

Comments on the Draft EIS and Responses

APPLICANT



NORTHWEST PIPELINE CORPORATION

Docket No. CP05-32-000,-001

**COMMENTS ON THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR THE
CAPACITY REPLACEMENT PROJECT**

April 2005

Applicant

1

6-389

**COMMENTS ON THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR THE
CAPACITY REPLACEMENT PROJECT**

Enclosed please find Northwest Pipeline Corporation's (Northwest) comments on the Draft Environmental Impact Statement (DEIS) issued March 2005. Northwest would like to congratulate FERC and its Cooperating Agencies on a comprehensive document that reflects the commitment Northwest and the agencies have made to address and resolve issues and scoping comments received during the course of the project. Northwest's comments were prepared under the direction of:

Mr. Timothy Powell
Northwest Pipeline Corporation
Senior Environmental Specialist
(713) 215-2719

Applicant

1

Page ES-6, Paragraph 5, Pre-existing Contamination:

A1-1 Northwest is in contact with the WDOE and is coordinating investigation of contaminants of concern and potential remedial actions necessary to address identified impacts (if any) through the WDOE Voluntary Cleanup Program (VCP). Northwest has enrolled its facilities into the VCP and those facilities are currently under the active review and oversight of senior WDOE staff at both the Northwest Regional Office (NWRO) and the Southwest Regional Office (SWRO).

In the event unanticipated pre-existing contamination is identified during construction activities, the mitigation measures identified in Section 4.8.5 for unanticipated hazardous wastes will be employed. The WDOE will be notified of any discoveries of this type and Northwest will undertake evaluations of the amount of contamination and its composition. Once the evaluations are completed, Northwest will coordinate with the WDOE to determine appropriate actions and disposition of affected materials.

Page ES-15, Paragraph 4, Northwest's Sampling Project:

A1-2 Based on recent discussions with WDOE personnel, Northwest recommends this paragraph be reworded. Underlined text represents proposed additions and strikethrough represents proposed deletions.

No National Priority List sites, state-listed hazardous waste sites, or landfills were identified within 0.25 mile of any of the proposed loops. However, the WDOE has expressed concern over possible contamination at existing aboveground facility sites. Northwest provided the WDOE with a list of 78 aboveground facility sites that are associated with the Capacity Replacement Project. Northwest reviewed its records for these 78 sites and determined that 28 of the sites are known or suspected to have used mercury. Ten of these 28 sites are included on the WDOE's Confirmed and Suspected Contaminated Sites List. In addition to mercury, the WDOE is concerned that there is a potential for PCBs and petroleum hydrocarbons contamination at some of the compressor stations as well as the potential for asbestos contamination at some meter stations that currently contain or historically contained sheds constructed of corrugated asbestos board. Northwest would conduct sampling at each of the 28 meter station sites to determine whether mercury, ~~PCBs, petroleum hydrocarbons~~, or asbestos contamination is present. Compressor station facilities will undergo evaluation of historical assessment and remedial activities to determine whether PCBs, petroleum hydrocarbons, mercury or asbestos are potentially present within the planned construction work areas where soils will be disturbed. If these contaminants are not present within these work areas, any additional assessment and potential remedial actions will be deferred to a later date. Northwest has committed to provide WDOE with a schedule for addressing such deferred issues by early 2006. In the event the work areas include areas of potential residual contaminants, Northwest will assess and, if necessary, remediate residual contaminants in advance of construction activities that would disturb these areas. Based on the sampling results, the need for further actions would be determined ~~by the WDOE's Toxics Cleanup Program through Northwest's active participation in the Voluntary Cleanup Program~~. All necessary remediation to attain Model Toxics Control Act cleanup levels would be completed before the commencement of ground-disturbing activities at these specific locations.

A1-1 Sections 4.2.3, 4.3.1.2, and 4.8.5 have been revised to include additional information on contamination.

A1-2 The Executive Summary and section 4.8.5 have been revised to include the additional information on potential contamination at some aboveground facility sites.

Applicant

1

6-392

Page ES-17, Paragraph 1, Status of Cultural Resource Surveys:

A1-3 The DEIS notes that the majority of the access roads and yards have been surveyed. Since the publication of the DEIS Northwest has completed surveys for all proposed yards and all but one of the unpaved (gravel or dirt) access roads in the FERC application (a landowner has denied permission to access one driveway). No new cultural resources were identified. The documentation of these surveys is in preparation and will be provided in a forthcoming addendum report scheduled to be filed by mid May 2005.

Page ES-17, Paragraph 1, Number of Identified Cultural Resources:

A1-4 The correct total number of identified resources should be 46, rather than 45 as indicated in the DEIS. Of the total of 46, 36 were recommended as not eligible for listing in the NRHP, additional work was recommended at 6 of the sites and 4 sites would be avoided. Northwest has completed the recommended additional work at all but one location, the Ferry Cemetery, which is pending landowner approval. Three of the sites where additional work has occurred are recommended as not eligible for listing in the NRHP and impacts to the other sites will be avoided. Northwest anticipates filing the additional reports by mid May 2005.

