

1.0 INTRODUCTION

The staff of the Federal Energy Regulatory Commission (FERC or Commission) prepared this final Environmental Impact Statement (EIS) to assess the potential environmental effects¹ that may occur as a result of the proposed expansion of an existing liquefied natural gas (LNG) import terminal and associated natural gas pipelines proposed by Dominion Cove Point LNG, L.P. (Dominion Cove Point) and Dominion Transmission, Inc. (Dominion Transmission), collectively referred to in this EIS as Dominion. These facilities, collectively referred to in this EIS as the Cove Point Expansion Project, or Project, consist of two new LNG storage tanks and associated facilities at the existing LNG import terminal and 161 miles of natural gas pipeline and associated facilities in Maryland, Pennsylvania, Virginia, West Virginia, and New York. This document is a final EIS prepared to respond to the comments received on the draft EIS issued by FERC on October 28, 2005. The FERC will use the EIS in its decision-making process to decide whether or not to authorize the Project.

On April 15, 2005, Dominion Cove Point filed an application in Docket No. CP05-130-000 under Section 3(a) of the Natural Gas Act (NGA) and Part 153 of the Commission's regulations for authorization to construct two new LNG storage tanks, additional vaporization capacity, and associated facilities at its existing Cove Point LNG import terminal in Calvert County, Maryland, and to increase LNG traffic to the facility. These facilities would increase the sendout capacity of the terminal by 800 million standard cubic feet per day (MMScfd) and increase storage capacity by approximately 6.8 billion cubic feet (bcf). On April 14, 2005, Dominion Cove Point submitted a Letter of Intent (LOI) to the U.S. Department of Homeland Security, U.S. Coast Guard (Coast Guard), in accordance with 33 CFR 127.007, conveying its intention to initiate new construction at the Cove Point Terminal and requesting that the Coast Guard approve the suitability of the planned Cove Point expansion to be placed in service on or about August 2008.

On April 15, 2005, Dominion Cove Point filed an application in Docket No. CP05-132-000 under Section 7(c) of the NGA and Parts 157 and 284 of the Commission's regulations for authorization to construct and operate its TL-532 Pipeline consisting of 47.8 miles of 36-inch-diameter natural gas pipeline in Calvert, Charles, and Prince George's Counties, Maryland. The pipeline would extend from the Cove Point LNG terminal to Dominion's Marshall Hall Gate near Marshall Hall, Maryland. Dominion Cove Point also proposes to upgrade its existing Loudoun Measuring and Regulating (M&R) Station in Loudoun County, Virginia.

On April 15, 2005, Dominion Transmission filed an application in Docket No. CP05-131-000 under Section 7(c) of the NGA and Parts 157 and 284 of the Commission's regulations for a Certificate to construct and operate the PL-1 EXT2 Pipeline consisting of 81 miles of 24-inch-diameter natural gas pipeline in Juniata, Mifflin, Huntingdon, Centre, and Clinton Counties, Pennsylvania. Dominion would also construct 17,235 horsepower (hp) of compression at two new compressor stations in Juniata and Centre Counties, Pennsylvania. These facilities would move natural gas from the proposed new Perulack Compressor Station in Juniata County to Dominion's South Point Market Center, other interstate pipelines, Dominion's existing pipeline system, and the Leidy Hub in Clinton County, Pennsylvania. Dominion Transmission also proposes new and modified facilities to reinforce its existing natural gas transmission and storage

¹ The vertical line in the margin identifies text that has been modified in this final EIS and differs substantially from the corresponding text in the draft EIS.

system to support high demand periods. Dominion Transmission proposes to construct and operate 33 miles of 20- and 24-inch-diameter pipeline in three segments in Potter and Green Counties Pennsylvania and Wetzel County, West Virginia; make piping changes and other minor facility modifications at existing compressor and M&R stations in Virginia, West Virginia, Pennsylvania, and New York; and increase the maximum allowable operating pressure (MAOP) of existing facilities in Pennsylvania and Virginia.

1.1 PROJECT PURPOSE AND NEED

Dominion states that the expansion at the terminal and the additional pipeline projects are key to delivering new gas supplies to where they are needed in the Mid-Atlantic and Northeast; and that the project facilities in Maryland would bring more winter supplies to the Mid-Atlantic region and the project facilities in Pennsylvania, Virginia, West Virginia, and New York would allow supplies to be stored in the summer and moved to the Northeast for use during periods of peak need in the winter. The project would not expand delivery of natural gas service to areas that currently do not have this service.

Each of the services proposed by Dominion has been fully subscribed by Statoil Natural Gas, LLC, for terms of 20 years. Table 1.1-1 lists the services and quantities that Dominion would provide as a result of the proposed Project.

