



**ROVER PIPELINE**  
An ENERGY TRANSFER Company

*ROVER PIPELINE PROJECT  
Response to FERC Environmental Information Request  
Resource Report 3-Fish, Wildlife, and Vegetation*

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## **VOLUME IIA**

### **APPENDIX 3E**

# ***Invasive Species Agency Consultations***

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*July 2015*



## Thomason, Buffy

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**From:** Gundrum, Patty <pgundrum@wvda.us>  
**Sent:** Wednesday, June 24, 2015 8:37 AM  
**To:** Thomason, Buffy  
**Subject:** RE: Noxious weeds

I have a phone number which may give you more information. Hopefully this will put you in touch with someone who has some regulatory authority and can answer questions regarding the noxious weed issue. I do not know the person's name but got the information from the WV Conservation Agency.

The Western Conservation District contact number is 304-675 -3054. Hope this helps. If not, please contact me again and I will see what other avenues we can take. Sincerely, Patty

Agricultural Plant Pathologist  
WV Dept. of Agriculture  
Plant Industries  
Charleston, WV  
(304)558-2212  
pgundrum@wvda.us

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**From:** Thomason, Buffy [mailto:Buffy.Thomason@energytransfer.com]  
**Sent:** Monday, June 22, 2015 3:13 PM  
**To:** Gundrum, Patty  
**Subject:** Noxious weeds

Ms. Gundrum,

The receptionist passed me to your extension when I asked about noxious weeds, and I left you a voicemail, but I saw your email address on the website, and I thought email may be easier.

We have a pipeline project in western West Virginia, and the question has come up about noxious weeds and whether or not an invasive species management plan is required. Could you please let me know, or point me in another direction?

Thank you,  
**Buffy Thomason**  
**Energy Transfer Company**  
1300 Main St., Houston, TX 77002  
Office: 713-989-2844  
Cell: 979-571-3113

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TELEPHONE CONVERSATION MEMORANDUM

Date: June 26, 2015

To: Sherry Pearson, West Virginia Conservation Agency, Soil Conservation Division – 304-675-3054

From: Buffy Thomason

RE: Invasive Species Management Plan in West Virginia

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I called the West Virginia Conservation Agency, per the suggestion of the WV Department of Agriculture and explained that I am trying to determine if WV has a requirement for an Invasive Species Management Plan.

Ms. Pearson said that they did not, and suggested I talk to the Regulatory and Environmental Affairs Division of the WV Department of Agriculture or the WV Department of Environmental Protection. She gave me the number for Ms. Herma Johnson at the WV Department of Agriculture (304-558-2227).



TELEPHONE CONVERSATION MEMORANDUM

Date: June 26, 2015

To: Kelly, West Virginia Department of Agriculture, Regulatory and Environmental Division -  
304-558-2227

From: Buffy Thomason

RE: Invasive Species Management Plan in West Virginia

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I called the West Virginia Department of Agriculture, Regulatory and Environmental Division, per the suggestion of the WV Conservation Agency and explained that I am trying to determine if WV has a requirement for an Invasive Species Management Plan. Ms. Kelly said that they did not.

## Thomason, Buffy

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**From:** Candelore, Lisa <lcandelore@pa.gov>  
**Sent:** Tuesday, June 23, 2015 9:47 AM  
**To:** Thomason, Buffy  
**Subject:** RE: Noxious Weeds

Hello

I wanted to responded to your email to let you know that I received your message I don't think you need a permit but let me check to make sure. There have been some changes taking place so I just need to double check so I don't lead you in the wrong direction I will talk to you soon Lisa

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

**From:** "Thomason, Buffy" <Buffy.Thomason@energytransfer.com>  
**Date:** 06/22/2015 3:34 PM (GMT-05:00)  
**To:** "Candelore, Lisa" <lcandelore@pa.gov>  
**Subject:** Noxious Weeds

Ms. Candelore,

The receptionist passed me to your extension when I asked about noxious weeds, and I left you a voicemail, but I saw your email address on the website, and I thought email may be easier.