Page ES-17, Paragraph 4, Status of Cultural Surveys:

A1-5 This section can be updated by deleting reference to incomplete survey of access roads and inaccessible areas. That is, Northwest recommends deleting the last part of the first sentence: "... or field conditions prevented adequate survey, as well as nine access roads." The briar patches and swampy areas have now been surveyed along with the remaining access roads as identified in Addendum Three. Access roads on the military reservation have been surveyed and will be included in the report on the Fort Lewis military reservation work (filing anticipated in mid May 2005). The other incomplete items in this first sentence of the paragraph still hold true regarding any future project design changes and one landowner access denial.

Page 4-23, Table 4.2.2-1, Variance for Trench Only Topsoil Segregation:

A1-6 Northwest notes that adherence to the proposed construction methodology is critical to its ability to minimize project impacts. To maintain separation between the topsoil and subsoil layers, Northwest will mow the construction right-of-way before trenching, where necessary, and leave the cut vegetation in place. During soil replacement activities, this layer would serve as a visual barrier to differentiate the topsoil left in place from the excavated subsoil layer (trench spoil) spread over the existing pipelines as padding to protect the pipelines. Where topsoil segregation occurs in wetlands, if the EI determines that the mowed vegetation layer will not be an adequate barrier between the topsoil and the subsoil in wetlands, timber mats or other suitable barriers will be used for segregation. In wetlands, straw will not be considered a suitable barrier. Northwest will also provide a visible barrier in upland areas where the landowner objects to the requested variance.

A1-3 The Executive Summary has been updated with the current status of cultural resources surveys at the access roads and pipe storage and contractor yards.

A1-4 The Executive Summary has been updated with the correct number of cultural resources sites and the current status of site evaluations.

A1-5 The Executive Summary has been updated to reflect the remaining cultural resources surveys that need to be completed.

A1-6 Section 4.2.2 has been revised to indicate Northwest's acceptance of the conditions stipulated by the WDOE and the FERC staff's recommendation has been removed from sections 4.2.2 and 5.4. However, section 2.5 has been revised to include the FERC staff's recommendation that Northwest prepare a revised ECR Plan to address specific comments received on the draft EIS and to list all of the EI's responsibilities that are included in the list of EI's responsibilities in the EIS. In accordance with the FERC staff's recommendation, Northwest should file the revised ECR Plan with the Secretary for the review and written approval of the Director of OEP before construction (see also mitigation measure number 11 in section 5.4). See also the responses to comments SA1-46, SA1-106, and SA1-150.

Page 4-26, Paragraphs 2 and 3, Contamination On Right-of-Way:

A1-7 Northwest recommends this paragraph be reworded. Underlined text represents proposed additions and strikethrough represents proposed deletions.

In addition to contamination from spills or leaks associated with construction equipment, unknown and unsuspected preexisting soil contamination could be encountered during pipeline construction. The WDOE has indicated that Northwest would be required to contact the WDOE's Environmental Report Tracking System Coordinator if contaminated soil and/or groundwater are found during construction. The WDOE and Northwest are working together to address potential pre-existing soil contamination impacts through a Voluntary Cleanup Program Agreement. All suspected areas of soil impacts within the work areas to be disturbed will be assessed prior to construction activities. In addition, those areas with documented impacts, based upon the assessment activities, will be remediated prior to construction at these specific locations. Additional information on measures that would be taken in the event pre-existing contamination is found during construction is presented in section 4.3.1.2.

If it is necessary to remove contaminated soils from the right-of-way, either from an accidental spill of materials during construction or if unknown and previously unsuspected pre-existing contamination is encountered, Northwest would replace the contaminated material with clean, uncontaminated soil. Northwest would verify that the replacement soil is clean before its use by sampling the soil at its source. The soil would be sampled for total petroleum hydrocarbons gasoline range organics, total petroleum hydrocarbons diesel range organics, volatile organic compounds (VOC), semi-VOC, polychlorinated biphenyls (PCBs), and Resource Conservation Recovery Act metals in accordance with EPA testing methods. Soils would be considered clean if the concentrations of all analytes are below the Method A Soil Clean-up levels for unrestricted use listed in table 740-1 of the Washington Model Toxics Control Act Clean-up Regulations (WAC 173-340).

Page 4-27, Paragraph 2, Existing Contamination:

A1-8 Northwest recommends the word *some* be added in front of existing aboveground facility sites in the first sentence to more accurately reflect the sampling project.

Page 4-50, Table 4.3.2-6, Alternate Crossing Methods for Olson Lake and Evans Creek:

A1-9 The proposed push-pull at Olson Lake and Evans Creek responds directly to guidance set forth in Section VI.B.2 of the Commission's *Wetland and Waterbody Construction and Mitigation Procedures* in anticipation of flooded conditions. However, it has been observed that both Olson Lake and Evans Creek are relatively dry during summer months. In the event these crossings are too dry for a push-pull, Northwest would mat across the wetland and install the pipeline within a 75-foot-wide standard wetland right-of-way as soils would be stable enough to support a more narrow trench and easier to stack. This would eliminate the need for requested variances for a 95-foot-wide right-of-way at these crossings. Northwest would still install silt fence along the right-of-way to prevent off right-of-way sedimentation. Therefore, the table should note that the alternate crossing method is standard

Applicant

1

A1-7 Section 4.2.3 has been revised to include the additional information on potential pre-existing soil contamination.

A1-8 Section 4.2.3 has been revised to clarify that the WDOE expressed concern over possible contamination at some existing aboveground facility sites.