Service Type	Service Quantity	Receipt Point	Delivery Point
Cove Point LNG Firm LNG Terminalling Service	6.8 MMDth of LNG Storage, 800 MDth per Day Sendout	Cove Point LNG Terminal	Cove Point Terminal Outlet
Cove Point LNG Rate Schedule Firm Transportation Service	800,000 Dth per Day	Cove Point LNG Terminal Outlet	100 MDth per Day - Pleasant Valley, VA 700 MDth per Day - Loudoun, VA
Dominion Transmission Firm Transportation Service	700,000 Dth per Day	Loudoun County, VA	200 MDth per Day - Chambersburg, PA 400 MDth per Day - Leidy, PA 100 MDth per Day - Dominion South Point
Dominion Transmission Storage Service	6 MMDth Capacity, 100 MDth Demand	Dominion Transmission "ST Point"	Dominion Transmission "ST Point"

^{a/} All services have been fully subscribed by Statoil Natural Gas, LLC.
Dth = dekatherms MDth = one thousand dekatherms MMDth = one million dekatherms

1.1.1 Projected Domestic Supplies and Demand for Natural Gas

Speaking at a conference in April 2004, U.S. Federal Reserve Board Chairman Alan Greenspan pointed out that use of natural gas has increased over time while its availability has recently stagnated. Domestic natural gas prices are on the rise because of supply and demand issues. Chairman Greenspan stated that the U.S. needs to import more natural gas, including the expansion of LNG import terminals (Schneider, 2004).

The Energy Information Administration of the U.S. Department of Energy (EIA) predicted that U.S. natural gas supplies would rise from about 19 trillion cubic feet (tcf) produced in 2002 to almost 24 tcf by 2025. However, during that same timeframe, domestic consumption of natural gas is projected to increase from a total of about 22 tcf in 2002 to about 31 tcf in 2025. To make

up the difference between future domestic supplies and demand, the U.S. would have to increase imports of natural gas. The EIA indicated that in 2002, the U.S. imported about 3.5 tcf of natural gas, combining imports from Canada, Mexico, and LNG. In 2025, imports are predicted to increase to about 7 tcf, with LNG's portion growing from almost 0.2 tcf in 2002 to about 4.8 tcf in 2025 (EIA, 2004).

1.1.2 Potential of LNG Imports

LNG is natural gas that has been cooled to about minus 260 degrees Fahrenheit (°F) for shipment and storage as a liquid. LNG is more compact than the gaseous equivalent, with a volumetric difference of approximately 610 to 1. LNG can be transported long distances across oceans using specially designed ships. There are currently four existing marine LNG import terminals in the U.S. (at Everett, Massachusetts; Cove Point, Maryland; Elba Island, Georgia; and Lake Charles, Louisiana), built between 1971 and 1982. In 2001, LNG imports into the U.S. totaled about 238 bcf. A number of factors are contributing to interest in increasing the level of U.S. imports of LNG, including higher domestic natural gas costs; the leveling-off of domestic gas supplies; and technological advances in liquefying, shipping, storing, and regasification, which have reduced the cost of transporting and importing LNG (Gaul and Young, 2003).

There are currently 12 LNG exporting countries, which combined represent 28 percent of the world's natural gas reserves. The EIA estimated there is up to 3,350 tcf of stranded natural gas worldwide that is seeking markets. The existing LNG import terminals in the U.S. have a combined peak capacity of about 1.2 tcf. To address projected future domestic natural gas demands, up to 40 new LNG import facilities in North America are in the planning stages (Dismukes *et al.*, 2004). (Some of these proposed facilities are discussed in the Alternatives section of this EIS.) The EIA predicts that at least four new LNG import terminals would be built on the Atlantic and Gulf Coasts between 2007 and 2010 to meet the 58 percent projected increase in LNG imports over that timeframe. By 2010, those new terminals may be importing up to 812 bcf of LNG annually. By that date, LNG could account for about 39 percent of all natural gas imported into the U.S. (EIA, 2003a).

1.2 PURPOSE AND SCOPE OF THE EIS

The FERC is the federal agency responsible for authorizing onshore LNG import facilities. As such, the FERC is the lead federal agency for the preparation of this EIS in compliance with the requirements of the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality (CEQ) regulations for implementing the NEPA (40 CFR 1500-1508), and the FERC's regulations for implementing NEPA (18 CFR 380). The FERC will use the EIS as a tool to assist in its review of Dominion's applications to determine whether to authorize the Project. The Commission will consider the environmental issues, including our recommended mitigation measures, as well as non-environmental issues. Final authorization will be granted only if the Commission finds that the proposed Project is in the public interest. The environmental impact assessment and mitigation discussed in this EIS are important factors in this final determination.

The U.S. Army Corps of Engineers (Corps) and Coast Guard are cooperating agencies for the development of this EIS. A cooperating federal agency has jurisdiction by law or special expertise with respect to environmental impacts involved with the proposal and is involved in the NEPA analysis. The Coast Guard is also the federal agency responsible for determining whether

the waterway is suitable for the increased LNG marine traffic through its issuance of a LOR and establishing safety and security measures for LNG vessels and facility waterside safety and security zones.

Our² principal purposes in preparing this EIS are to:

- identify and assess potential impacts on the human environment that would result from the implementation of the proposed action;
- identify and assess reasonable alternatives to the proposed action that would avoid or minimize adverse effects on the human environment;
- identify and recommend specific mitigation measures to minimize environmental impacts; and
- facilitate public involvement in identifying significant environmental impacts on specific resources.

