

APPENDIX M
Interagency Endangered Species Act Consultation Documentation

APPENDIX M-1
Federally Listed Species Potentially Affected by the Leach XPress Project

APPENDIX M
Federally Listed Species Potentially Affected by the Leach XPress and Rayne XPress Projects

Common Name (Scientific Name)	MSHCP / Non-MSHCP Species	Federal Status	Habitat Description	County, State	Determination	Rationale
Eastern Small-Footed Myotis (<i>Myotis leibii</i>)	Not Listed	SC	These bats use a wide variety of habitats for roosting. They occur in caves, mines, protected sites along cliff lines, abandoned buildings and are occasionally found roosting under rocks on the ground of floors of caves. Summer habitat is currently unknown, but may be similar sites.	Carter and Menifee, KY	No Effect – would not threaten the population viability	No suitable habitat identified through desktop and field. Consultation complete.
Gray Bat (<i>Myotis grisescens</i>)	MSHCP	E	Year-round cave obligate species, roosting in caves during both hibernation and summer. Foraging habitat is correlated with rivers, streams, lakes, or reservoirs. Forest corridors are used to travel between caves and foraging areas.	Carter, Menifee and Montgomery, KY	MSHCP-covered	MSHCP database review determined no suitable habitat in Project area. Consultation complete.
Indiana bat (<i>Myotis sodalis</i>)	MSHCP	E	Roosts in caves and abandoned mines during the winter months. In the late spring and summer (April – November), roost in maternity colonies located under the exfoliating bark of dead trees in riparian zones, bottomland and floodplain habitats, wooded wetlands, and upland communities. Typically forage in semi-open forested habitats, forest edges, and riparian areas.	All Pennsylvania, West Virginia, and Kentucky Counties. All Ohio Counties except Belmont, Guernsey, Monroe, Morgan and Muskingum	MSHCP-covered in covered lands	Columbia Gas and Columbia Gulf committed to implementation of MSHCP AMMs for covered lands. Compensatory mitigation and incidental take is addressed by the MSHCP. Consultation complete.
				Belmont, Guernsey, Monroe, Morgan, Muskingum, Noble, Perry and Vinton, Ohio	NLAA in non-covered lands	Columbia Gas assumed presence and would adhere to FWS-recommended clearing windows. Consultation is ongoing. Final consultation would be required prior to construction.
Northern Long-Eared bat (<i>Myotis septentrionalis</i>)	MSHCP	T	Hibernate in caves and abandoned mines during the winter months. Occupies hardwood forested areas for roosting and foraging during the summer months. Roost singly or in colonies underneath exfoliating tree bark, in cavities, or in crevices of both living and dead trees. Occasionally found utilizing structures as roost sites (e.g., barns and sheds). Forage within the understories of forested hillsides and ridges.	All Pennsylvania, West Virginia, and Kentucky Counties. All Ohio Counties except Belmont, Guernsey, Monroe, Morgan and Muskingum	MSHCP-covered in covered lands	Columbia Gas and Columbia Gulf committed to implementation of MSHCP AMMs for covered lands. Compensatory mitigation and incidental take is addressed by the MSHCP. Consultation complete.
				Belmont, Guernsey, Monroe, Morgan, Muskingum, Noble, Perry and Vinton, Ohio	NLAA in non-covered lands	Columbia Gas assumed presence and would adhere to FWS-recommended clearing windows. Consultation is ongoing. Final consultation would be required prior to construction.

