UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT 03 2011

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Tom Melius
Regional Director
U.S. Fish and Wildlife Service
Division of Ecological Services
1 Federal Drive
Fort Snelling, MN 55111-4056

Dear Mr. Melius:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (EIS) for the Nisource Gas Transmission and Storage Inc. Multi-Species Habitat Conservation Plan, Application for Incidental Take Permit pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

EPA appreciates the efforts of the U.S. Fish and Wildlife Service to develop a Habitat Conservation Plan (HCP) to avoid, minimize, and mitigate the take of threatened and endangered species associated with the Nisource Inc,'s operations in 14 eastern states. EPA recognizes the importance of a coordinated approach between the Fish and Wildlife Service, other cooperating agencies and Nisource Inc. over the proposed 50 year term of the Incidental Take Permit (ITP).

We recommend that the Final EIS provide additional detail on the locations of new construction and type of new construction that will take place during the term of the ITP. Although we recognize that approximately 95 percent of NiSource's projects will occur within its existing right-of-way with little ground disturbance, providing additional specific information on the new construction activities would improve the assessment of the project's potential environmental impacts.

In addition, we recommend that the Final EIS provide additional information regarding the advantages and disadvantages of issuing a permit for a 50-year timeframe instead of a shorter period, recognizing the significant changes in both the natural and human environment that can occur within 50 years. We also recommend that if a 50-year timeframe is selected, that consideration be given to requiring milestone mitigation assessments to review the overall

success of the HCP on 10-year intervals following the initial 7-year upfront review proposed in the Draft EIS.

Based on our review of the Draft EIS, we have rated the document as "Environmental Concerns – Insufficient Information (EC-2)" (see enclosed "Summary of Rating Definitions and Follow-up Actions"). If you have any questions or would like to discuss our comments, please contact me or Cliff Rader, Acting Director, NEPA Compliance Division, at (202) 564-7159.

Sincerely,

Susan E. Bromm

Susan E. Bromm
Director
Office of Federal Activities

Enclosure