A1-9 The text in section 4.3.2.3 and table 4.3.2-6 has been revised to state that Northwest proposes to cross Olson Lake and Evans Creek using standard wetland construction techniques in accordance with the FERC staff's Procedures if they are too dry to cross using the push-pull method. This information has also been added to the Executive Summary, section 2.3.2, and section 4.4.3.

6-394

wetland installation in accordance with the Commission's *Wetland and Waterbody Construction and Mitigation Procedures*.

Page 4-50, Table 4.3.2-6, Pages 4-64 & 4-65, Table 4.3.2-8 and Page 4-66, Pages 4-69 & 4-70, Table 4.3.2-9 and Page 4-71, References to Crossing Methods for Pilchuck Creek and Nisqually River:

A1-10

As noted in the Waterbody Crossing Methodology Plan, Northwest evaluated available installation methods and determined that the only technically feasible method to install the pipe below ground at these crossings would be wet open cut. The only other technically feasible method to install these crossings was an aerial span. Therefore, Northwest presented the results of its assessment proposing open cut and identifying the aerial span as the only other technically feasible method. However, as described in Northwest's response to the January 10, 2005 data request, Northwest is not proposing an aerial span as an alternate installation method. After thorough consideration, Northwest engineers and construction personnel, along with its geotechnical contractor, determined this was the only other technically feasible method. However, Northwest does not propose aerial crossings unless there are no underground options due to decreased operational reliability resulting from exposure to outside forces, intentional and unintentional, increased maintenance costs, and increased visual impacts.

Page 4-52, Paragraph 5, Fort Lewis Review of the Muck and South Fork Muck Creek Crossings:

A1-11

Northwest notes that Fort Lewis has now reviewed the geotechnical report and concurs that both crossings can be installed using the flume method, if flowing. A copy of Fort Lewis' concurrence is provided in Attachment A. Northwest will follow Fort Lewis staff guidelines for the flume crossings which include:

- Placement of clay sealant not less than 24" deep (not counting the finish substrate that will overlay it) to maintain the creek's water quantity and quality to current or better levels. Minimum permeability standards for the clay are not to be lower than 1x10 to the -6. The recommended substrate overlaying the sealant includes a layer of filter fabric and spawning gravel to a depth of about 1.5 feet. The spawning gravel size and mixture appropriate for trout (0.25 to 0.5 inch gravel composing approximately 60% of the mix with the remaining 40% composed of gravel 1.5 to 2 inches in size). Resident cutthroat trout is known to exist in that section of the creek. The finished grade, including substrate, should match the existing streambed elevation.
- Flow data for both Muck and South Creeks be taken prior to implementation of the project to establish baseline flow data above and below the project site, and then collected for one year following the completion of the pipeline project. If the data collected shows a net loss of flow over the project site, then additional remedial actions will be taken as necessary to prevent continued loss of flow.

Page 4-166, Section 4.8.3.1, Paragraph 3 Following Bullets, Revegetation of Residential Properties:

A1-12

The DEIS states that Northwest would restore all lawn and landscaping immediately after backfilling the trench. As noted in the Commission's *Upland Erosion Control*,

A1-10

Tables 4.3.2-6, 4.3.2-8, and 4.3.2-9 and the text in sections 4.3.2.3 and 4.4.3 have been revised to state that Northwest believes the aerial span method is the only technically feasible alternative to cross Pilchuck Creek and the Nisqually River; however, Northwest does not propose to use this method unless there are no underground options. In addition, section 2.3.2 has been revised to state that Northwest believes the aerial span method is the only technically feasible method to cross Pilchuck Creek and the Nisqually River if the preferred crossing method (wet open cut) is not approved at those locations.

A1-11

Section 4.3.2.3 has been revised to state that Fort Lewis has reviewed the geotechnical report for Muck and South Fork Creeks and concurred that the flume method would be the appropriate crossing method for both creeks if Northwest follows the stipulations of Fort Lewis staff. Section 4.3.2.3 has been revised to list the stipulations and state that Northwest would adhere to them unless prohibited by other permits (e.g., the WDFW's Hydraulic Project Approval). The revised section 4.3.2.3 states that the WDFW commented that it would not allow Northwest to use a filter fabric streambed liner.

A1-12

Section 4.8.3.1 has been revised to clarify that Northwest would either restore lawn areas and landscaping within the construction work area or provide compensation to the landowner to conduct the restoration.

6-395

A1-12
(cont'd)

Revegetation and Maintenance Plan, Section V.D.1.a. and b. the project sponsor is responsible for ensuring successful revegetation unless the landowner has agreed to be compensated as an alternative to restoration of turf, ornamental shrubs and/or specialized landscaping. Northwest requests flexibility to either restore lawn areas and landscaping within the construction work area or allow the landowner to select compensation to conduct restoration without the aide of Northwest. In areas where the landowner has chosen Northwest to complete the restoration, Northwest would begin restoration within 14 days after the completion of the backfill of the trench.

Page 4-175, Section 4.8.5. Hazardous Waste Sites:

A1-13

Northwest notes that the sampling of existing sites is a separate project from the Capacity Replacement Project but is being conducted concurrently in order to address WDOE concerns. Northwest recently met with WDOE regarding the scope of the sampling project and recommends this section be reworded to more accurately reflect the scope of the sampling project. Underlined text represents proposed additions and strikethrough represents proposed deletions.