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Common Name (Scientific Name)	MSHCP / Non-MSHCP Species	Federal Status	Habitat Description	County, State	Determination	Rationale
Rafinesque's Big-Eared Bat (Corynorhinus rafinesquii)	Not Listed	SC	This bat uses a variety of sites for roosting including caves, protected sites along cliff lines, large, hollow trees, old mine portals, abandoned tunnels, cisterns, and old or seldom used buildings.	Carter and Menifee, KY	No Effect – would not threaten the population viability	No suitable habitat identified through desktop and field. Consultation complete.
Virginia Big-Eared Bat (Corynorhinus townsendii virginianus)	MSHCP	E	Roosts and hibernates in caves in Appalachian Mountain region; total population exceeds 10,000 and has increased in recent years. Occurs only in 15 caves, of which 5 contain the bulk of the population.	Carter, Menifee, and Montgomery, KY	MSHCP-covered	No suitable habitat identified through desktop and field. Consultation complete.
Eastern Massasauga (Sistrurus catenatus)	Non- MSHCP	pT	Prefers wet prairies and marshes with emergent vegetative cover. Generally hibernates in crayfish burrows but may also be found under logs and tree roots or in small burrows.	Fairfield, OH	Population level effects are unlikely and/or would not contribute to a trend toward federal listing.	Per MSHCP Biological Opinion, Consultation complete.
Pink mucket (Lampsilis abrupta)	Non-MSHCP	E	Inhabits large, fast-flowing waters of the Lower Ohio River and its larger tributaries with rocky or boulder substrates. Prefers shallow water but may also be found in deeper water with a slower current.	Monroe and Lawrence, OH Wayne and Marshall, WV	NLAA Tiered consultation in covered lands	Columbia Gas committed to implementation of FWS-recommended HDD crossings of the Ohio River and BMPs, as well as adherence to their Horizontal Directional Drill Contingency Plan. Per MSHCP Biological Opinion, Tiered Consultation with the FWS is required. Consultation is ongoing. Final consultation would be required prior to construction.
				Morgan, OH	NLAA in non-covered lands	Columbia Gas committed to implementation of FWS-recommended HDD crossings of the Muskingum River and BMPs, as well as adherence to their Horizontal Directional Drill Contingency Plan. Consultation is ongoing. Final consultation would be required prior to construction.

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Common Name (Scientific Name)	MSHCP / Non-MSHCP Species	Federal Status	Habitat Description	County, State	Determination	Rationale
Rayed bean (<i>Villosa fabalis</i>)	Non-MSHCP	E	Prefers small headwater creeks with sand or gravel substrate, but can also be found in large rivers. Found in or near shoal or riffle areas typically within or adjacent to vegetation.	Monroe and Lawrence, OH Wayne and Marshall, WV	NLAA Tiered consultation in covered lands	Columbia Gas committed to implementation of FWS-recommended HDD crossings of the Ohio River and BMPs, as well as adherence to their Horizontal Directional Drill Contingency Plan. Per MSHCP Biological Opinion, Tiered Consultation with the FWS is required. Consultation is ongoing. Final consultation would be required prior to construction.
				Morgan, OH	NLAA in non-covered lands	Columbia Gas committed to implementation of FWS-recommended HDD crossings of the Muskingum River and BMPs, as well as adherence to their Horizontal Directional Drill Contingency Plan. Consultation is ongoing. Final consultation would be required prior to construction.
Fanshell (<i>Cyprogenia stegaria</i>)	MSHCP	E	Found in both deep and shallow medium to large streams with strong currents. Prefers a gravel substrate.	Monroe and Lawrence, OH Wayne and Marshall, WV	MSHCP-Covered	Columbia Gas committed to implementation of AMMs, FWS- recommended HDD crossings, and adherence to Horizontal Directional Drill Contingency Plan. Consultation complete.
				Morgan, OH	NLAA in non-covered lands	Columbia Gas committed to implementation of FWS-recommended HDD crossings of the Ohio River and BMPs, as well as adherence to their Horizontal Directional Drill Contingency Plan. Consultation is ongoing. Final consultation would be required prior to construction.