Our analysis in this EIS focuses on facilities that are under the FERC’s jurisdiction (*i.e.*, the proposed LNG terminal expansion, natural gas pipelines, compressor stations, and associated facilities). Some of the proposed facilities included in the Project would involve only minor modifications to existing facilities with little or no environmental impact, and we have limited our analysis of these facilities in this EIS (see section 2.1.3).

The EIS describes the affected environment as it currently exists, discusses the environmental consequences of the proposed Project, and compares the Project’s potential impacts to the potential impacts of other alternatives. The topics addressed in this EIS include alternatives; geology; soils; water resources; wetlands; vegetation; fish and wildlife; threatened, endangered, and other special status species; land use, recreation, and visual resources; socioeconomics; cultural resources; air quality and noise; reliability and safety; and cumulative impacts. This EIS also presents our conclusions and recommended mitigation measures.

1.3 PERMITS, APPROVALS, AND REGULATORY REQUIREMENTS

As the lead federal agency for the Cove Point Expansion Project, the FERC is required to comply with various federal environmental laws and regulations, including, but not limited to, the Endangered Species Act (ESA) of 1973, the Magnuson-Stevens Fishery Conservation and Management Act (MSA) of 1976, the National Historic Preservation Act (NHPA) of 1966, and the Coastal Zone Management Act (CZMA) of 1972. Each of these statutes has been taken into account in the preparation of this document.

The Coast Guard exercises regulatory authority over LNG facilities that affect the safety and security of port areas and navigable waterways under Executive Order 10173; the Magnuson Act (50 United States Code (USC) section 191; the Ports and Waterways Safety Act of 1972, as amended (33 USC section 1221 et seq); and the Maritime Transportation Security Act of 2002 (46 USC section 701). The Coast Guard is responsible for matters related to navigation safety, vessel engineering and safety standards, and all matters pertaining to the safety of the facilities or equipment located in or adjacent to navigable waters up to the last valve immediately before the receiving tanks. The Coast Guard also has authority for LNG facility security plan review,

² “We,” “us,” and “our” refer to the environmental staff of the FERC’s Office of Energy Projects (OEP).

approval, and compliance verification as provided in Title 33 CFR Part 105, and siting as it pertains to the management of vessel traffic in and around the LNG facility.

As required by its regulations, the Coast Guard is responsible for issuing a Letter of Recommendation (LOR) as to the suitability of the waterway for LNG marine traffic. The LOR would be based on the following items:

- density and character of marine traffic;
- locks, bridges, other manmade obstruction in the waterway; and
- the following factors adjacent to the facility:
 - a. depth of water;
 - b. tidal range;
 - c. protection from high seas;
 - d. natural hazards, including reefs, rocks, and sandbars;
 - e. underwater pipes and cables; and
 - f. distance of berthed vessels from the channel and the width of the channel.

In accordance with Title 33 CFR Part 127.007, each applicant must submit a Letter of Intent (LOI) to the local Captain of the Port to begin the LOR process. On June 14, 2005, the Coast Guard issued a *Navigation and Vessel Inspection Circular – Guidance on Assessing the Suitability of a Waterway for Liquefied Natural Gas (LNG) Marine Traffic* (NVIC). The purpose of this NVIC is to provide the Coast Guard Captains of the Port/Federal Maritime Security Coordinators, members of the LNG industry, and port stakeholders with guidance on assessing the suitability of a waterway for LNG marine traffic that takes into account conventional navigation safety/waterway management issues contemplated by the existing LOI/LOR process, but in addition, will also take completely into account maritime security implications. In accordance with this guidance, each LNG project applicant is to submit a Waterway Suitability Assessment (WSA) to the cognizant Captain of the Port. The WSA is to address the transportation of LNG from the LNG tanker’s entrance into U.S. territorial waters, through its transit to and from the LNG receiving facility, including operations at the vessel/facility interface. In addition, the WSA should address the navigational safety issues and port security issues introduced by the proposed LNG operations. The NVIC 05-05 also provides specific guidance on the timing and scope of the WSA.

Section 7 of the ESA, as amended, states that any project authorized, funded, or conducted by any federal agency (*e.g.*, FERC) should not “...jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which is determined...to be critical...” (16 United States Code (USC) Section 1536(a)(2)(1988)). The FERC, or Dominion as a non-federal party, is required to consult with the U.S. Fish and Wildlife Services (FWS) and the National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA Fisheries) to determine whether any federally listed or proposed endangered or threatened species or their designated critical habitat occur in the vicinity of the proposed Project. If the FERC determines that these species or habitats may be affected by the proposed Project, the FERC is required to prepare a biological assessment (BA) to identify the nature and extent of adverse impacts, and to

recommend measures to avoid or reduce potential impacts on habitat and/or species. See section 4.7 of this EIS for the status of our compliance with Section 7 of the ESA.

