

EXECUTIVE SUMMARY

The staffs of the Federal Energy Regulatory Commission (Commission or FERC), the California State Lands Commission (CSLC), and the Bureau of Land Management (BLM) (Agency Staffs) prepared this draft environmental impact statement/environmental impact report and draft land use plan amendment (draft EIS/EIR) for the North Baja Pipeline Expansion Project (Project or proposed Project) to fulfill the requirements of the National Environmental Policy Act (NEPA); the Council on Environmental Quality Regulations for implementing NEPA (Title 40 Code of Federal Regulations [CFR], Parts 1500-1508); the FERC's implementing regulations (Title 18 CFR, section 380); the California Environmental Quality Act (CEQA)(Public Resources Code section 21000 et seq.); the CEQA implementing guidelines (California Code of Regulations Title 14, section 15000 et seq.); and the Federal Land Management and Policy Act. The purpose of this document is to inform the public and the permitting agencies about the potential adverse and beneficial environmental impacts of the proposed Project and its alternatives, and recommend mitigation measures that would reduce the significant adverse impacts to the maximum extent possible, and, where feasible, to a less than significant level.

The FERC is the lead Federal agency and will use the document to consider the environmental impacts that could result if it issues North Baja Pipeline, LLC (North Baja) a Certificate of Public Convenience and Necessity (Certificate) and a Presidential Permit amendment under sections 7 and 3, respectively, of the Natural Gas Act (NGA). The CSLC is the lead State agency and will use the document to consider North Baja's application to amend its existing right-of-way lease across the State's Sovereign and School Lands in conjunction with the environmental impacts that could result from any part of the Project in California.

The BLM is participating as a cooperating agency in the preparation of this document because the Project would cross Federal land under the jurisdiction of the Palm Springs-South Coast, El Centro, and Yuma Field Offices. The Bureau of Reclamation (BOR) is also a cooperating agency in the preparation of this document because lands administered by the BOR would be crossed by the Project. Under section 185(f) of the Mineral Leasing Act of 1920, the BLM has the authority to issue Right-of-Way Grants for all affected Federal lands. This draft EIS/EIR will be used by the BLM to consider whether to amend North Baja's existing Right-of-Way Grant and issue Temporary Use Permits for the installation of approximately 67.4 miles of pipeline and ancillary facilities across Federal lands managed by the BLM, the BOR, and the U.S. Fish and Wildlife Service (FWS). This draft EIS/EIR will also be used by the BLM to consider amending the California Desert Conservation Area (CDCA) Plan (as amended), which would be necessary for pipeline construction outside of designated utility corridors, as well as amending the Yuma District Resource Management Plan (Yuma District Plan), which would be necessary for pipeline construction across the Milpitas Wash Special Management Area (SMA).

The BLM proposes to adopt this draft EIS/EIR per Title 40 CFR Part 1506.3 to meet its responsibilities under NEPA and its planning regulations per Title 43 CFR Part 1610. The BLM will present separate Records of Decision for the Right-of-Way Grant and the plan amendments for the North Baja Pipeline Expansion Project after the issuance of the final environmental impact statement/environmental impact report and proposed plan amendment (final EIS/EIR). The concurrence or non-concurrence of the BOR and the FWS would be considered in the BLM's decision.

DESCRIPTION OF THE PROPOSED PROJECT AND PROJECT OBJECTIVES

North Baja proposes to expand its existing natural gas transmission pipeline system between Ehrenberg, Arizona and an interconnection at the international border between the United States and Mexico. The North Baja system is the U.S. portion of the international North Baja/Gasoducto Bajanorte Pipeline Project. North Baja's existing system extends approximately 79.8 miles from an interconnection

with the facilities of El Paso Natural Gas Company (El Paso) near Ehrenberg through southeast California to a point on the international border between Yuma, Arizona and Mexicali, North Baja Mexico, where the pipeline interconnects with the Gasoducto Bajanorte pipeline. The North Baja/Gasoducto Bajanorte Pipeline Project was built in 2002 to supply domestic natural gas from the United States primarily to gas-fired electric generation facilities in Baja California, Mexico. Since that time, several projects have been initiated to build liquefied natural gas (LNG) storage and vaporization terminals on the Baja California coast, near the terminus of the Gasoducto Bajanorte pipeline. This new source of natural gas would be stored in tanks as LNG at the terminals in Baja California, and then re-gasified (vaporized) and transported as natural gas into the North Baja/Gasoducto Bajanorte systems.