We have a pipeline project in Washington County, and the question has come up about noxious weeds and whether or not an invasive species management plan is required. Could you please let me know, or point me in another direction if you need to?

Thank you,  
Buffy Thomason  
Energy Transfer Company  
1300 Main St., Houston, TX 77002  
Office: 713-989-2844  
Cell: 979-571-3113

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## Thomason, Buffy

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**From:** Candelore, Lisa <lcandelore@pa.gov>  
**Sent:** Tuesday, June 30, 2015 12:15 PM  
**To:** Thomason, Buffy  
**Subject:** FW: Noxious Weeds

Hi Buffy

As you can see, people are in and out of the office, I am sorry for the delay, Jess says that we do not require a plan, but that FERC may...

You can see below her response

Again, I am sorry for the lateness of the information you requested

I hope this has helped you, and good luck with your endeavors.

Lisa

Lisa K. Candelore I Regional Supervisor  
Pennsylvania Department of Agriculture  
226 Donohoe Road | Greensburg, PA 15601  
Phone: 724-832-1073 | Fax: 724-832-1013  
[www.agriculture.state.pa.us](http://www.agriculture.state.pa.us)

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**From:** Lenker, Jessica  
**Sent:** Tuesday, June 30, 2015 1:05 PM  
**To:** Candelore, Lisa  
**Cc:** Libhart, Trilby; Scott, David  
**Subject:** RE: Noxious Weeds

Hi Lisa,

This is now Trilby's area but she is out in the field all week. We do not require a noxious/invasive plant plan but I think the Federal Energy Regulatory Commission (FERC) does. She may want to check with them. I've worked with other companies that had to put a plan together for FERC but I'm not sure if it was a requirement or just part of their own procedures.

--Jess

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**From:** Candelore, Lisa  
**Sent:** Tuesday, June 30, 2015 12:06 PM  
**To:** Lenker, Jessica  
**Subject:** FW: Noxious Weeds

FYI

Hi Jess,  
Can you answer her Buffy's question?

Lisa K. Candelore I Regional Supervisor  
Pennsylvania Department of Agriculture  
226 Donohoe Road | Greensburg, PA 15601

**From:** Thomason, Buffy  
**Sent:** Friday, June 26, 2015 9:45 AM  
**To:** 'Candelore, Lisa'  
**Subject:** RE: Noxious Weeds

Thank you for your help!

Buffy Thomason  
Energy Transfer Company  
O: 713-989-2844, C: 979-571-3113

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**From:** Candelore, Lisa [<mailto:lcandelore@pa.gov>]  
**Sent:** Wednesday, June 24, 2015 9:18 AM  
**To:** Thomason, Buffy  
**Subject:** RE: Noxious Weeds

Hello Buffy

I have not been able to determine if you need a noxious weed plan for your project, I am waiting on a phone call back from Harrisburg

I will be in touch with you soon and if I can't find the information you requested, I will find someone who will be able to answer your questions

Thank you for your patience

Lisa

Lisa K. Candelore | Regional Supervisor  
Pennsylvania Department of Agriculture  
226 Donohoe Road | Greensburg, PA 15601  
Phone: 724-832-1073 | Fax: 724-832-1013  
[www.agriculture.state.pa.us](http://www.agriculture.state.pa.us)

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**From:** Thomason, Buffy [<mailto:Buffy.Thomason@energytransfer.com>]  
**Sent:** Monday, June 22, 2015 3:34 PM  
**To:** Candelore, Lisa  
**Subject:** Noxious Weeds

Ms. Candelore,

The receptionist passed me to your extension when I asked about noxious weeds, and I left you a voicemail, but I saw your email address on the website, and I thought email may be easier.

We have a pipeline project in Washington County, and the question has come up about noxious weeds and whether or not an invasive species management plan is required. Could you please let me know, or point me in another direction if you need to?