The MSA, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), established procedures designed to identify, conserve, and enhance essential fish habitat (EFH) for those species regulated under a federal fisheries management plan. The MSA requires federal agencies to consult with NOAA Fisheries on all actions or proposed actions authorized, funded, or undertaken by the agency that may adversely affect EFH (MSA Section 305(b)(2)). Although absolute criteria have not been established for conducting EFH consultations, NOAA Fisheries recommends consolidating EFH consultations with interagency coordination procedures required by other statutes such as NEPA, the Fish and Wildlife Coordination Act, or the ESA (50 CFR 600.920(e)) in order to reduce duplication and improve efficiency. The proposed Project would include an increase in LNG ship traffic in Chesapeake Bay, but no construction or dredging that would directly affect marine resources. See section 4.6.1 of this EIS for a discussion of the status of our consultations with NOAA Fisheries regarding EFH.

Section 106 of the NHPA, as amended in 1992, requires the FERC to take into account the effects of its undertakings on properties listed in or eligible for listing in the National Register of Historic Places (NRHP), including prehistoric or historic sites, and districts, buildings, structures, objects, or properties of traditional religious or cultural importance. The NHPA also requires the FERC to afford the Advisory Council on Historic Preservation (ACHP) an opportunity to comment. In accordance with the ACHP's regulations for implementing Section 106, found at 36 CFR 800, we are using the services of the applicant, Dominion, and its consultants to prepare information, analyses, and recommendations to assist in meeting our obligations to comply with the NHPA. Section 4.10 of this EIS summarizes the status of our compliance with Section 106 of the NHPA.

The CZMA calls for the “effective management, beneficial use, protection, and development” of the nation’s coastal zone and promotes active state involvement in achieving those goals. As a means to reach those goals, the CZMA requires participating states to develop management programs that demonstrate how these states will meet their obligations and responsibilities in managing their coastal areas. In the state of Maryland, the Department of Natural Resources is the lead agency for administering the State’s Coastal Zone Management Program. However, the Maryland Department of the Environment (MDE) is the agency responsible for implementing the Federal Consistency requirements of Section 307 of the CZMA. Because Section 307 of the CZMA requires federal agency activities to be consistent to the maximum extent practicable with the enforceable policies of a state management program, Dominion will be required to receive a determination of consistency with Maryland’s Coastal Program. Section 4.8.1.2 of this EIS summarizes actions taken to comply with the CZMA. Future actions of the Coast Guard may require additional CZMA authorization approvals.

At the federal level, required permits and approval authority outside of the FERC's jurisdiction include compliance with the Clean Water Act (CWA) of 1972, the Rivers and Harbors Act of 1899, the Clean Air Act (CAA), and the Coast Guard regulations relating to LNG waterfront facilities under 33 CFR 127 and 66. The Corps and Coast Guard are cooperating federal agencies assisting in the preparation of this EIS.

The Corps has the authority to issue permits for work or structures in navigable waters under section 10 of the Rivers and Harbors Act and the discharge of dredged or fill material into waters of the United States under section 404 of the CWA. The Corps would regulate activities that would temporarily or permanently affect wetlands and waterbodies crossed or affected by the Project. The EPA has the authority to review and veto Corps decisions on section 404 permits.

We have consulted with the U.S. Department of Defense (DOD) as required by the Energy Policy Act of 2005 and Section 3 of the Natural Gas Act to determine if there are affect on training or activities on any military installations from the Project. No comments or concerns were received from any branch of the military or military installation in reply to the FERC's scoping notice issued on October 14, 2004. Further, no comments were received from any DOD branch in response to the FERC's draft EIS published in October 2005. In addition, in letters dated November 1, 2005 to the Army, Navy and Air Force at the Pentagon, we requested any information on affects to military installations. Since no affects have been identified, we conclude that there is no affect on military installations from this project, and therefore no concurrence from the Secretary of Defense is required under the Energy Policy Act. We will notify the DOD of this conclusion in writing to confirm it.

Numerous state agencies have delegated responsibilities under the CZMA, CWA, and CAA. Major permits, approvals, and consultations required for the Cove Point Expansion Project are identified in table 1.3-1. The FERC encourages cooperation between applicants and state and local authorities, but this does not mean that state and local agencies, through application of state and local laws, may prohibit or unreasonably delay the construction or operation of facilities approved by the FERC. Any state or local permits issued with respect to jurisdictional facilities must be consistent with the conditions of any authorization issued by the FERC.³

³ See, *e.g.*, *Schneidewind v. ANR Pipeline Co.*, 485 U.S. 293 (1988); *National Fuel Gas Supply v. Public Service Commission*, 894 F.2d 571 (2n Cir. 1990); and *Iroquois Gas Transmission System, L.P., et al.*, 52 FERC 61,091 (1990) and 59 FERC 61,094 (1992).