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APPENDIX M
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Common Name (Scientific Name)	MSHCP / Non-MSHCP Species	Federal Status	Habitat Description	County, State	Determination	Rationale
Snuffbox (Epioblasma triquetra)	Non-MSHCP	E	Small to medium-sized creeks and some larger rivers, in areas with a swift current.	Monroe and Lawrence, OH Wayne and Marshall, WV	NLAA Tiered consultation in covered lands	Columbia Gas committed to implementation of FWS-recommended HDD crossings of the Ohio River and BMPs, as well as adherence to their Horizontal Directional Drill Contingency Plan. Per MSHCP Biological Opinion, Tiered Consultation with the FWS is required. Consultation is ongoing. Final consultation would be required prior to construction.
				Morgan, OH	NLAA in non-covered lands	Columbia Gas committed to implementation of FWS-recommended HDD crossings of the Muskingum River and BMPs, as well as adherence to their Horizontal Directional Drill Contingency Plan. Consultation is ongoing. Final consultation would be required prior to construction.
Sheepnose (Plethobasus cyphyu)	MSHCP	E	Prefers riffles in large rivers with gravel or cobble substrates. Generally inhabits deep water and may be tolerant of reservoirs and mud or sand bottoms.	Monroe and Lawrence, OH Wayne and Marshall, WV	MSHCP-covered	Columbia Gas committed to implementation of FWS-recommended HDD crossings of the Ohio River and BMPs, as well as adherence to their Horizontal Directional Drill Contingency Plan.
				Morgan, OH	NLAA in non-covered lands	Columbia Gas committed to implementation of FWS-recommended HDD crossings of the Muskingum River and BMPs, as well as adherence to their Horizontal Directional Drill Contingency Plan. Consultation is ongoing. Final consultation would be required prior to construction.
Clubshell (Pleurobema clava)	MSHCP	E	Occurs in small streams to medium-sized rivers. Inhabits coarse sand and fine gravel substrates in shallow riffles and runs with moderate current. Typically found at depths of less than 3 feet.	Monroe and Lawrence, OH Wayne and Marshall, WV	MSHCP-covered	Columbia Gas committed to implementation of FWS-recommended HDD crossings of the Ohio River and BMPs, as well as adherence to their Horizontal Directional Drill Contingency Plan.
				Morgan, OH	NLAA in non-covered lands	Columbia Gas committed to implementation of FWS-recommended HDD crossings of the Muskingum River and BMPs, as well as adherence to their Horizontal Directional Drill Contingency Plan. Consultation is ongoing. Final consultation would be required prior to construction.

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**APPENDIX M
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Common Name (Scientific Name)	MSHCP / Non-MSHCP Species	Federal Status	Habitat Description	County, State	Determination	Rationale
Rabbitsfoot (<i>Quadrula cylindrical cylindrical</i>)	Non- MSHCP	T	Inhabits waters of the Muskingum River with moderate to swift currents. Occasionally inhabits small streams on gravel bars close to fast-moving currents. Prefer sandy or gravel substrate.	Muskingum, OH	NLAA Tiered consultation in covered lands	The Muskingum River is not crossed by the Project in counties where rabbitsfoot is known to occur. Suitable habitat is not present in the Project area. Per MSHCP Biological Opinion, Tiered Consultation with the FWS is required. Consultation is ongoing. Final consultation would be required prior to construction.
American burying beetle (<i>Nicrophorus americanus</i>)	MSHCP	E	Generally prefers grasslands and open areas of oak hickory forests. Adults bury themselves in soil during winter and reproduce during warmer months, utilizing carrion as habitat.	Morgan and Perry, OH	MSHCP-covered	Suitable habitat not present in the Project area. Consultation complete.
Northern monkshood (<i>Aconitum noveboracense</i>)	Non- MSHCP	T	Typically grows on shaded to partially shaded cliffs, talus slopes, or along streams. It requires cool soil conditions, cold air drainage, or cold groundwater flowage.	Hocking, OH	NLAA	Project re-routed to avoid potential habitat. Only known population 2.3 miles from Project area. Consultation complete.
Running buffalo clover (<i>Trifolium stoloniferum</i>)	Non- MSHCP	E	Requires periodic disturbance and somewhat open habitat, but cannot tolerate full sun, full shade, or severe disturbance. Typically found in partially shaded woodlots, mowed areas, and along streams and trails.	Hocking, Lawrence, and Vinton, OH	NLAA in covered lands	No suitable habitat identified in Lawrence County. Field surveys within Hocking and Vinton Counties to-date did not identify any individuals. Un-surveyed route deviations require additional survey. Columbia Gas committed to implementation of MSHCP BMPs if species is identified in Project area. Consultation is pending completion of 1026 surveys.
				Vinton, OH	NLAA in non-covered lands	No species identified during field surveys. Consultation is ongoing. Final consultation would be required prior to construction.
Small whorled pogonia (<i>Isotria medeoloides</i>)	Non- MSHCP	T	Grows in deciduous-coniferous forests, typically with light to moderate leaf litter, an open herb layer, moderate to light shrub layer, and relatively open canopy. It frequently occurs on flats or slope bases near canopy breaks.	Greene, PA Hocking, OH	NLAA	No suitable habitat identified in Greene County. Field surveys within Hocking County to-date did not identify any individuals. Un-surveyed route deviations require additional survey. Columbia Gas committed to implementation of MSHCP BMPs if species is identified in Project area. Consultation is pending completion of 1026 surveys.

