



July 27, 2015

Via [www.regulations.gov](http://www.regulations.gov)

Public Comments Processing  
Division of Policy and Directives Management  
U.S. Fish & Wildlife Service  
5275 Leesburg Pike  
Falls Church, VA 22041-3803

**Re: Migratory Bird Permits; Programmatic Environmental Impact Statement  
Docket No. FWS-HQ-MB-2014-0067**

Dear Sir or Madam:

The Interstate Natural Gas Association of America (INGAA), a trade association that advocates regulatory and legislative positions of importance to the interstate natural gas pipeline industry in North America, respectfully submits these comments in response to the U.S. Fish and Wildlife Service (the Service)'s Notice of Intent (the Notice) to prepare a programmatic environmental impact statement authorizing the incidental take of migratory birds.<sup>1</sup>

INGAA supports a general, programmatic incidental take permit authorization for the interstate natural gas pipeline industry, with an additional option for individual permitting on a case by case basis. Specifically, INGAA is interested in working with the Service to develop a general, programmatic permit authorization by industry sector for pipeline projects with all associated facilities, and an individual permitting process for those projects that may not meet all requirements of the general permit.

Interstate natural gas pipeline projects pose minimal hazards to migratory birds since the Federal Energy Regulatory Commission certificate process requires pipeline companies to clear rights-of-way and construct in periods that avoid the nesting season for migratory birds. The infrastructure is ultimately buried and the right-of-way is revegetated, thereby creating additional habitat for the birds. Interstate natural gas pipeline operators not only create this additional habitat along the right-of-way but are also required to maintain it over the life of the pipeline. On account of the unique nature of interstate pipeline projects, INGAA submits that the impact to migratory birds is less than the other sectors identified in the Notice. INGAA requests that

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<sup>1</sup> *Migratory Bird Permits; Programmatic Environmental Impact Statement*, 80 Fed. Reg. 30032 (May 26, 2015).

the Service consider the interstate natural gas pipeline sector for a general, programmatic incidental take permit authorization.

INGAA appreciates the Service's review of these comments and INGAA looks forward to providing additional feedback to the Service during future rulemaking notices in this docket.

Sincerely,

A handwritten signature in black ink, appearing to read "BKurdock", with a long horizontal flourish extending to the right.

Brianne Kurdock  
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