TABLE 1.3-1

Environmental Permits and Agency Reviews for the Cove Point Expansion Project

Regulation/ Permit/Approval	Agency	Agency Actions	Status
FEDERAL			
Sections 3 and 7 of the NGA	FERC	Pending – preparing EIS, prior to decision on Section 3 authorization and Certificate of Public Convenience and Necessity.	Dominion filed applications 4/15/05.
Section 106 of the NHPA	ACHP	ACHP may comment on the undertaking.	Consultation Completed.
Section 404 of the CWA; Section 10 of the Rivers and Harbors Act	Corps	Jurisdictional Determination and application for Individual Permit public interest review.	Dominion initiated pre-application consultation in April 2004. Application for Maryland facilities submitted September 2005; Pennsylvania facilities expected November 2005.
Executive Order 11988	Corps	Evaluate how issuance of Section 404 permit could affect floodplains	Ongoing
33 CFR 127; Notice to Mariners; Marine Transportation Security Act; Spill and Response Plans	Coast Guard	LOI/LOR, approve Spill and Response Plans, issue regulations for safety and security zones or other security requirements	Dominion initiated consultation with the Coast Guard in November 2004, and submitted a Letter of Intent in April 2005 and a WSA in January 2006.
Section 305 of the MSA; Marine Mammal Protection Act	NOAA Fisheries	Concurrence that proposed activities would not impact essential fish habitat.	Dominion initiated consultation for Cove Point LNG terminal in September 2004. Response pending.
Section 7, ESA	NOAA Fisheries	Review and consultation regarding federally listed and proposed endangered and threatened species and designated critical habitat.	Dominion initiated consultation in September 2004. NOAA Fisheries provided comments on draft EIS.
	FWS	Review and consultation regarding federally listed and proposed endangered and threatened species and designated critical habitat.	Dominion initiated consultation in September 2004. FWS provided comments on various facilities. FWS provided comments on draft EIS.
49 CFR 192; 49 CFR 193	U.S. Department of Transportation, Office of Pipeline Safety (DOT)	Evaluations of compliance with federal safety standards; permits for crossing of federal highways.	
Energy Policy Act and Natural Gas Act	U.S. Department of Defense	Consultation as required by Section 311 of the Energy Policy Act of 2005 and Section 3 of the Natural Gas Act	Letters sent November 1, 2005
STATE OF MARYLAND			
Clean Air Act	Maryland Department of the Environment (MDE)	Review and approve application for amendment to existing air emissions permit for Cove Point Terminal.	Dominion filed application with MDE in September 2005.
Clean Water Act Section 401	MDE	Review and issue permit for construction of pipeline and terminal expansion facilities	Dominion filed application, review ongoing.
Coastal Zone Management Act	MDE	Make coastal zone consistency determination.	Dominion initiated consultation with MDE in October 2004.

TABLE 1.3-1

Environmental Permits and Agency Reviews for the Cove Point Expansion Project

Regulation/ Permit/Approval	Agency	Agency Actions	Status
Tidal Wetlands Act; Nontidal Wetlands Act; Waterways Construction Act	MDE	Review and issue permit for construction activities affecting tidal and nontidal wetlands, and state waterways.	Dominion filed applications, review ongoing.
Section 106 of the NHPA	Maryland Historical Trust (MHT)	Review and comment on cultural resources.	Consultation ongoing.
State Listed Endangered and Threatened Species	Maryland Department of Natural Resources (MDNR)	Review and provide clearance for state-listed species.	Dominion received comments on Cove Point Terminal in December 2004, began field surveys in March 2005, ongoing consultation with MDNR.
Hydrostatic Test Water Withdrawal and Discharge	MDE	Review and issue permit for withdrawal and discharge of hydrostatic test water.	Dominion anticipates filing application for Cove Point Terminal in 2007.
Forest Conservation Act	MDNR	Review and issue permit for forest clearing.	Dominion filed permit application with MDNR late 2005, MDNR conditionally approved application February 2006 pending completion of MOU.
STATE OF VIRGINIA			
General Permit for Stormwater Discharges from Construction	Virginia Department of Environmental Quality	Review and issue permit for construction.	Dominion has obtained permit for Leesburg Station.
State Listed Endangered and Threatened Species	Virginia Department of Conservation and Recreation, and Virginia Department of Game and Inland Fisheries	Review and consultation regarding state listed endangered and threatened species.	Dominion has completed consultation.
Section 106 of the NHPA	Virginia Department of Historic Resources	Review and comment on cultural resources.	Consultation completed.
STATE OF PENNSYLVANIA			
Clean Water Act, Section 401	Pennsylvania Department of Environmental Protection (PADEP)	Review and approve Joint Permit application for crossing of tidal or non-tidal waterways.	Dominion is preparing permit application.
Permit for Construction Activity Stormwater Discharge/ Erosion and Sediment Control	Delegated to County Conservation Districts and Permit issued by PADEP Regional Offices	Review and issue permit	Dominion is preparing permit application.
Hydrostatic Testing Permit	PADEP Bureau of Water Quality Protection	Statewide permit	Statewide permit issued November 2004.
Joint Federal/ State Application in Pennsylvania Water Obstruction and Encroachment Permit/ Submerged Lands License Agreement	PADEP, Regional Offices	Review and issue permit	Dominion is preparing permit application.