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APPENDIX M – INTERAGENCY ENDANGERED SPECIES ACT
CONSULTATION DOCUMENTATION

**APPENDIX M
Federally Listed Species Potentially Affected by the Leach XPress and Rayne XPress Projects**

Common Name (Scientific Name)	MSHCP / Non-MSHCP Species	Federal Status	Habitat Description	County, State	Determination	Rationale
White-Haired Goldenrod (<i>Solidago albopilosa</i>)	Non-MSHCP	T	Endemic to a single river gorge in Kentucky and restricted within this narrow range to sheltered, cave-like "rock house" habitats, which tend to receive intensive recreational use. Many populations have been significantly reduced or extirpated by trampling.	Menifee, KY	No Effect	MSHCP database did not identify suitable habitat in Project area. Consultation is complete.

APPENDIX M-2
Interagency Endangered Species Act Consultation Checklist
for the Leach XPress Project

INTERAGENCY ENDANGERED SPECIES ACT CONSULTATION CHECKLIST FOR THE NiSOURCE MULTI-SPECIES HABITAT CONSERVATION PLAN

APPLICANT SECTION

ACTION AGENCY (Recipient): Federal Energy Regulatory Commission (FERC)

OTHER INVOLVED FEDERAL AGENCIES: U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service (USFWS)

PROJECT NAME: Columbia Gas Transmission's, Leach XPress Project ("Project")

PROJECT I.D. NO. (if applicable): FERC Docket NO. CP15-514-000

NiSource and Columbia Pipeline Group (Columbia) has provided the attached documentation to involved federal agencies in accordance with "Project Review and Documentation Protocols" of the NiSource/Columbia Pipeline MSHCP Consultation Implementation Guidance⁴. This documentation describes if and how the project is covered by the NiSource Multi-Species Habitat Conservation Plan (MSHCP), programmatic biological opinion (BO), and/or programmatic concurrence letters. In addition, the action agency could refer to the following sections and/or pages of the MSHCP, BO, and/or concurrence letters to verify that the activity is covered by the MSHCP and associated Section 7 consultation under the Endangered Species Act (ESA):

Reference:

- NiSource MSHCP Chapter 2.3 Covered Lands (pp 2-11)
- NiSource MSHCP Chapter 2.4 Covered Activities (pp 11- 25)
- NiSource/Columbia Pipeline MSHCP Consultation Implementation Guidance Quick Reference for Species Consultation Categories (pp 5-6)
- NiSource/Columbia Pipeline Group's, "Habitat Conservation Program Best Management Practices Guidebook", v.1.0, March 12, 2014 (specific pages for each species are referenced in the attached application material)

By signing below, Columbia certifies that its proposed activity, as outlined in the accompanying application or notification, is consistent with the MSHCP, BO, and/or concurrence letters.