Thank you,  
**Buffy Thomason**



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## TELEPHONE CONVERSATION MEMORANDUM

Date: June 22, 2015

To: Dan Kenny, Assistant Chief - 614-728-6400

From: Buffy Thomason

RE: Invasive Species Management Plan in Ohio

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I called the Ohio Department of Agriculture, Plant Health Division, Plant Pest Control Department and asked to speak to someone about noxious weeds. I was transferred to Mr. Dan Kenny. I told him that I was working on a proposed pipeline project that spanned Ohio, and asked if Ohio had a requirement for an Invasive Species Management Plan.

Mr. Kenny said that the Ohio Department of Agriculture did not require such a plan, but they did maintain the list of noxious species for the state. He suggested that I contact the Department of Natural Resources to make sure they did not require a plan. He also offered the number to the Ohio Seed Improvement Department for a list of certified suppliers of 'weed-free' straw, assuming we would need it in restoration. The number is 614-889-1136. I told him we would most likely need to contact them and thanked him for the number and his time.

TELEPHONE CONVERSATION MEMORANDUM

Date: June 23, 2015

To: Buffy Thomason

From: Natalie Pirvu – Ohio Department of Natural Resources – 614-265-6466

RE: Invasive Species Management Plan in Ohio

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Ms. Pirvu left me a voicemail returning my call from earlier in the day when I had left a message asking if Ohio had an Invasive Species Management Plan. Ms. Pirvu left a detailed message restating my question and confirming that Ohio DNR does not require such a plan. She assured me that she had checked with others in her department and they all agreed. She suggested I speak to the Ohio Department of Agriculture if I had not done so already.

I have previously spoken to Mr. Dan Kenny with the Department of Agriculture, Plant Health Division, who stated that the Ohio Department of Agriculture did not require an Invasive Species Management Plan.

TELEPHONE CONVERSATION MEMORANDUM

Date: June 26, 2015

To: Mike Bryan, Michigan Department of Agriculture and Rural Development – 517-284-5648

From: Buffy Thomason

RE: Invasive Species Management Plan in Michigan

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I called the Michigan Department of Agriculture and Rural Development and asked to speak to someone about invasive Species. I was transferred to Mr. Bryan and explained that I am trying to determine if Michigan has a requirement for an Invasive Species Management Plan.

Ms. Bryan said that they did not, and suggested I talk to Ms. Sarah Lesage in Water Resources Division of the Michigan Department of Environmental Quality. He gave me her number, but believed it to be a private number, so I will not include it here.

TELEPHONE CONVERSATION MEMORANDUM

Date: June 26, 2015

To: Sarah Lesage, Michigan Department of Environmental Protection, Water Resources (Private number)

From: Buffy Thomason

RE: Invasive Species Management Plan in Michigan

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I called Ms. Lesage per the recommendation of Mr. Bryan of the Michigan Department of Agriculture and Rural Development and left her a message explaining that I am trying to determine if Michigan has a requirement for an Invasive Species Management Plan.

Ms. Bryan believed that the number he had for her was a private number, so I will not include it here. Later, I found her email address online, which is [lesages@michigan.gov](mailto:lesages@michigan.gov) and emailed her there as well.

## Thomason, Buffy

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**From:** Berry, Amy (DEQ) <BerryA2@michigan.gov>  
**Sent:** Wednesday, July 01, 2015 11:25 AM  
**To:** Thomason, Buffy; LeSage, Sarah (DEQ)  
**Subject:** RE: Invasive Species Management Plan

