas, semiagricultural areas (but not intensively cultivated land), and margins of irrigation ditches. Also thornscrub woodlands and chaparral thickets. This species seems to prefer sandy and loamy soils. Periods of inactivity are spent burrowed in the soil or in existing burrows. Eggs are laid in nests a few inches below the ground surface. The project area may provide suitable habitat for this species.

Western rattlesnake (*Crotalus viridis*)

TPWD notes that there are several research-grade iNaturalist (www.inaturalist.org) observations for the western rattlesnake located in the general vicinity of the new project elements included in the revised project scope. The western rattlesnake inhabits grasslands, both desert and prairie, as well as shrub desert rocky hillsides. This species can also be found at the edges of arid and semi-arid river breaks. The project area may provide suitable habitat for this species.

Recommendation: TPWD recommends avoiding disturbance of the above-listed snakes if found during clearing and construction. Because snakes are generally perceived as a threat and killed when encountered, and due to the

fact that the project area contains suitable habitat for the massasauga, western rattlesnake, and the western hognose snake, TPWD recommends construction personnel and contractors be advised to avoid injury or harm to all snakes encountered during clearing and construction. Injury to humans usually occurs when the snake becomes agitated following harassment or when someone attempts to handle a recently dead venomous snake that still contains its bite reflex. Therefore, contractors should avoid contact with snakes if encountered and allow all native snakes to safely leave the premises.

Recommendation: TPWD recommends providing contractor training for the identification, behavior, and habitat requirements of the species outlined in this email as well as the species included in the October 31, 2018 letter written for the original scope of the proposed project. It is important for construction personnel to be able to identify these species and to be on the lookout for them during construction and to avoid impacting them if encountered on-site.

From: Castellano, Sheila Fennell (Contractor) [mailto:Sheila_Castellano@KinderMorgan.com]
Sent: Thursday, May 16, 2019 12:24 PM
To: Jessica Schmerler <Jessica.Schmerler@tpwd.texas.gov>
Cc: 'Russell Waldron' <rwaldron@swca.com>
Subject: RE: EPNG_North Delaware Basin Expansion Project _ L1105 Scope Revision

Hello Jessica,

As a follow up to my previous email, I have attached a TPWD Environmental Review form and maps for your review of the 4 additional temporary test header locations required for the hydrostatic testing of the existing EPNG L1105. Three of the locations are existing, previously disturbed delivery metering facilities (Razor Sharp DMS, Hogg DMS, Dune DMS) and one location is on the pipeline but no facility exists at this location (2A/2B test break). The maps identify the existing access roads to be used for access into the Razor Sharp, Hogg and Dune locations. One new temporary access road will be constructed to access the 2A/2B test break location.

The original scope included temporary test headers at five locations only (Keystone trap, MLV2, MLV4, L3103 takeoff, and MLV5). Please refer to the attached overview map to reference all locations.

Please let me know if this information is sufficient for your review and don't hesitate to call or write if you have any questions.

Thanks so much for your assistance,
sheila



Sheila Castellano - Contractor Consultant
2 North Nevada Ave
Colorado Springs, CO 80903
o: 719 520-3719
c: 719 352-1367

From: Jessica Schmerler <Jessica.Schmerler@tpwd.texas.gov>
Sent: Friday, April 26, 2019 12:57 PM
To: Castellano, Sheila Fennell (Contractor) <Sheila_Castellano@KinderMorgan.com>
Subject: RE: EPNG_North Delaware Basin Expansion Project _ L1105 Scope Revision

[This email message was received from the Internet and came from outside of Kinder Morgan]

Hi Sheila,

I would mostly be concerned with additional ground disturbance. It sounds like the new proposed access road is the only additional ground disturbance? Please correct me if I'm wrong. Could you just send me a map depicting the areas with new ground disturbance? If the new ground disturbance is minimal and in the same vicinity as what was previously reviewed then I will most likely just send you back a statement recommending you refer to the Oct. 2018 letter that I sent, but I just want to be sure of exactly what and where the additional ground disturbance will occur.

Thanks!
Jessica

From: Castellano, Sheila Fennell (Contractor) [mailto:Sheila_Castellano@KinderMorgan.com]
Sent: Wednesday, April 24, 2019 1:23 PM
To: Jessica Schmerler <Jessica.Schmerler@tpwd.texas.gov>
Subject: EPNG_North Delaware Basin Expansion Project _ L1105 Scope Revision

Hello Jessica,
I hope you are enjoying a nice spring day.

EPNG is proposing a minor scope change for the hydrostatic test portion of our project and I am seeking guidance on how we should proceed with sending along the details to you. We originally consulted with you on our project last fall. I have attached our original Environmental Review form and your response letter for the project.

We have identified four additional locations along the existing L1105 pipeline where temporary test headers will be installed. Three of the locations are existing, previously disturbed delivery metering facilities (Razor Sharp DMS, Hogg DMS, Dune DMS) and one location is on the pipeline but no facility exists at this location (new test break). In addition, a new temporary access road will be constructed to access the new test break location. The original scope included temporary test headers at five locations only (Keystone trap, MLV2, MLV4, L3103 takeoff, and MLV5). See the overview map below.

Finally, my questions..

- Would you like to see a new Environmental Review Form for the new four locations? We have a biologist prepping to visit each site and will include the six species of concern that you reference in your original response letter (Texas horned lizard, neglected sunflower, Dunes sagebrush lizard, spot tailed earless lizard, WBurrowing owl and black tailed prairie dog).
- Can we submit our environmental review documents via email or would you prefer a hard copy submittal?
- This project is currently under review by the Federal Energy Regulatory Commission (FERC). All correspondence will be forwarded to the FERC.