Columbia Pipeline representative

Date

By checking the box, Columbia is notifying the involved federal agencies that the proposed activity will require additional ESA Section 7 consultation because part of the activity may include: (1) any of the 10 Likely to Adversely Affect (LAA) species that are not included in the MSHCP⁵, (2) species not addressed in the MSHCP, BO, or concurrence letters⁵, (3) non-covered activities, (4) activities outside of the covered lands, or (5) activities otherwise deviating from the MSHCP, BO, and/or concurrence letters. Additional biological information about the species, habitat, or effects of the action may be required. The federal agencies can contact the U.S. Fish and Wildlife Service's NiSource/Columbia MSHCP Implementation Coordinator (Karen Herrington, 850.348.6495, karen_herrington@fws.gov) for more information.

⁴ See NiSource/Columbia Pipeline MSHCP Consultation Implementation Guidance. May 8, 2014. Pg 11.

⁵ See NiSource/Columbia Pipeline MSHCP Consultation Implementation Guidance. May 8, 2014. Pg. 5.

FEDERAL AGENCY SECTION

This checklist serves as the official documentation that each action agency involved has completed its Section 7 responsibilities under the ESA for NiSource and Columbia Pipeline Group (Columbia) projects conducted as described in the MSHCP, BO, and/or concurrence letters. Every agency that receives a copy of this checklist should fill it out. The MSHCP, BO, and concurrence letters can be found on the U.S. Fish and Wildlife Service (FWS) NiSource website:

<http://www.fws.gov/midwest/endangered/permits/hcp/nisource/index.html>

Quick access to the required Avoidance and Minimization Measures (AMMs) and Best Management Practices (BMP) can be found in the Columbia BMP Guidebook, which is also posted on the above website.

1. Does the federal action occur entirely within the covered lands as described in the MSHCP?
 Yes. Go to #2. **Potential impacts on Gray Bat and Virginia Big-Eared Bat are associated entirely with covered lands. Potential impacts on a number of species include both covered and non-covered lands. Within covered lands, the MSHCP was applied for the following species: Indiana Bat, Northern Long-Eared Bat, Eastern Massasauga, Northern Monkshood, Running Buffalo Clover, Small Whorled Pogonia, and White Haired Goldenrod, and the following mussels: Fanshell, Pink Mucket, Rabbitsfoot, Sheepnose, Snuffbox, Clubshell, and Rayed Bean.**
 No. Additional consultation is required because the action is not consistent with the MSHCP, BO, and/or concurrence letters. If the project may affect listed species, contact your local FWS Field Office. **Additional consultation is required for all non-covered lands.**
2. Is the proposed action as described in the MSHCP, programmatic BO, and/or concurrence letter?
 Yes. Go to #3.
 No. Additional consultation is required because the action is not consistent with the MSHCP, BO, and/or concurrence letters. If the project may affect listed species, contact your local FWS Field Office.
3. Does the proposed action pose any effects on species not included in the MSHCP, BO or concurrence letters⁵⁵?
 Yes. Additional consultation is required because the species was not included in the MSHCP, BO, and/or concurrence letters. If the project may affect listed species not included in the consultation, contact your local FWS Field Office.
 No. Go to #4. **The only species not included in the MSHCP are the eastern small-footed myotis and Rafinesque’s big-eared bat, both federal species of management concern. Further consultation is not required for these species.**
4. Does the proposed action include MSHCP species⁶⁵ only?
 Yes. Go to #6.
 No. Go to #5.
5. Does the proposed action include any of the 10 Likely to Adversely Affect (LAA) species that are not included in the MSHCP (i.e., LAA non-MSHCP species) as addressed in the BO?
 Yes. Additional consultation is required. Enter into tiered consultation with your local FWS office for any LAA non-MSHCP species. **This is applicable to the following mussels: Fanshell, Pink Mucket, Rabbitsfoot, and Snuffbox.**

APPENDIX M – INTERAGENCY ENDANGERED SPECIES ACT CONSULTATION DOCUMENTATION

_____ No. Go to #6.

6. Are all mandatory AMMs and/or BMPs for each species included in the action?⁷

X Yes. Go to #7.

_____ No. Additional consultation is required because the proposed action is not consistent with the MSHCP, BO, and/or concurrence letter. Request additional information from Columbia about AMMs.