TABLE 1.3-1

Environmental Permits and Agency Reviews for the Cove Point Expansion Project

Regulation/ Permit/Approval	Agency	Agency Actions	Status
Section 401 WQC/NPDES	PADEP	Review and issue permit	Dominion is preparing permit application.
Threatened and Endangered Species	Pennsylvania Fish and Boat Commission (PFBC)	Review for state-listed fish, reptiles, and amphibians	Dominion completed consultation June 2004.
Threatened and Endangered Species	Pennsylvania Game Commission (PGC)	Review for state-listed mammals and birds	Dominion completed consultation July 2004.
Threatened and Endangered Species	Pennsylvania Department of Conservation and Natural Resources (PADCNR)	Review for state-listed plants	Dominion completed consultation June 2004.
Section 106 of the NHPA	Pennsylvania Historic and Museum Commission, Bureau of Historic Preservation (PHMC-BHP)	Review and comment on cultural resources.	Consultation completed.
STATE OF WEST VIRGINIA			
Clean Water Act, Section 401	West Virginia Department of Environmental Protection (WVDEP)	Review and approve Joint Permit application for crossing of tidal or non-tidal waterways.	Dominion is preparing permit application.
Permit for Construction Activity Stormwater Discharge/ Erosion and Sediment Control	WVDEP	Review and issue permit.	Dominion is preparing permit application.
Hydrostatic Testing Permit	WVDEP	Review and issue permit.	Dominion is preparing permit application.
Section 106 of the NHPA	West Virginia Division of Culture and History	Review and comment on cultural resources.	Consultation completed.
STATE OF NEW YORK			
State Pollutant Discharge Elimination System Permit for Stormwater Discharges from Construction	New York State Department of Environmental Conservation (NYSDEC)	Review and issue permit.	Dominion is preparing permit application.
State Permit to Construct/Operation Compression	NYSDEC	Review and issue permit.	Dominion is preparing permit application.
State Listed Endangered and Threatened Species	NYSDEC	Review and issue permit.	Consultation is ongoing.
Section 106 of the NHPA	New York State Historic Preservation Office	Review and comment on cultural resources.	Consultation completed.

1.4 PUBLIC REVIEW AND COMMENT

On August 17, 2004, we approved Dominion's request to use the Commission's Pre-Filing Process for this Project. Pre-filing is an environmental review process that allows and encourages early involvement by citizens, governmental entities, and other interested parties. The purpose of the Pre-Filing Process is to involve interested stakeholders early in the project planning process and to identify and resolve issues prior to filing of the formal application.

On October 14, 2004, the FERC issued a *Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Cove Point Expansion Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings and Site Visits* (NOI). The NOI was sent to approximately 1,500 interested parties including federal, state, and local officials; agency representatives; conservation organizations; local libraries and newspapers; and property owners along the proposed pipeline routes. The NOI established a 45-day comment period for scoping. On November 1, 2004, we identified additional stakeholders in the project area and extended the public comment period until December 10, 2004. On March 16, 2005, in response to Dominion's inclusion of additional facilities in its proposed Project, the FERC issued a Notice of New Public Comment Period in order to provide adequate opportunity for newly identified stakeholders that may have an interest in the additional facilities to become involved in our Pre-Filing Process. The Commission staff opened a new 30-day public comment period for the newly identified facilities.

Four public scoping meetings were held during the Pre-Filing Process to receive comments on issues to be included in the draft EIS. Meetings were held on November 3, 4, 16, and 18, 2004, in Lewistown, Pennsylvania; State College, Pennsylvania; Solomons, Maryland; and Waldorf, Maryland, respectively. The locations and times of each meeting were announced in the NOI. The Corps and the DOT Office of Pipeline Safety also participated in the scoping meetings. Statements were made by 36 people at the scoping meetings, including 4 in Pennsylvania and 32 in Maryland. Transcripts of each scoping meeting have been entered into the public record for the Project. On November 4 and 17, 2004, June 1, 2005, and July 28, 2005, the FERC also conducted site visits, open to the public, of portions of the proposed pipeline routes.

In response to the NOI and Notice of New Public Comment Period, we received seven letters from U.S. Senators, one letter from a Native American group, five letters from state agencies, two from county and local municipal offices, and 87 from individuals and organizations. Issues and concerns raised during the scoping process are summarized in table 1.4-1. With the exception of project need and general support or opposition to the Project, the issues and concerns summarized in table 1.4-1, as well as others that we have identified for this Project or that we routinely analyze during our review, are addressed in this EIS. Project need will be addressed in detail in a separate review by the Commission. While we acknowledge general support or opposition to the Project, these opinions do not factor into our analysis in this EIS.

