

**CATEGORICAL EXCLUSION AGREEMENT AMONG
TC ENERGY CORPORATION AND THE
ILLINOIS STATE HISTORIC PRESERVATION OFFICER
REGARDING NATURAL GAS PIPELINE TRANSMISSION PROJECTS
IN THE STATE OF ILLINOIS
(SHPO LOG #018111810)**

WHEREAS, TC Energy Corporation (TC Energy) is an interstate natural-gas pipeline company regulated by the Federal Energy Regulatory Commission (FERC) under the Natural Gas Act of 1938, as amended; and

WHEREAS, all pipelines operated by TC Energy require certificates of Public Convenience and Necessity from FERC prior to implementation; and

WHEREAS, in order to reduce regulatory burden, FERC has implemented an Interstate Pipeline Blanket Certificate and Authorization Program for certain routine pipeline activities (18 CFR Part 157, Subpart F and 18 CFR Part 2.55) that authorizes certain routine pipeline activities and transactions without prior FERC approval, provided the projects comply with specific environmental conditions; and

WHEREAS, compliance with the terms of the Certificate(s) and with Section 106 of the National Historic Preservation Act of 1966, as amended, 54 U.S.C. § 306108, and its implementing regulations (36 CFR Part 800) (Act), require that TC Energy consult with the appropriate State Historic Preservation Office to determine whether significant historic properties will be affected by the proposed undertakings; and

WHEREAS, TC Energy has determined maintenance or modification to existing pipelines may have an effect upon properties included in or eligible for inclusion in the National Register of Historic Places (NRHP); and

WHEREAS, the Illinois State Historic Preservation Office currently resides within IDNR, and the Director of IDNR is the duly designated Illinois State Historic Preservation Officer (SHPO); and

WHEREAS, TC Energy has consulted and concurred with the SHPO that certain construction activities occurring on existing, previously disturbed right-of-way (ROW) or existing appurtenant facilities where land-disturbing activities will be limited to previously disturbed areas or to areas which have previously been archaeologically surveyed, with no archaeological resources found near the project location, would have no potential to cause effects on NRHP-listed or eligible properties in accordance with the Act; and

WHEREAS, TC Energy wishes to enter into a Categorical Exclusion Agreement (Agreement) with the SHPO to expedite implementation of activities included under the terms of this categorical exclusion; and

NOW, THEREFORE, TC Energy and the SHPO agree that maintenance and modifications of existing pipelines shall be implemented in accordance with the terms and following stipulations set forth in this Agreement.

STIPULATIONS

I. DEFINITIONS

- A. “Above-ground facilities” include meter stations and valve sites, including all of the fenced and maintained property and the structures located therein.
- B. “Historic Properties” include those cultural resources that are (1) listed in, the NRHP (2) eligible for listing or potentially eligible for listing in the NRHP (3) areas recorded as archaeologically sensitive, historically sensitive, architecturally sensitive, or warranting further investigations.
- C. “Previously disturbed” is defined as prior impacts to an area resulting in mixing or inversion of soil profiles. The location of an existing trench will be established by reviewing available historic documentation (including cultural resources reports), conducting a landowner interview, means of remote sensing or conducting field investigations of disturbance. The term “previously disturbed” does not refer to the entire width of the right-of-way, unless it has been documented that the entire right-of-way width has been severely disturbed.
 - 1. Determination of the extent of previous disturbance within the right-of-way shall be made by qualified personnel based on first-hand observations of field conditions. Documentation of the determination shall be kept on file and made available upon request.
 - 2. Personnel qualified to determine the extent of previous disturbance shall include archaeologists meeting the Secretary of the Interior’s Standards (48 FR 44716), or individuals with a specific background and experience in assessing soil conditions (such as a background in the biological, ecological, or geological sciences) and, for the location of previously excavated trenches, personnel trained in the use of equipment to locate buried pipe.
 - 3. In regards to pipeline right-of-way (ROW), this disturbance includes prior impacts within the width of the excavated trench and strip of removed topsoil together with other portions of the ROW which have been previously modified with the removal of topsoil and/or substantial recontouring of the surface displacing the topsoil.
 - 4. Regarding agricultural areas, the term “previously disturbed” only applies to impacts or mixing of soil within the plow zone.
- D. “Undertaking”, as defined in 36 CFR 800.3(a) and 36 CFR 800.16(y), encompasses

the area (Area of Potential Effects [36 CFR 800.16(d)]) and work necessary for the completion of the project. Specifically, it is not permitted to segment a project so that any or each of the smaller parts would be covered under this agreement if the undertaking is not covered.