7. Are all non-mandatory AMMs and/or BMPs for each species included in the action?

X Yes. Consultation is complete because the proposed action is consistent with the MSHCP, BO, and/or concurrence letter.

_____ No. Go to #8.

8. Are reasons provided for not including non-mandatory AMMs for each species?⁸

X Yes. Consultation is complete.

_____ No. Request justification from Columbia, and attach documentation here. Once justification is provided, consultation is complete.

It is the federal agency’s responsibility to comply with ESA Section 7 requirements for this project. The programmatic BO and/or the concurrence letters cover most of Columbia’s activities implemented under the MSHCP within the covered lands. By signing below, the federal agency verifies that the proposed action within the agency’s authority complies with the programmatic BO, and/or concurrence letters. If additional Section 7 consultation is required, the U.S. Fish and Wildlife Service’s supplemental concurrence letter or biological opinion will be attached to this documentation.

AGENCY COMMENTS:

_____ See attached table for further details _____

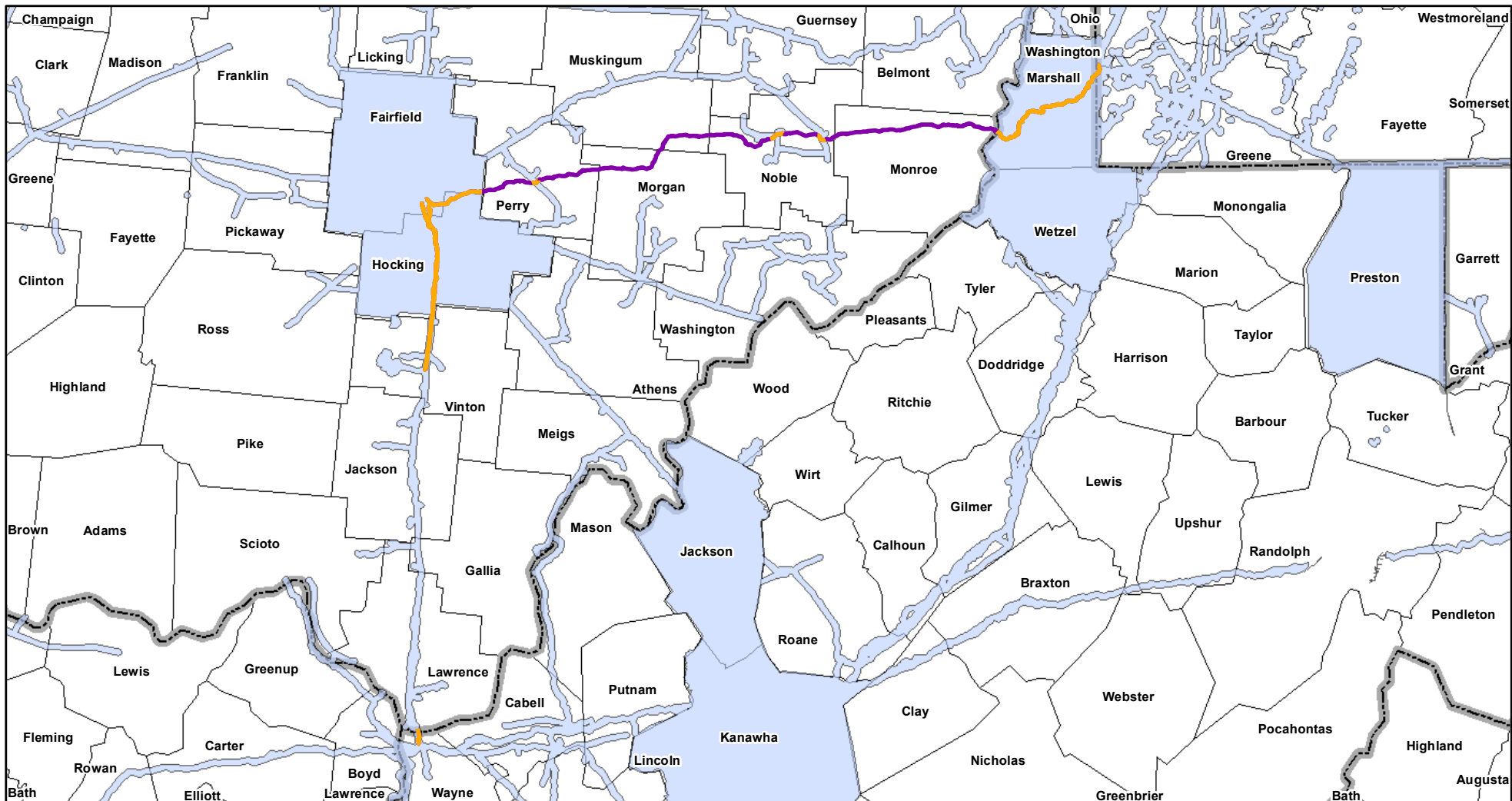
Joanne Wachholder
Federal Agency representative