TABLE 1.4-1

**Issues Identified and Comments Received During the Public Scoping Process
for the Cove Point Expansion Project**

Resource Topic	Issue	Number of Comments Received	EIS Section Where Comment is Addressed
GENERAL			
	Relationship of various Dominion companies/entities involved in Project	1	1.1
	Purpose and Need	25	1.1
	Status of Coast Guard review of Project and Letter of Recommendation	2	1.3.5
	Support Project	10	1.4
	Opposed to Project, requests that FERC does not approve	5	1.4
	Opposed to pipeline route on property in Calvert County	3	1.4
	Dominion's treatment of the public and landowners during easement negotiations, land surveys, and in general in Calvert County, MD. Landowner rights	10	1.4
	FERC's public involvement process, public meetings, comment period. FERC's involvement in pipeline siting, availability of CEII on FERC web page	9	1.4
	Maryland State and County input into FERC process	2	1.4
	Pipeline route selection	10	2.1
	In favor of future expansion for residential distribution service	1	2.1
	Construction and operational right-of-way requirements	2	2.2
	Construction schedule, timing of construction	1	2.4
	Future plans and abandonment	1	2.8
	General impact on environment in Calvert County, MD	4	Various
ALTERNATIVES			
	Country should focus on renewable energy sources as well as gas	1	3.1
	Alternate LNG plant sites in northern states closer to end users	6	3.2
	Alternative LNG plant sites in Virginia	1	3.2
	Expansion of other existing LNG terminals instead of Cove Point	1	3.2
	Build additional storage capacity near end markets instead of expansion Project	1	3.2
	Additional compression on existing pipeline as alternative to new TL-532 Pipeline	1	3.2
	Recommend evaluation of alternative that requires no additional pipeline in MD	5	3.2
	New pipelines from Gulf Coast to East Coast as alternative to imported LNG	1	3.2
	Recommend least environmental damaging pipeline route in MD	9	3.4
	Include Calvert Co preservation regulations/ Comprehensive Plan in analysis	14	3.4
	Use of existing pipeline easement in Calvert County, including through White Sands area	11	3.4
	Use of existing easement through Hunters Ridge subdivision	1	3.4
	Recommend use of CAPE alternatives (Route 2/4 and Constellation corridors)	24	3.4
	Recommend full study of all pipeline route alternatives in Calvert County comparable to proposed route	2	3.4
	Use or replace existing pipeline with larger pipeline as alternative to TL-532	6	3.4
	Alternate routes in general in Calvert County, including existing utility easements	22	3.4
	Describe factors that will determine final route selection	1	3.4
	Route variation on Beard Property	2	3.4
	Route variation on David Campbell Property (G-50)	1	3.4
	Route variations that follow field edges and existing roadways in general	1	3.4
	Put PL-1 EXT2 Pipeline entirely within existing Texas Eastern right-of-way so it doesn't have to be widened	1	3.4

TABLE 1.4-1

**Issues Identified and Comments Received During the Public Scoping Process
for the Cove Point Expansion Project**

Resource Topic	Issue	Number of Comments Received	EIS Section Where Comment is Addressed
GEOLOGY AND SOILS			
	Impact of pipeline construction on soils, sediment and erosion control	7	4.2
	Dust control	1	4.2, 4.11.1
	Maintenance and repair of erosions controls on adjacent right-of-way	1	4.2
WATER RESOURCES			
	Impact on water supply wells from pipeline construction	2	4.3.1
	Impact on Chesapeake Bay from LNG tankers	5	4.3.2
	Impact on surface waters and springs from pipeline construction	6	4.3.2
	Impact on local floodplain management ordinances in MD	1	4.3.2
	Impact on sensitive waters, including Maryland designated Critical Areas	4	4.3.2
	Impact on surface waters crossed by horizontal directional drill (HDD) vs. non-HDD	1	4.3.2
	Impact on St Leonard's Creek, including from test borings, and by open cut crossing if proposed HDD crossing is not possible	18	4.3.2
VEGETATION			
	Affect of exclusion zone around LNG tankers on submerged aquatic vegetation	1	4.3.2
	Affect of pipeline construction and operation on vegetation, including sensitive areas such as Zachiah Swamp Run	5	4.4
	Invasive species on pipeline right-of-way	1	4.4
	Right-of-way restoration, including use of native species	1	4.4
WETLANDS			
	Impact of construction and operation on wetlands, including sensitive wetlands	6	4.5
	Post construction monitoring of wetlands	1	4.5.2
FISH AND WILDLIFE			
	Affect of security exclusion zone around LNG tankers on fish	1	4.6.1
	Affect of pipeline construction and operation on fish, including in tidal creeks	1	4.6.1
	Affect of pipeline construction and operation on wildlife, including forest interior dwelling birds	9	4.6.2
THREATENED AND ENDANGERED SPECIES			
	Affect of pipeline construction and operation on bald eagles	2	4.7.1
LAND USE, RECREATION, VISUAL			
	Impact on, and status of, conservation easements at Cove Point LNG facility	3	4.8.1
	Impact on agricultural land preservation easements/land trusts in Maryland and Calvert County	18	4.8.1
	Affect of pipeline easement on future land use, need to monitor easements	10	4.8.1
	Affect of pipeline on rural character of Calvert County	13	4.8.1
	Calvert County Comprehensive Plan-conflicts with, include in analysis	6	4.8.1
	Poor restoration of land following construction of original pipeline	1	4.8.1
	Compatibility with Loudoun County, VA General Plan, including visual impacts	1	4.8.1
	Question presence of easements for existing Texas Eastern pipeline in PA	1	4.8.1
	Impact of TL-532 pipeline and permitting process on health of landowners	1	4.8.1
	Residences in proximity to pipeline	2	4.8.2
	Impact of LNG tankers on recreational and commercial fishing	1	4.8.3
	Impact on Piscataway National Park/Potomac River viewshed	4	4.8.3
	Visual affect of new pipeline right-of-way	2	4.8.4