A search of federal and state databases was conducted for documentation of National Priority List (NPL) sites, state-listed hazardous waste sites, and landfills located within 0.25 mile of the proposed loops. No NPL sites, state-listed hazardous waste sites, or landfills were identified within 0.25 mile of any of the proposed loops. However, Northwest has developed the following mitigation measures that would be implemented if unanticipated hazardous materials/waste is encountered during construction:

- All construction work in the immediate vicinity of areas where hazardous or unknown wastes are encountered would be halted.
- All construction, oversight, and observing personnel would be evacuated to a road accessible, up-wind location until the types and levels of potential contamination can be verified.
- Northwest's Chief Inspector and Environmental Lead would be notified. Following consultation with on-site personnel, the Environmental Lead would be responsible for designating follow-up actions, including mobilizing emergency response personnel and coordinating with the EPA and state and local agencies.
- If an immediate or imminent threat to human health or the environment exists, one of Northwest's emergency response contractors identified in the SPCC Plan (see Appendix H) or the National Response Team would be notified and mobilized. If an immediate or imminent threat to human health or the environment does not exist, or has been abated, Northwest or qualified subcontractor personnel would collect representative samples of the waste and surrounding materials for laboratory analysis.
- The contaminated material would be removed and properly disposed, if feasible, in accordance with WAC 173-303. If the extent of contamination is too widespread for economical removal, or if disposal options are technically infeasible or cost-prohibitive, backfilling of that portion of the trench would be suspended until appropriate mitigation options are approved.

In addition, Northwest has developed an SPCC Plan to address spills or leaks of material during construction (see Appendix H). The SPCC Plan is discussed in section

A1-13

Section 4.8.5 has been revised to include the additional information on potential contamination at some aboveground facility sites.

6-396

A1-13
(cont'd)

4.3.1.2. Information on contaminated soils, groundwater, and sediments near the proposed facilities is provided in sections 4.2.3, 4.3.1.2, and 4.3.2.6, respectively.

The facilities associated with the Capacity Replacement Project do not involve the replacement, abandonment by removal, or abandonment in place of facilities determined to have exposure to PCB contamination in excess of 50 parts per million (ppm) in pipeline liquids.

As discussed in section 4.2.3, the WDOE has expressed concern over possible contamination at some existing aboveground facility sites. Northwest provided the WDOE with a list of 78 aboveground facility sites that are associated with the Capacity Replacement Project. Northwest reviewed its records for these 78 sites and determined that 28 of the sites are known or suspected to have used mercury (see table 4.8.5-1). Ten of these 28 sites are included on the WDOE's Confirmed and Suspected Contaminated Sites List (see table 4.8.5-2). In addition to mercury, the WDOE is concerned that there is a potential for PCBs and petroleum hydrocarbons contamination at some of the compressor stations as well as the potential for asbestos contamination at some meter stations that currently contain or historically contained sheds constructed of corrugated asbestos board.

Northwest would conduct sampling at each of the 28 meter station sites listed in table 4.8.5-1 to determine whether mercury, ~~PCB, petroleum hydrocarbons~~ or asbestos contamination is present. Compressor station facilities will undergo evaluation of historical assessment and remedial activities to determine whether PCBs, petroleum hydrocarbons, mercury or asbestos are potentially present within the planned construction work areas where soils will be disturbed. If these contaminants are not present within these work areas, any additional assessment and potential remedial actions will be deferred to a later date. Northwest has committed to provide WDOE with a schedule for addressing such deferred issues by early 2006. In the event the work areas include areas of potential residual contaminants, Northwest will assess and, if necessary, remediate residual contaminants in advance of construction activities that would disturb these areas. The sampling would be conducted based on site-specific sampling plans approved by the WDOE's Toxics Cleanup Program in the context of the program's Voluntary Cleanup Program. Based on the sampling results, the need for further actions would be determined by the WDOE's Toxics Cleanup Program. All necessary remediation to attain Model Toxics Control Act cleanup levels would be completed before the commencement of ground-disturbing activities at these specific locations. Once the sites associated with the Capacity Replacement Project are adequately remediated, Northwest would address the sites listed on the WDOE's Confirmed and Suspected Contaminated Sites List that are not associated with the Capacity Replacement Project (see table 4.8.5-2).

Page 4-204, Section 4.10.1, Paragraph 2, Status of SHPO Review of Addendum Reports 1, 2, and 3:

A1-14

Northwest did not receive any comments from reviewing parties but has received concurrence from the SHPO on all three Addendum Reports and, therefore, these reports are considered final as filed with the FERC, SHPO and other interested parties. A copy of the SHPO concurrence letters is provided in Attachment B.

Page 4-204, Section 4.10.1, Paragraph 3, Status of Cultural Resource Surveys:

A1-14

Section 4.10.1 has been updated with the status of the Washington State Historic Preservation Office's (SHPO) review of the draft addendum cultural resources survey reports.