4/6/16
Date

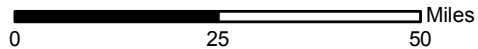
⁷ See NiSource/Columbia Pipeline Group’s, “Habitat Conservation Program Best Management Practices Guidebook”, v.1.0, March 12, 2014.

⁸ Per the MSHCP, explanation for non-mandatory AMM use is not required for the Indiana Bat.

APPENDIX M-3
MSHCP Coverage Overview Map for the Leach XPress Project



-  Inside MSHCP Covered Lands
-  Outside MSHCP Covered Lands
-  MSHCP Covered Lands
-  State Boundary
-  County Boundary



Map obtained from Columbia Gas

Appendix M-3 MSHCP Coverage Overview Map for the Leach XPress Project

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Scale: 1:1,500,000

NAD 83 UTM 17 N

Date: March, 2016

APPENDIX M-4
Interagency Endangered Species Act Consultation Checklist
for the Rayne XPress Expansion Project

APPENDIX M – INTERAGENCY ENDANGERED SPECIES ACT CONSULTATION
DOCUMENTATION

**INTERAGENCY ENDANGERED SPECIES ACT CONSULTATION CHECKLIST FOR THE
NiSOURCE MULTI-SPECIES HABITAT CONSERVATION PLAN**

APPLICANT SECTION

ACTION AGENCY (Recipient): Federal Energy Regulatory Commission

OTHER INVOLVED FEDERAL AGENCIES: U.S. Army Corps of Engineers, and US Fish and Wildlife Service

PROJECT NAME: Rayne XPress Expansion

PROJECT I.D. NO. (if applicable): _____

NiSource and Columbia Pipeline Group (Columbia) has provided the attached documentation to involved federal agencies in accordance with “Project Review and Documentation Protocols” of the NiSource/Columbia Pipeline MSHCP Consultation Implementation Guidance⁴. This documentation describes if and how the project is covered by the NiSource Multi-Species Habitat Conservation Plan (MSHCP), programmatic biological opinion (BO), and/or programmatic concurrence letters. In addition, the action agency could refer to the following sections and/or pages of the MSHCP, BO, and/or concurrence letters to verify that the activity is covered by the MSHCP and associated Section 7 consultation under the Endangered Species Act (ESA):

Reference:

- NiSource MSHCP Chapter 2.3 Covered Lands (pp 2-11)
- NiSource MSHCP Chapter 2.4 Covered Activities (pp 11- 25)
- NiSource/Columbia Pipeline MSHCP Consultation Implementation Guidance Quick Reference for Species Consultation Categories (pp 5-6)
- NiSource/Columbia Pipeline Group’s, “Habitat Conservation Program Best Management Practices Guidebook”, v.1.0, March 12, 2014 (specific pages for each species are referenced in the attached application material)

By signing below, Columbia certifies that its proposed activity, as outlined in the accompanying application or notification, is consistent with the MSHCP, BO, and/or concurrence letters.