TABLE 1.4-1

**Issues Identified and Comments Received During the Public Scoping Process
for the Cove Point Expansion Project**

Resource Topic	Issue	Number of Comments Received	EIS Section Where Comment is Addressed
SOCIOECONOMICS			
	Additional LNG tanker traffic	2	4.9.2
	Impact of large LNG corporation on small renewable energy companies	1	4.9.2
	Economic affect of TL-532 Pipeline on affected landowners and communities in MD	30	4.9.2
	Impact of TL-532 Pipeline construction traffic on Calvert County, MD	1	4.9.6
	Impact of housing TL-532 Pipeline construction workers in Calvert County, MD	1	4.9.3
	Pipeline easement payments/value	2	4.9.5
	Taking of pipeline easement by eminent domain	8	4.9.5
	Impact of pipeline on property values and taxes	7	4.9.5
	Impact of Centre Relay Compressor Station on adjacent business	1	4.9.5
CULTURAL RESOURCES			
	Impact on historic nature of Calvert County, MD, including St. Leonard's Creek and specific properties crossed by TL-532 Pipeline	8	4.10
	Impact of TL-532 Pipeline on African American historical significance of Woodville Road property	1	4.10
	Loudoun County Department of Planning request to review survey reports	1	6.0
AIR AND NOISE			
	Additional emissions from LNG terminal expansion	6	4.11.1
	Additional emissions from safety patrol boats	1	4.11.1
	Noise generated by pipeline construction	1	4.11.2
	Affect of pipeline construction noise on farm animals (race horses)	1	4.11.2
	Noise and odor at Perulack Compressor Station	1	4.11.2
	Noise and odor at Centre Relay Compressor Station	2	4.11.2
SAFETY			
	Terrorism and homeland security	14	4.12.6
	Proximity of LNG terminal to Calvert Cliffs nuclear plant, nearby developments	11	4.12.6
	LNG-related risks, including marine transport of LNG	18	4.12.1, 4.12.5
	Danger posed by additional pipeline in Calvert County, MD which already has multiple transmission lines and energy facilities mixed with residences	15	4.12.1, 4.12.7
	Concerns regarding history and status of existing TL-522 pipeline and rights-of-way in Calvert County, MD, including White Sands development	9	4.12.7
	Leaks in local distribution system allegedly caused by quality of Dominion gas	1	4.12.2
	Pipeline safety in general, including human health concerns	25	4.12.7
	Environmental and economic impact of disaster, and how it will be addressed	2	4.12.1
CUMULATIVE IMPACTS			
	Impact of multiple transmission lines in Calvert County, MD, and its landowners	2	4.13
	Impact on St Leonard's Creek from multiple right-of-way crossings	1	4.13
	Existing pipeline on Beard Property	1	4.13

The FERC issued the draft EIS and a formal notice of availability on October 28, 2005 and filed it with the EPA. A formal notice indicating that the draft EIS was available was also published in the *Federal Register* (FR), and the document was mailed to approximately 1,550 individuals and organizations on the mailing list prepared for the Project (see appendix A). In accordance with the CEQ regulations implementing NEPA, the public had the opportunity to comment on the draft EIS in the form of written comments up through December 21, 2005. We received 11 written comment letters from federal and state agencies; 4 letters from federal and state representatives; 6 letters from county and local municipalities; 4 letters from the applicant and its primary customer for the project; and 13 letters from individuals and organizations. In addition, public meetings to hear comments on the draft EIS were held in the project area. Meetings were held on December 7, 2005 in Lewistown, Pennsylvania and Solomons, Maryland; and on December 8 in State College, Pennsylvania and Waldorf, Maryland. The locations and times of each meeting were announced in the notice of availability. The Corps, Coast Guard, and DOT Office of Pipeline Safety also participated in the public meetings. Statements were made by 34 people at the public meetings, including 1 in Pennsylvania and 33 in Maryland. Transcripts of each public meeting have been entered into the public record for the Project. All timely comments received on the draft EIS are addressed in this final EIS, either as revisions to the text as appropriate, and/or as direct responses to each comment (see section 6 of this EIS).

Dominion submitted a LOI to the Coast Guard on April 14, 2005 conveying its intention to initiate new construction at the Cove Point Terminal and requesting that the Coast Guard approve the suitability of the planned Cove Point expansion to be placed in service on or about August 2008. On August 8, 2005, FERC requested that Dominion prepare a WSA for the proposed Project and submit the WSA directly to the Coast Guard in accordance with the NVIC 05-05. The purpose of the WSA is to identify credible security threats and safety hazards associated with increased LNG marine transportation in Chesapeake Bay and identify appropriate risk management measures. On January 17, 2006, Dominion submitted the WSA to the Coast Guard Sectors Baltimore and Hampton Roads. On February 14, 2006, the Coast Guard issued a public notice and request for comment to solicit public comments it will consider during preparation of recommendations to FERC for inclusion in this EIS, with the comment period ending March 16, 2006. The WSA and public comments will be considered by the Coast Guard as it evaluates whether it can issue a LOR finding the waterway suitable for the proposed increase in LNG traffic, and if so, what actions and resources would be necessary to make Chesapeake Bay suitable for increased LNG traffic to Cove Point.