- A1-15 | Please see response to Page ES-17, Paragraph 1.
Page 4-205, Section 4.10.1, Eligible Sites on the Mount Vernon Loop:
- A1-16 | Northwest has completed the additional evaluation at the prehistoric site and recommended the site is not eligible for listing in the NRHP. The NRHP-eligible building (stump house) is located outside the project's construction impact zone and will not be directly or indirectly affected by the project. Explanation of these recommendations is forthcoming in an evaluation report to be filed in mid May 2005. Northwest has not received landowner permission to define the limits of the Ferry Cemetery but will complete that work prior to construction and will avoid impacts to this site.
Page 4-205, Section 4.10.1, Paragraph 3, Cultural Resources on the Fort Lewis Loop:
- A1-17 | Site 45P1412 near the Nisqually River was identified during initial project surveys and recommended for further testing. This recommendation was not noted in the DEIS discussion. The additional recommended evaluations have been completed, including participation by the Nisqually Indian Tribe, and the site has been recommended to be not eligible for listing in the NRHP. The historic-period archaeological Henry Smith Homestead site, 45PI218H, has been evaluated and the portion of the site within the project's construction impact zone is recommended as not contributing to the site's significance. Construction is recommended with the installation of an exclusion fence to prevent inadvertent impacts to the adjacent significant site areas. Northwest expects to file reports to explain these recommendations in mid May 2005.
Page 4-205, Section 4.10.1, Paragraph 5, Status of SHPO Review:
- A1-18 | Please see response above regarding SHPO review of Addendum Reports 1, 2, and 3.
Page 4-206, Section 4.10.1, Paragraph 1, SHPO Review of Changes at Chehalis Compressor Station.
- A1-19 | Please see response above regarding status of SHPO review of Addendum Reports 1, 2, and 3.
Page 4-206, Section 4.10.1, Paragraph 2, Status of SHPO Review:
- A1-20 | Please see response above regarding status of SHPO review of Addendum Reports 1, 2, and 3.
Page 4-206, Section 4.10.1, Paragraph 2, Survey for 9 Access Road:
- A1-21 | Northwest has completed surveys for 8 of the 9 roads (landowner approval pending for one road).
Page 4-206, Section 4.10.1, Paragraph 3, Status of SHPO Review:
- A1-22 | Please see response above regarding status of SHPO review of Addendum Reports 1, 2, and 3.

Applicant

- A1-15 | Section 4.10.1 has been updated with the current status of cultural resources surveys at the access roads and pipe storage and contractor yards.
- A1-16 | Section 4.10.1 has been revised to reflect the results of Northwest's evaluation at the prehistoric cultural resources site and the current status of surveys required at the cemetery.
- A1-17 | Section 4.10.1 has been revised to include the results of these cultural resources evaluations.
- A1-18 | Section 4.10.1 has been updated with the status of SHPO comments on cultural resources surveys at the compressor stations.
- A1-19 | Section 4.10.1 has been updated with the status of SHPO comments on cultural resources surveys at the laydown area adjacent to the Chehalis Compressor Station.
- A1-20 | Section 4.10.1 has been updated with the current status of cultural resources surveys at access roads.
- A1-21 | See the response to comment A1-20.
- A1-22 | Section 4.10.1 has been updated with the status of SHPO comments on cultural resources surveys at the pipe storage and contractor yards.

Applicant

1

Page 4-206, Section 4.10.1, Paragraph 4, Status of SHPO Review:

A1-23 | Please see response above regarding status of SHPO review of Addendum Reports 1, 2, and 3.

Page 4-207, etc., Table 4.10.3-1 Native American Consultations:

A1-24 | Northwest notes a few additional contacts that could be included either in the table or in the following text discussion of tribal coordination. These contacts include: AINW's meeting with Muckleshoot archaeologist Laura Murphy at the tribal offices regarding proposed survey work for abandonment sites (September 16, 2004); AINW's coordination with Thor Hoyte of the Nisqually Tribe regarding hiring of tribal members for the archaeological work, and meetings and interviews with elders (December 1, 2004 to present); AINW's field meetings with Nooksack representatives at the locations of archaeological finds (April 22 and 28, 2004); and AINW's meetings and field trip with Stillaguamish tribal staff, members, and one elder (February 18, 2005).

Page 4-215, Section 4.10.3, Paragraph 5, Last Line:

A1-25 | Northwest proposes rewording the sentence to read "Northwest is continuing to consult with the Lummi Nation regarding a proposal the tribe is preparing to conduct a TCP study."

Page 4-216, Section 4.10.3, Paragraph 2 (at the end of the bulleted items), First Line:

A1-26 | Northwest recommends adding another statement as follows: "An oral history study involving interviews with Nisqually Elders is underway to identify past or present traditional activities in the project area. The results of this study will be presented in a forthcoming report." A draft of this report will be provided to the Nisqually Tribe for preliminary review in May and Northwest anticipates filing the report in June 2005.

Page 4-216, Section 4.10.3, Paragraph 6, Snoqualmie TCP Study:

A1-27 | The Snoqualmie TCP study recommended monitoring in certain areas, but these areas are outside of the project. To better reflect the study results Northwest proposes the following language: "The TCP study identified traditional use areas where important plant foods are present as well as a potential village location. None of these are within the proposed construction work areas, and they will not be affected by project construction or operation."

Page 4-217, Section 4.10.3, Sixth Line Down, Stillaguamish Tribe:

A1-28 | Northwest has conducted the proposed visit. This section could be updated to note the following: "Northwest representatives met with Stillaguamish Tribal staff, a Tribal Elder, and Tribal Anthropologist on February 18, 2005. The group discussed the project design and cultural resource information, and then conducted a field visit to the Pilchuck Creek and the North and South Stillaguamish River crossings. The proposed project design was acceptable to the Stillaguamish representatives; however, there was a concern over the fisheries impacts of the alternative open cut should the HDD fail at the Stillaguamish River crossings."