I am sorry, I have been (and am still) on vacation (guess I forgot to set up my auto-reply, oops) so I can't entirely be sure that I understand what you're asking to be able to answer appropriately (normally I would call). That being said, I assume you mean that when there is a project affecting wetlands, lakes, and streams in Michigan (which is my area of expertise) is a specific Invasive Species Management Plan required? The answer to that question is not really a yes or no since invasive species management does need to be addressed as part of any utility project, but a specific plan is not generally required for submission, unless there is some special issue relating to that project. That being said, that does not mean that a plan is not required at all for most projects. Several conditions that address invasive species are often written into the issued permit. Some BMPs are written into the utilities projects General Permit and Minor Project categories themselves. It is also written in the statute (Part 303) that if you are utilizing the utilities exemptions (i.e.; projects that are exempt from needing a wetland permit), the BMPs are to be followed that include invasive species control and avoidance/minimization measures. I believe the FERC guide is referred to in the permit categories for utilities, but there is not yet a specific BMP guide for utilities in Michigan. That is actually something we are working on right now.

I hope this is what you were looking for...in short, the answer is no formal submission is typically required as part of a wetlands, lakes, or streams project, but BMPs relating to invasive species are required to be followed as part of any project affecting wetlands, lakes, and streams to ensure that the spread is avoided and minimized. It is up to the company to ensure that these BMPs are in place and carried out, and if they are not, then the exemption would not have applied.

Thanks, and again sorry for the delay in responding!



Amy Berry  
Wetlands Protection Analyst  
Wetlands, Lakes, and Streams Unit  
Water Resources Division  
Michigan Department of Environmental Quality  
[berrya2@michigan.gov](mailto:berrya2@michigan.gov)  
517-284-5532

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**From:** Thomason, Buffy [mailto:Buffey.Thomason@energytransfer.com]  
**Sent:** Tuesday, June 30, 2015 11:24 AM  
**To:** LeSage, Sarah (DEQ)  
**Cc:** Berry, Amy (DEQ)  
**Subject:** RE: Invasive Species Management Plan

Ladies, we need to submit a response to the Federal Energy Regulatory Commission, who asked us to look into it, and our deadline is today or tomorrow at the latest. If you don't know of one, and I actually suspect there is no such requirement, then I can state who we contacted and that no one we spoke to is aware of such a requirement.

Thank you so much for your help.

Buffy Thomason  
Energy Transfer Company  
O: 713-989-2844, C: 979-571-3113

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**From:** Thomason, Buffy  
**Sent:** Friday, June 26, 2015 1:23 PM  
**To:** 'LeSage, Sarah (DEQ)'  
**Cc:** Berry, Amy (DEQ)  
**Subject:** RE: Invasive Species Management Plan

Great, thank you both for your help. Have a great weekend.

Thank you,  
Buffy Thomason  
Energy Transfer Company  
O: 713-989-2844, C: 979-571-3113

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**From:** LeSage, Sarah (DEQ) [<mailto:lesages@michigan.gov>]  
**Sent:** Friday, June 26, 2015 12:11 PM  
**To:** Thomason, Buffy  
**Cc:** Berry, Amy (DEQ)  
**Subject:** RE: Invasive Species Management Plan

Hi Buffy,  
I did get your voicemail and your question was passed on to Amy Berry as she has knowledge in this area. I'm sure it's in the queue. Thanks for reaching out to ensure compliance with Michigan laws and rules.  
Regards,  
Sarah

Sarah LeSage  
Aquatic Invasive Species Program Coordinator  
Water Resources Division  
Michigan Department of Environmental Quality  
\*\*\*New cell phone #517-243-4735

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**From:** Thomason, Buffy [<mailto:Buffy.Thomason@energytransfer.com>]  
**Sent:** Friday, June 26, 2015 12:11 PM  
**To:** LeSage, Sarah (DEQ)  
**Subject:** Invasive Species Management Plan

Ms. Lesage,

I am working on a pipeline project that partially goes through Michigan, and the Federal Energy Regulatory Commission has asked us to verify whether or not Michigan requires an Invasive Species Management Plan. I spoke to Mike Bryan from DARD, and he said he did not know of one, but referred me to you to make sure. Can you please let me know?

I left you a voicemail earlier in the week, but Mr. Bryan said he thought it was your personal cell, so I didn't want to bother you on it again.

Thank you,

**Buffy Thomason**

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