



Jennifer Cannon
U.S. Environmental Planning & Permitting
1700 MacCorkle Ave. SE, Charleston, WV 25314

Tel: 304-357-2040 Cell: 540-233-0008
jennifer_cannon@tcenergy.com

November 16, 2022

Ms. Lori H. Nordstrom
Assistant Regional Director, Ecological Services
U.S. Fish and Wildlife Service
5600 American Boulevard West, Suite 990
Bloomington, Minnesota 55437-1458

Re: Proposed Northern Long-eared Bat Minor Amendment and Reinstatement of “No Surprises” Assurances for the Columbia Pipeline Group Multi-Species Habitat Conservation Plan (Incidental Take Permit ES02636A-3)


Dear Ms. Nordstrom:

TC Energy is in receipt of your letter dated August 5, 2022, recommending that the Columbia Pipeline Group Multi-Species Habitat Conservation Plan (MSHCP) be amended so that the northern long-eared bat (NLEB) avoidance and minimization measures (AMMs) align with the AMMs for the Indiana bat, which are more protective of summer bats. Specifically, U.S. Fish and Wildlife Service (USFWS or Service) recommended a revision to AMM 29 to modify the time-of-year restrictions on side-trimming activities (i.e., expand the restricted period from June 1-August 1 to April 15-September 1) to avoid potential direct effects to female and juvenile NLEB.

TC Energy has evaluated this proposed minor modification and hereby accepts the revised AMM for NLEB as detailed in the Service’s August 5 letter. TC Energy understands that the “No Surprises” assurances are restored immediately upon acceptance of the revised AMM and that any further conservation or mitigation measures or use restrictions could only be required in accordance with the “No Surprises” assurances through the 25th year of the permit, despite the potential status change of NLEB from threatened to endangered in the near future.

We appreciate the opportunity to continue to collaborate with USFWS on the ongoing implementation of the MSHCP. Should you have any questions, please do not hesitate to contact me.

Sincerely,

DocuSigned by:

A65845F9E50B406...
Jennifer Cannon
Environmental Advisor

cc: USFWS Regional HCP Coordinator, Region 3
USFWS Regional HCP Coordinator, Region 4
USFWS Regional HCP Coordinator, Region 5