A1-23 | Section 4.10.1 has been updated with the status of SHPO comments on cultural resources surveys at the workspaces associated with the abandoned facilities.

A1-24 | Table 4.10.3-1 and section 4.10.3 have been updated with the current status of Northwest's Native American consultations.

A1-25 | Section 4.10.3 has been updated with the suggested text.

A1-26 | Section 4.10.3 has been updated with the suggested text.

A1-27 | Section 4.10.3 has been updated with the suggested text.

A1-28 | Section 4.10.3 has been updated with the suggested text.

- Page 5-7, Section 5.4, FERC Staff Recommended Mitigation Measure 8:
- A1-29 Northwest's recently certificated projects have been subjected to a bi-weekly reporting period rather than weekly as recommended in measure 8. Northwest requests this Measure be modified to allow bi-weekly reporting but otherwise Northwest would agree to address all the measures noted in a. through f.
- Page 5-7, Section 5.4, FERC Staff Recommended Mitigation Measure 11 (also Page 2-41):
- A1-30 Northwest has revised its Erosion Control and Revegetation Plan to include the specific tasks outlined in this measure. The revised Plan is provided in Attachment C without including the unchanged Appendices.
- Page 5-8, section 5.4, FERC Staff Recommended Mitigation Measure 12 (also Page 2-42):
- A1-31 Northwest's Landowner Complaint Resolution Procedure states that prior to construction affected landowners and others will receive contact information for the land office, construction office, and a project hotline in Salt Lake City. Northwest has agreed to staff local offices between 7:00 AM and 5:00 PM, or 5:30 PM in the case of the Project Land Office. In the case of the construction office, this is typically staffed any time construction activities are taking place. Northwest has also committed to return any calls within 24 to 48 hours. To address this measure, Northwest will forward after hours calls to a company representative so that calls can be received until 7:00 PM. Northwest believes this should meet the intent of this measure rather than requiring additional staffing levels at each office in the event someone should call. Northwest will submit the revised Landowner Complaint Resolution Procedure in its Implementation Plan.
- Page 5-8, Section 5.4, FERC Staff Recommended Mitigation Measure 13 (also Page 4-22):
- A1-32 Northwest has revised its Erosion Control and Revegetation Plan to incorporate the FERC staff's stipulations regarding the variances in Table 4.2.2-1 of the DEIS. The revised Plan is provided in Attachment C without including the unchanged Appendices.
- Page 5-8, Section 5.4, FERC Staff Recommended Mitigation Measure 16 (also Page 4-72):
- A1-33 As required, Northwest is continuing to consult with the applicable agencies to refine and complete the conceptual waterbody crossing mitigation plan for the project. A Mitigation Plan for Waterbody Crossings is provided in Attachment D. The plan is based on meetings and field visits with the U.S. Army Corps of Engineers, Washington Department of Ecology, Washington Department of Fish and Wildlife, and local jurisdictions. Mitigation for the waterbody crossings addresses impacts associated with riparian vegetation, in-stream habitat and turbidity.

Applicant

1

- A1-29 Section 2.5 has been revised to describe the third-party compliance monitoring program that would be implemented by the FERC during construction of the project. Under this program, full-time third-party compliance monitors would be present on the construction spreads to monitor and document compliance with project mitigation measures and requirements. Because the agencies would have access to the daily and weekly reports of the compliance monitors, the FERC staff's recommended mitigation measure number 7 has been revised to require Northwest to submit biweekly status reports.
- A1-30 Northwest's updated ECR Plan has been included as Appendix G.
- Section 2.5 has been revised to include the FERC staff's recommendation that Northwest prepare a revised ECR Plan to address specific comments received on the draft EIS and to list all of the EI's responsibilities that are included in the list of EI's responsibilities in the EIS. In accordance with the FERC staff's recommendation, Northwest should file the revised ECR Plan with the Secretary for the review and written approval of the Director of OEP before construction (see also mitigation measure number 11 in section 5.4). See also the responses to comments SA1-46, SA1-106, and SA1-150.
- A1-31 Section 2.5 has been revised to state that the Project Land Office would be staffed from 7:00 AM to 5:30 PM and calls after hours would be forwarded to a company representative until 7:00 PM. The FERC staff agrees that forwarding calls to a company representative until 7:00 PM would address the intent of this measure. The FERC staff's recommendation has been removed from sections 2.5 and 5.4.
- A1-32 Section 4.2.2 has been revised to indicate Northwest's acceptance of the FERC staff's stipulations regarding the variances in table 4.2.2-1 of the draft EIS and the recommendation has been removed from sections 4.2.2 and 5.4. However, section 2.5 has been revised to include the FERC staff's recommendation that Northwest prepare a revised ECR Plan to address specific comments received on the draft EIS and to list all of the EI's responsibilities that are included in the list of EI's responsibilities in the EIS. In accordance with the FERC staff's recommendation, Northwest should file the revised ECR Plan with the Secretary for the review and written approval of the Director of OEP before construction (see also mitigation measure number 11 in section 5.4). See also the responses to comments SA1-46, SA1-106, and SA1-150.
- A1-33 Section 4.3.2.3 has been revised to provide the most current information regarding Northwest's proposed Mitigation Plan for Waterbody Crossings. Appendix S contains the April 2005 draft of this plan. Sections 4.3.2.3 and 5.4 have been revised to include the FERC staff's recommendation that Northwest continue consultations with the applicable agencies and Native American tribes and file the final site-specific waterbody crossing plans and final Mitigation Plan for Waterbody Crossings with the Secretary for the review and written approval of the Director of OEP before construction at each applicable waterbody (see mitigation measure number 17 in section 5.4).