II. ACTIVITIES COVERED UNDER THIS AGREEMENT

The following three activities are included under the terms of this categorical exclusion agreement and may be undertaken without prior review by the SHPO:

- A. Activities conducted above ground and/or require no ground disturbance within areas of TC Energy existing easements or at established facilities.
 - 1. Compressor Station: Modification or installation of equipment within existing buildings as well as fenced and maintained yards.
 - 2. Above-ground Facilities: Installation of equipment or appurtenances, including conversion or modification of existing valves, monitoring, measuring, communications, cleaning or regulatory devices.
 - 3. In-place Abandonments: Discontinuation of service and/or retirement of a pipeline segment or facility that will not require ground disturbing activities (i.e. pipe and/or appurtenances will be left in place.
 - 4. Changes in service points or storage capacity.
 - 5. Minor above-ground pipe replacement: Modifications within an existing Compressor Station or facility for valves, monitoring, cleaning, regulating or measurement.
- B. Activities requiring ground disturbance within TC Energy permanent ROW.
 - 1. Taps: Installation of pipe connections which are generally 1” to 6” in diameter and occasionally 8” to a maximum of 18” in diameter and are installed on an existing pipeline.
 - 2. Above-ground facilities: Installation of equipment or appurtenances, including conversion or modification of existing valves, monitoring, measuring, communications, cleaning or regulatory devices.
 - 3. Inspections: Regular and routine maintenance and investigation of the condition of TC Energy’s pipeline and subsurface appurtenances at specific locations requiring excavation to expose a short length of existing pipeline and assess the integrity of the pipeline.
 - 4. Pipe Replacements: Replacement of existing lengths of pipeline in sections less

than 1,500 feet in length, provided that the location of the existing pipeline is determined by an established means of remote sensing. Replacement is defined as one of the following: the removal of an existing pipeline and construction of a new pipeline within the same trench; or, abandoning the extant line and installing a replacement line at an off-set (adjacent to the abandoned line) within the permanent ROW. However, replacement does not include construction of parallel lines for system expansion or project areas (workspaces, equipment uses, etc.).

5. Pipe Rearrangements, Crossovers and Interconnects: Minor modifications of existing lengths of pipeline, provided that the location of the existing pipeline is determined by an established means of remote sensing. Excavation activities may require the removal of an existing pipeline and/or installation of new pipe.
 6. Abandonments: Discontinuation of service and/or retirement of a pipeline segment or facility that requires ground-disturbing activities to remove piping or modify appurtenances, provided that the location of the existing pipeline is determined by an established means of remote sensing.
 7. Pipe Casing Modifications: At locations where existing pipelines crossroads or highways, modification, addition to or replacement of an existing casing within the road. Pipelines may be contained within a sleeve, also called a casing, at road crossings.
 8. Pipeline Lowerings: Relocating an existing line to a lower depth to establish greater cover over the line while maintaining the same horizontal position of the line within the permanent ROW.
 9. Appurtenance Modifications: Regular service and maintenance within existing Compressor Stations and/or above-ground facilities provided that the new work does not extend deeper than the previously disturbed portion of the facility.
- C. Activities that involve ground disturbance in areas previously disturbed by other entities (i.e., modified by clearing or grading activities due to residential, industrial, pipeline construction or commercial development). These activities would allow TC Energy to use access roads, workspace, contractor/staging yards or construction corridors within areas adjacent to their permanent ROW. Commercial or industrial areas are areas of obvious development (i.e. concrete surfaces, graded and graveled surfaces) and/or areas with a documented history of previous commercial or industrial use(s). However, impacts in cultivated land would not be included in this category.
1. Taps: Installation of taps, which are generally 1” to 6” in diameter and occasionally 8” to a maximum of 18” in diameter and are installed on an existing pipeline.
 2. Above-ground Facilities: Installation of equipment or appurtenances, including conversion or modification of existing valves, monitoring, measuring,

communications, cleaning or regulatory devices.

