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Via Electronic Delivery Or Overnight Mail

March 13, 2014

Hon. Kathleen H. Burgess
Secretary
New York State Department of Public Service
Empire State Plaza
Agency Building 3
Albany, New York 12223-1350

Re: PSC Case No. 13-T-0538 – Application of Williams Field Services Company, LLC and DMP New York, Inc. For a Certificate of Environmental Compatibility and Public Need to Construct an Approximately 9.5 Mile Natural Gas Gathering Pipeline in the Town of Windsor, Broome County, New York

Dear Secretary Burgess:

Williams Field Services Company, LLC and DMP New York, Inc. (collectively, “Williams”) has received the State of New York Department of Agriculture and Markets (“NYDAM”) comment letter, dated February 21, 2014, regarding Case 13-T-0538. The NYDAM has commented on several aspects of the New York (“NY”) Mainline Loop Pipeline Project (“Project”) Article VII application including the Article VII Application itself, Williams’ Right of Way (“ROW”) Restoration and Revegetation Plan (“Exhibit S”), and Williams’ response to the New York Department of Public Service information request DPS-5. For ease of review, we have provided the NYDAM’s comments in italicized font, followed by our responses.

Comment 1. Table 7 on page 50 lists the location of agricultural properties that will be crossed by the proposed pipeline. While most of the information is accurate, the station numbers in the table may need to be updated by Williams.

Response 1: Williams has checked the station numbers listed in Table 7 with the Construction Alignment Sheets (“Exhibit I”) as submitted on December 2, 2013 and believes the current listing on Table 7 to be correct.

*Comment 2. Exhibit S includes the ROW Restoration and Revegetation Plan that Williams intends to follow after the pipeline installation. Section 5 of the plan includes the restoration measures for agricultural areas. On page 6 of the plan it states “In some areas a crown of soil may be left over the trench to allow for soil subsidence.” In agricultural areas, a crown of subsoil should be left over the trench, **prior to replacement of the topsoil**. The topsoil should be graded evenly across the ROW.*

Response 2: Page 6 of Exhibit S (ROW Restoration and Revegetation Plan) has been revised to reflect this detail and is attached hereto.

Comment 3. On page 6 of the ROW Restoration and Revegetation Plan, the Department’s most current version of the document Fertilizer, Lime, and Seeding Recommendations For Restoration of Construction Projects On Farmland in New York State (Rev. 9-25-12) is correctly listed; however, Table 1B includes a note referencing the 6-15-2005 version of the document.

Response 3: Table 1B of Exhibit S has been revised to reflect this correction and is attached hereto.

Comment 4. The application indicates that a relatively large area of Additional Temporary Workspace is proposed for the Nash property, south of Farr Road. In a response to information request DPS-5, Williams stated that “[t]he large workspace depicted on the project maps, therefore, is intended to allow access to these areas in order to correct the issues identified by the landowner.” This portion of the Nash property is used for agricultural production and the Department fully supports the correction of issues resulting from the installation of the first pipeline, as identified by the landowner. However, Williams should provide Department of Public Service staff, Agricultural and Markets staff and the landowner with a map showing the areas to be addressed and a description of the work to be done to correct these issues, for review and approval.

Response 4: Williams has prepared a map which depicts the areas that are to be addressed as well as descriptions of the proposed repair and is attached hereto as "Nash Property-Proposed Measures". The proposed measures were discussed with the landowner on February 27, 2014.

Thank you for the opportunity to respond to these preliminary comments submitted by the NYDAM. All correspondence or questions concerning the Application (Case 13-T-0538) should be addressed to the undersigned.

Respectfully submitted,

READ AND LANIADO, LLP
Attorneys for Williams Field Services Company, LLC
and DMP New York, Inc.

By: _____/s/_____
Sam M. Laniado

cc: Attached Service Lists
Mr. John Strub, New York State Department of Public Service
Mr. Matthew Brower, State of New York Department of Agriculture and Markets

EXHIBIT S
ROW RESTORATION AND REVEGETATION PLAN

Revised March 13, 2014

Right-of-Way Restoration and Revegetation Plan

Williams Field Services Company, LLC
and DMP New York, Inc.
New York Mainline Loop Natural Gas Pipeline Project
Town of Windsor, Broome County, New York

Project C110635.91, Task 012
December 2013
Revised March 2014

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5.0 RESTORATION IN AGRICULTURAL AREAS

After backfilling is complete and the rough grading of the ROW has been done, final grading is initiated to return the ROW to its original contour. Williams will consult with the farm owner/operator, NY State Department of Agriculture and Markets ("NYDAM"), and NY Department of Public Service staff to determine if suitable weather and soil moisture content conditions exist to allow for final restoration activities on pre-determined active agricultural lands. If on-site conditions permit clean-up and final restoration the following conditions will apply:

- If subsoil decompaction has been called for, it will be done at this time, as will rock picking (stones 4 inches or larger within the top 12 inches). Stockpiled topsoil will be used after that until the trench has been restored to pre-construction grade;
- If topsoil has been lost, replacement topsoil will be imported and used if necessary;
- In **agricultural** areas, a crown of **subsoil will** be left over the trench, **prior to the replacement of the topsoil**, to allow for soil subsidence. **Topsoil will be graded evenly across the ROW;**
- Where necessary the ROW will be deep chiseled and stones larger than 4 inches picked from the top 12 inches; and
- Seeding requirements shall be determined by the landowner and/or based on NYDAM guidance.

Revegetation of agricultural areas will be conducted in accordance with the NYDAM *Pipeline Right-Of-Way Construction Projects Agricultural Mitigation Through The Stages of Project Planning, Construction/Restoration* (Rev. 2-11), *Follow-Up Monitoring and Fertilizing, Lime, and Seeding Recommendations For Restoration Of Construction Projects On Farmland in New York State* (Rev. 9-25-2012), and *Environmental Management And Construction Standards And Practices For Underground Transmission And Distribution Facilities In New York State* (Rev. February 28, 2006). Seeding mixtures that meet NYDAM specifications that Williams proposes to use in agricultural hayfield/pastureland areas are listed in Tables 1B and 1C.

Representatives from Williams, along with Mr. Matthew Brower of the NYDAM, conducted a site visit to the agricultural lands crossed by the Project on August 18, 2012. The following recommendations for ROW construction and restoration were discussed:

- The landowner of the active agricultural land will have the first preference for seeding mixtures and reseeding techniques.
- Prior to construction, Williams will strip the topsoil first. Typically in this area, there are 6 to 8 inches of topsoil; however, in some places, it may be up to 12 inches.
- Williams will maintain a minimum of 4 feet of cover over the Pipeline in agricultural fields.
- Williams will be cognizant of drain tiles during construction in agricultural lands so as not to cause damage to them. Additionally, Williams is aware that the centerline ditch may act as a french drain and that mitigation may be required during construction. Williams proposes to install trenchbreakers to mitigate for the potential french drain effect.
- Williams will monitor heavily mulched areas (should it occur) for vegetation growth, and if no growth is occurring, mulch will be removed.
- Subsoil decompaction will occur in active agricultural crop and pastureland.

TABLES

Table 1B

AGRICULTURAL/HAYFIELD SEED MIX

NOTE: For all agricultural areas (i.e., Hayfields and Pastureland) the seeding mixtures below and the seeding rates are for ***drill seeder application (Use of a Brillon® drill seeder with rear cultipacker or similar implement is recommended)***. ***If broadcast seeding is used, all seeding rates must be doubled.***

Item	Agricultural/Hayfield Seed Mix			
Permanent Seed (50 pounds/acre) and Mulch Application Rates			% Purity	Total Germination %
Seed ¹	Orchard Grass	12% by Species	95	85
Seed ¹	Timothy	12% by Species	99	90
Seed ^{1,2}	Pardee Birdsfoot Trefoil (Inoculated)	32% by Species	98	80
Seed ^{1,2,3}	Alfalfa (Inoculated)	See Footnote 5 (16% by Species)	98	90
Seed ^{1,2}	Medium Red Clover	32% by Species	99	90
Mulch	Grass Hay or Cereal Straw	3 Tons/Acre	N/A	N/A
Temporary Seed (40 pounds/acre) and Mulch Application Rates				
Seed ^{1,4}	Annual Rye Grass	100% by Species	95	85
Mulch	Grass Hay or Cereal Straw	3 Tons/Acre	N/A	N/A

Notes:

- ¹ All seed is pure live seed. Seeding dates are flexible, but ideal during spring through early fall.
- ² Per the NY Department of Agriculture and Markets' *Seeding, Fertilizing, and Liming Recommendations for Gas Pipeline Right-of-Way Restoration in Farmlands* (Revised **9-25-2012**), the farm operator has the choice for their hayfields as to which primary seeding species to use in mixture #3A. The farm operator can choose Alfalfa (by itself or with the other grasses), Pardee Birdsfoot Trefoil or Medium Red Clover mixed with Timothy or Orchard grass.
- ³ Alfalfa if seeded alone is to be at 20 pounds/acre or planted with the other cold season grasses at a rate of 8 pounds/acre.
- ⁴ Aroostook winter rye grass may be seeded between late September and the third week in October for winterization with some degree of success, if weather cooperates.