Page 5-8, Section 5.4, FERC Staff Recommended Mitigation Measure 17 (also Page 4-90):

A1-34

On November 5, 2004, Northwest sent its Joint Aquatic Resources Protection Application (JARPA) to applicable regulatory agencies including the U.S. Army Corps of Engineers, the Washington Department of Ecology, and the Washington Department of Fish and Wildlife. A Mitigation Plan for Wetlands and Waterbodies was provided as Appendix M in the JARPA. Subsequently, as agreed in the November 29, 2004 meeting in Olympia with the COE, EPA, WDOE and WDFW, Northwest provided a Conceptual Compensatory Wetland Mitigation Plan (Supplement to JARPA/Appendix M) to the agencies on February 1, 2005, which included specific potential compensatory mitigation sites. Based on the agencies' comments and additional evaluation, Northwest further narrowed the selection of potential compensatory mitigation sites and scheduled site visits to those areas.

Field visits to potential compensatory wetland mitigation sites with the COE, the WDOE, the WDFW and the local jurisdictions were completed the first two weeks of April 2005. On April 7th, Olivia Romano/COE, Susan Meyer/WDOE, Kurt Buchanan/WDFW, Petur Sim/Whatcom County, and Dan Cox/Skagit County visited potential mitigation sites for the Sumas Loop and the 30-inch valve at the Mt. Vernon Compressor Station. On April 8th, Olivia Romano/COE, Gretchen Lux/WDOE, and Kurt Buchanan/WDFW visited potential mitigation sites for the Ft. Lewis Loop and the Chehalis Compressor Station. On April 13th, Olivia Romano/COE, Laura Casey/WDOE, Kurt Buchanan/WDFW, Ron Ainslie/King County, Nick Gillen/King County, and Frank Scherf/Snohomish County visited potential mitigation sites for the Mt. Vernon and Snohomish loops. Additionally, Northwest attended a meeting with the Nisqually Tribe, the COE and the WDOE on April 12th to discuss alternative mitigation mechanisms the Nisqually Tribe has proposed for the Ft. Lewis Loop which crosses both Pierce and Thurston counties.

The proposed compensatory mitigation for the project is provided in Attachment E. Northwest has proposed a combination of preservation and enhancement acreage to mitigate for each loop's impacts. Where possible, Northwest has attempted to find mitigation projects proposed or already in progress in the applicable WRAs where Northwest could participate in or assist efforts supported by a consortium of agencies, Tribes and conservation organizations. While the Nisqually Tribe's proposal is under discussion, Northwest has identified alternative potential mitigation sites in both Pierce and Thurston counties, which have been included in the attachment. Because Northwest has not yet entered into negotiations with the owners of the proposed mitigation parcels, the specific parcel information has been listed as "Confidential" in the table.

Page 5-8, Section 5.4, FERC Staff Recommended Mitigation Measure 18 (also Page 4-106):

A1-35

Section 7.14 of the Erosion Control and Revegetation Plan comprises Northwest's Noxious Weed Control Plan for the Capacity Replacement Project. Northwest has provided the plan to and consulted with the noxious weed control boards in Whatcom, Snohomish, King, Pierce and Thurston counties (see Attachment C for records of conversation and copies of correspondence). Whatcom, Snohomish, Pierce and Thurston counties approved the plan without revisions, and King County's requests

A1-34

Section 4.4.4 has been revised to provide the most current information regarding Northwest's compensatory wetland mitigation plan. The revised section 4.4.4 includes the FERC staff's recommendation that Northwest continue consultations with the applicable agencies and Native American tribes and file the final compensatory wetland mitigation plan with the Secretary before construction (see also mitigation measure number 18 in section 5.4).

A1-35

Section 4.5.4 has been revised to incorporate the new information Northwest provided regarding its proposed noxious weed control measures and revised ECR Plan. The FERC staff's recommendation in sections 4.5.4 and 5.4 regarding noxious weeds has been deleted. See also Northwest's revised ECR Plan in Appendix G.

6-401

A1-35 (cont'd) | were incorporated into the appropriate portions of Section 7.14. The revised Erosion Control and Revegetation Plan is been provided in Attachment C.

Page 5-9, Section 5.4, FERC Staff Recommended Mitigation Measure 20 (also Page 4-145);

A1-36 | Northwest has evaluated the potential for streaked horn lark to occur in the project area and provided the information in Attachment F to the U.S. Fish and Wildlife Service for comment. To date, Northwest has not received any comments from the Service. Based on the information obtained, streaked horned larks were found nesting on the Thirteenth Division Prairie in Fort Lewis during 2002. Northwest proposes to conduct surveys for streaked horn larks prior to construction. If nests are located within the construction right-of-way, Northwest first approach would be to avoid the nest and implement other appropriate measures resulting from discussions with the U.S. Fish and Wildlife Service. However, Northwest may seek relief from avoidance if necessary to implement the crossing of Muck and South Muck Creeks within the required fish windows. Northwest will submit copies to the Commission of any correspondence upon receipt.