Thank you very much for your guidance,
sheila



KINDER MORGAN

Sheila Castellano - Contractor Consultant
2 North Nevada Ave
Colorado Springs, CO 80903
o: 719 520-3719
c: 719 352-1367

Attachment 4 – Correspondence with the University of Texas

Castellano, Sheila Fennell (Contractor)

From: Lundgren, Gregory <glundgren@utsystem.edu>
Sent: Tuesday, April 30, 2019 6:56 AM
To: Castellano, Sheila Fennell (Contractor)
Cc: Dustin O'Dell (dustin@manninglandllc.com); Alejandro, Nicholas
Subject: RE: EPNG L1105 Hydrostatic Test_TWS on UL_new Test Header location proposed

[This email message was received from the Internet and came from outside of Kinder Morgan]

Sheila: UL will not require an environmental survey for this.

Dustin: give me a call when your ready to discuss terms, surface damages and I need to know where the water is coming from and if you plan to discharge it or what you plan on doing.

Thanks,
Greg

From: Alejandro, Nicholas
Sent: Wednesday, April 24, 2019 3:27 PM
To: Lundgren, Gregory <glundgren@utsystem.edu>
Subject: FW: EPNG L1105 Hydrostatic Test_TWS on UL_new Test Header location proposed

Greg,

See below.

Nick

From: Castellano, Sheila Fennell (Contractor) <Sheila_Castellano@KinderMorgan.com>
Sent: Wednesday, April 24, 2019 3:09 PM
To: Alejandro, Nicholas <nalejandro@utsystem.edu>
Cc: Dustin O'Dell (dustin@manninglandllc.com) <dustin@manninglandllc.com>
Subject: RE: EPNG L1105 Hydrostatic Test_TWS on UL_new Test Header location proposed

External Mail

Hi Nick,

Thank you for taking my call earlier. I have attached a kmz file that shows the location and temporary workspace for the newly proposed test header location. It will be situated at EPNG's existing Dune Delivery Meter Station, located north of our previously approved temporary workspace location at L1105 MLV 5. In addition, EPNG proposes to utilize an existing dirt road that currently exists into the meter station site. Environmental surveys will be initiated at other locations off of UT Lands next week. I am just writing to confirm that no surveys will be required on UT Land, as instructed by you previously.

Dustin O'Dell is copied on this email and will be reaching out to you or your Realty folks with additional details related to the project.

Thank you again for your guidance, sheila



Sheila Castellano - Contractor Consultant
2 North Nevada Ave
Colorado Springs, CO 80903
o: 719 520-3719
c: 719 352-1367

From: Alejandro, Nicholas <nalejandro@utsystem.edu>
Sent: Wednesday, August 8, 2018 9:39 AM
To: Castellano, Sheila Fennell (Contractor) <Sheila_Castellano@KinderMorgan.com>
Cc: Bonar, Michael J (Mike) <Michael_Bonar@kindermorgan.com>
Subject: RE: EPNG L1105 Hydrostatic Test_TWS on UL

[This email message was received from the Internet and came from outside of Kinder Morgan]

Sheila,

Per our earlier conversation, UL will not require a cultural resource survey to be completed for this proposed temporary site. There are a few other detail that will need to be discussed, but I believe they can wait until a later date.

Should you need anything else or have any questions, feel free to contact me.

Thanks,

Nick Alejandro | Associate Landman-Surface | University Lands

P.O. Box 553 Midland, Texas 79702 | 704 W. Dengar Midland, TX 79705

Main: 432.684.4404 | Direct: 432.686.4752 | Cell: 830.889.4335 | <http://www.utlands.utsystem.edu>



UNIVERSITY LANDS

From: Castellano, Sheila Fennell (Contractor) <Sheila_Castellano@KinderMorgan.com>
Sent: Tuesday, August 7, 2018 1:44 PM
To: Alejandro, Nicholas <nalejandro@utsystem.edu>
Cc: Bonar, Michael J (Mike) <Michael_Bonar@kindermorgan.com>
Subject: EPNG L1105 Hydrostatic Test_TWS on UL

* External Mail *

Hello Mr. Alejandro,

I hope you're enjoying a nice summer.

I'd like to request some guidance from you regarding the potential need for a cultural resource survey on UL property in Crane County. EPNG will be hydrostatically testing approximately 51 miles of EPNG's existing L1105 as part of a proposed system expansion project. We are considering the use of a UL-owned 10 acre area that sits immediately adjacent to the existing L1105. The 10 acres would be used temporarily for the staging of equipment and water, needed for the hydrostatic test of the pipeline. The water for the test would be held in either above ground open air tanks, i.e. lake tanks, or a newly constructed temporary pond. We are still in the planning phase of the project. The test water

would later be discharged on EPNG owned property in Winkler County. Please refer to the attachments for the location of the proposed 10-acre site.

If it is determined that a cultural resource survey of the temporary use area is required by UL, it is our understanding that an Antiquities Permit is required in order for the survey to be conducted. Please advise as to whether UL will require a cultural resource survey of the proposed 10-acre temporary use area located immediately adjacent to EPNG's L1105 system.

I would be happy to discuss this with you on the phone, if you have any questions about the project.
Thank you for your assistance, sheila



Sheila Castellano - Contractor Consultant
2 North Nevada Ave
Colorado Springs, CO 80903
o: 719 520-3719
c: 719 352-1367