3. Pipe Replacement: Replacement of existing lengths of pipeline in sections less than 1,500 feet in length, provided that the location of the existing pipeline is determined by an established means of remote sensing. Replacement is defined as the removal of an existing pipeline and construction of a new pipeline within the same trench; or abandoning the extant line and installing a replacement line at an off-set (adjacent to the abandoned line) within the permanent ROW. Replacement does not include construction of parallel lines for system expansion.
4. Pipe Rearrangements, Crossovers and Interconnects: minor modifications of existing lengths of pipeline, provided that the location of the existing pipeline is determined by an established means of remote sensing. Excavation activities may require the removal of an existing pipeline and/or installation of new pipe within the existing permanent ROW.
5. Extra workspaces and contractor yards: Areas used for staging construction activities, including parking and pipe and equipment storage, including use of areas subjected to similar past use as staging areas or storage yards.
6. Use of existing access roads and existing ROW as access to all installation, abandonment and/or operation and maintenance projects. Minor upgrades such as adding gravel, regarding the existing, previously disturbed area, and side trimming of tree branches would be included in this activity.

III. ACTIVITIES NOT COVERED UNDER THIS AGREEMENT

All other activities not exempted from SHPO review under this categorical exclusion agreement will be coordinated with SHPO in accordance with the Act.

IV. REVIEW QUALIFICATIONS

TC Energy will have a qualified professional who meets or exceeds the minimum professional qualifications in archeology, as defined in the Secretary of Interior's Standards and Guidelines, 36 CFR Part 61, review each undertaking pursuant to this agreement to ensure that the terms and conditions stated herein are met.

V. UNANTICIPATED DISCOVERIES

In the event of the discovery of a cultural resource finding during implementation of this Agreement (including any finding which may be a historic property), TC Energy shall report the finding to the SHPO and FERC, or other applicable lead federal agencies, as soon as feasible, and (under provisions at 36 CFR 800.13) agrees to treat the newly discovered finding as eligible for inclusion in the NRHP pending the outcome of the completion of Section 106 review with the SHPO. In most cases, construction in the area of the new or additional finding must cease until consultation with the SHPO has been

established.

VI. TERMINATION OF THIS AGREEMENT

This agreement shall be in effect beginning on the date of execution and ending on December 31, 2023. At the written request of either party, this agreement may be reviewed for possible modification at any time. This Agreement may be renewed at the end of the period if mutually agreed to in writing by the SHPO and TC Energy. Any signatory to this Agreement may propose to amend the Agreement. The SHPO and TC Energy shall consult to consider such an amendment.

VII. AGREEMENT EXECUTION

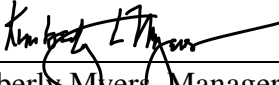
Execution of this agreement evidences that TC Energy agrees to follow the review procedure and that the SHPO finds the procedure complies with the Act.

[Signature Pages to follow]

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SIGNATORY

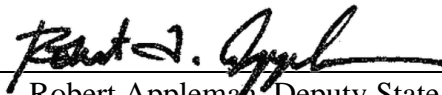
TC ENERGY CORPORATION (TC Energy)

By:  Date: 1/21/2021
Kimberly Myers, Manager
U.S. Environmental Permitting
TC Energy Corporation

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SIGNATORY

ILLINOIS DEPUTY STATE HISTORIC PRESERVATION OFFICER (SHPO)

By:  Date: December 31, 2020
Robert Appleman, Deputy State Historic Preservation Officer
Illinois Department of Natural Resources