Page 5-9, Section 5.4, FERC Staff Recommended Mitigation Measure 22 (also Page 4-164);

A1-37 | Northwest does not currently plan on purchasing additional operational right-of-way in heavily residential areas where the current easements are less than 75 feet. However, in limited circumstances Northwest may require additional permanent right-of-way to accommodate pullouts or line crossovers of the new 36-inch pipeline to avoid terrain features or structures on or near the existing permanent right-of-way. In general if the new 36-inch pipeline is closer than 10 feet to the edge of the current operational right-of-way, Northwest may need to acquire additional right-of-way for operations. Northwest will make every effort to negotiate in good faith with affected landowners but may require the use of eminent domain in these limited circumstances. Prior to construction, Northwest will provide a list of any condemnation tracts where additional operational right-of-way is requested. Therefore, Northwest proposes that this measure be revised to require Northwest to provide a list of condemnation tracts and eliminate the requirement to provide proof of landowner approval.

Page 5-9, Section 5.4, FERC Staff recommended Mitigation Measure 23 (also Page 4-169);

A1-38 | Northwest has retained an arborist to survey the right-of-way and provide a report of trees that would be removed by construction. This report contains the quantity, type, and size of trees that will be removed during construction. Landscaping specialists also have been consulted to review properties and provide estimates to replace landscaping features that will be affected during construction. In addition, Northwest meets with each landowner to discuss any special features of their property, such as septic systems, wells, and landscaping. These features and how they will be handled are documented in the landowner stipulations included in the easement agreements. Wells will also be denoted in response to FERC Staff Recommended Mitigation Measure 15. Northwest proposes to provide the arborist report and landowner stipulations before construction rather than recreate drawings for every residence within 50 feet. Should the drawings become a condition of the Certificate of Public Convenience and

A1-36 | Section 4.7.2 has been revised to incorporate Northwest's proposed survey plans and mitigation measures for the streaked horned lark. The FERC staff's recommendation in sections 4.7.2 and 5.4 has been removed.

A1-37 | Section 4.8.2 has been revised to indicate that Northwest does not currently plan on purchasing additional permanent right-of-way in residential areas where the current easements are less than 75 feet wide but may require additional permanent right-of-way to accommodate non-standard parallel offsets or crossovers of the existing pipelines. Because the locations where Northwest is proposing to obtain additional permanent right-of-way under these circumstances are shown on Northwest's Environmental Construction Alignment Sheets, the FERC staff's recommendation has been removed from sections 4.8.2 and 5.4.

A1-38 | Section 4.8.3.1 has been revised to include Northwest's commitment to provide the arborist report and landowner stipulations regarding tree removal and landscaping to the FERC staff before construction. As a result, the FERC staff's recommendation has been removed from sections 4.8.3.1 and 5.4.

Applicant

1

A1-38 | Necessity. Northwest request clarification regarding "large specimen trees and other
(cont'd) | landscaping" so that the proper information is depicted on the drawings.

6-402

Applicant

1

Attachment A
Ft. Lewis Concurrence for Muck and South Fork Muck Creek

This attachment is available for viewing on the FERC Internet website (www.ferc.gov). Using the "eLibrary" link, select "General Search" from the eLibrary menu and enter the docket number excluding the last three digits in the "Docket Number" field (i.e., CP05-32). Northwest filed this information on April 25, 2005. Be sure to select an appropriate date range.

6-403

Applicant

1

Attachment B
Copies of SHPO Concurrence with Addendum Reports 1, 2, and 3

This attachment is available for viewing on the FERC Internet website (www.ferc.gov). Using the "eLibrary" link, select "General Search" from the eLibrary menu and enter the docket number excluding the last three digits in the "Docket Number" field (i.e., CP05-32). Northwest filed this information on April 25, 2005. Be sure to select an appropriate date range.

6-404

Applicant

1

**Attachment C
Mitigation Measures 11, 13, and 18
Revised Erosion Control and Revegetation Plan**

This attachment is available for viewing on the FERC Internet website (www.ferc.gov). Using the "eLibrary" link, select "General Search" from the eLibrary menu and enter the docket number excluding the last three digits in the "Docket Number" field (i.e., CP05-32). Northwest filed this information on April 25, 2005. Be sure to select an appropriate date range.

6-405

Applicant

1

**Attachment D
Mitigation Measure 16
Waterbody Mitigation Plan**

This attachment is available for viewing on the FERC Internet website (www.ferc.gov). Using the "eLibrary" link, select "General Search" from the eLibrary menu and enter the docket number excluding the last three digits in the "Docket Number" field (i.e., CP05-32). Northwest filed this information on April 25, 2005. Be sure to select an appropriate date range.

6-406

Applicant

1

Attachment E
Mitigation Measure 17
Revised Wetland Mitigation Plan

This attachment is available for viewing on the FERC Internet website (www.ferc.gov). Using the "eLibrary" link, select "General Search" from the eLibrary menu and enter the docket number excluding the last three digits in the "Docket Number" field (i.e., CP05-32). Northwest filed this information on April 25, 2005. Be sure to select an appropriate date range.

6-407

Applicant

Attachment F
Mitigation Measure 20
Data Regarding Streaked Horn Lark

This attachment is available for viewing on the FERC Internet website (www.ferc.gov). Using the "eLibrary" link, select "General Search" from the eLibrary menu and enter the docket number excluding the last three digits in the "Docket Number" field (i.e., CP05-32). Northwest filed this information on April 25, 2005. Be sure to select an appropriate date range.

6-408