Columbia Pipeline representative

Date

- By checking the box, Columbia is notifying the involved federal agencies that the proposed activity will require additional ESA Section 7 consultation because part of the activity may include: (1) any of the 10 Likely to Adversely Affect (LAA) species that are not included in the MSHCP⁵, (2) species not addressed in the MSHCP, BO, or concurrence letters⁵, (3) non-covered activities, (4) activities outside of the covered lands, or (5) activities otherwise deviating from the MSHCP, BO, and/or concurrence letters. Additional biological information about the species, habitat, or effects of the action may be required. The federal agencies can contact the U.S. Fish and Wildlife Service’s NiSource/Columbia MSHCP Implementation Coordinator (Karen Herrington, 850.348.6495, karen_herrington@fws.gov) for more information.

⁴ See NiSource/Columbia Pipeline MSHCP Consultation Implementation Guidance. February 13, 2014. Pg 11.

⁵ See NiSource/Columbia Pipeline MSHCP Consultation Implementation Guidance. February 13, 2014. Pg. 5.

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FEDERAL AGENCY SECTION

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<http://www.fws.gov/midwest/endangered/permits/hcp/nisource/index.html>

Quick access to the required Avoidance and Minimization Measures (AMMs) and Best Management Practices (BMP) can be found in the Columbia BMP Guidebook, which is also posted on the above website.

1. Does the federal action occur entirely within the covered lands as described in the MSHCP?
 Yes. Go to #2.
 No. Additional consultation is required because the action is not consistent with the MSHCP, BO, and/or concurrence letters. If the project may affect listed species, contact your local FWS Field Office.

2. Is the proposed action as described in the MSHCP, programmatic BO, and/or concurrence letter?
 Yes. Go to #3.
 No. Additional consultation is required because the action is not consistent with the MSHCP, BO, and/or concurrence letters. If the project may affect listed species, contact your local FWS Field Office.

3. Does the proposed action pose any effects on species not included in the MSHCP, BO or concurrence letters⁵?
 Yes. Additional consultation is required because the species was not included in the MSHCP, BO, and/or concurrence letters. If the project may affect listed species not included in the consultation, contact your local FWS Field Office.
 No. Go to #4.

4. Does the proposed action include MSHCP species⁶ only?
 Yes. Go to #6.
 No. Go to #5.

5. Does the proposed action include any of the 10 Likely to Adversely Affect (LAA) species that are not included in the MSHCP (i.e., LAA non-MSHCP species) as addressed in the BO?
 Yes. Additional consultation is required. Enter into tiered consultation with your local FWS office for any LAA non-MSHCP species.
 No. Go to #6.

⁶ See NiSource/Columbia Pipeline MSHCP Consultation Implementation Guidance. February 13, 2014. Pg. 5

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DOCUMENTATION

6. Are all mandatory AMMs and/or BMPs for each species included in the action?⁷

X Yes. Go to #7.

 No. Additional consultation is required because the proposed action is not consistent with the MSHCP, BO, and/or concurrence letter. Request additional information from Columbia about AMMs.

7. Are all non-mandatory AMMs and/or BMPs for each species included in the action?

X Yes. Consultation is complete because the proposed action is consistent with the MSHCP, BO, and/or concurrence letter.

 No. Go to #8.

8. Are reasons provided for not including non-mandatory AMMs for each species?⁸

 Yes. Consultation is complete.

 No. Request justification from Columbia, and attach documentation here. Once justification is provided, consultation is complete.

It is the federal agency's responsibility to comply with ESA Section 7 requirements for this project. The programmatic BO and/or the concurrence letters cover most of Columbia's activities implemented under the MSHCP within the covered lands. By signing below, the federal agency verifies that the proposed action within the agency's authority complies with the programmatic BO, and/or concurrence letters. If additional Section 7 consultation is required, the U.S. Fish and Wildlife Service's supplemental concurrence letter or biological opinion will be attached to this documentation.

AGENCY COMMENTS:

Joanne Wachholder
Federal Agency representative

4/6/16
Date

⁷ See NiSource/Columbia Pipeline Group's, "Habitat Conservation Program Best Management Practices Guidebook", v.1.0, March 12, 2014.

⁸ Per the MSHCP, explanation for non-mandatory AMM use is not required for the Indiana Bat.