The existing North Baja system is currently certificated by the FERC to transport 512,500 dekatherms per day (Dthd) of natural gas in a southbound direction. Once completed, the expanded system would be capable of transporting up to 2,932,000 Dthd (2,753 million standard cubic feet per day) of natural gas from the planned LNG terminals in a northbound direction for delivery to customers in California and Arizona. In addition to the new volumes from the LNG terminals, North Baja would continue to offer southbound gas transportation service for several existing shippers. The anticipated delivery points for the proposed Project are: the Imperial Irrigation District's (IID's) existing El Centro Generating Station in El Centro, California; the Blythe Energy Facility I supply pipeline and the SoCal Gas Company (SoCal Gas) system in Blythe, California; and the El Paso system in Ehrenberg.

The North Baja Pipeline Expansion Project would involve the construction and operation of a pipeline loop,¹ two pipeline laterals,² an interconnect pipeline, an odorant facility, two meter stations, modifications at North Baja's existing compressor and meter stations, and installation of mainline and lateral valves and pig³ launchers and receivers. Specifically, North Baja proposes to construct and operate:

- 79.8 miles of pipeline loop (B-Line) adjacent to North Baja's existing pipeline (A-Line) consisting of 11.7 miles of 42-inch-diameter pipeline extending from the existing Ehrenberg Compressor Station at milepost (MP) 0.0 in La Paz County, Arizona to the existing Rannells Trap at MP 11.7 in Riverside County, California, and 68.1 miles of 48-inch-diameter pipeline extending from Rannells Trap to an interconnection at the U.S.-Mexico border at MP 79.8 in Imperial County, California;
- less than 0.1 mile (about 20 feet) of 36-inch-diameter pipeline (SoCal Gas Interconnect) to connect the B-Line to the existing SoCal Gas system within the proposed Blythe Meter Station site at MP 0.5 in Riverside County;
- 0.6 mile of 10-inch-diameter pipeline (Blythe Energy Interconnect Lateral [BEI Lateral]) extending from the proposed Blythe Meter Station site to an interconnection with the existing Blythe Energy Facility I supply pipeline in Riverside County;
- 45.7 miles of 16-inch-diameter pipeline (IID Lateral) extending from MP 74.5 of the B-Line near the existing Ogilby Meter Station to the existing IID El Centro Generating Station in Imperial County;

¹ A loop is a segment of pipeline that is usually installed adjacent to an existing pipeline and connected to it at both ends. The loop allows more gas to be moved through the system.

² A lateral pipeline typically takes gas from the main system to deliver it to a customer, local distribution system, or another interstate transmission system.

³ A pig is an internal tool that can be used to clean and dry a pipeline and/or to inspect it for damage or corrosion.

- modifications at its existing Ehrenberg Compressor Station and the existing Ogilby Meter Station to allow northbound flow of natural gas;
- metering modifications at its existing El Paso Meter Station at the Ehrenberg Compressor Station site to allow LNG-source gas to be delivered into the El Paso system;
- one meter station (Blythe Meter Station) in Riverside County to measure gas delivery from the North Baja system to SoCal Gas and the BEI Lateral;
- one odorant facility at the existing Ogilby Meter Station to odorize the natural gas before delivery into the SoCal Gas system;
- one meter station (El Centro Meter Station) at the existing IID El Centro Generating Station to measure gas delivery from the North Baja system to the IID;
- one tap where the IID Lateral would connect to the B-Line in Imperial County;
- three pig launchers, one at Rannells Trap, one at the Ogilby Meter Station, and one where the IID Lateral would connect with the B-Line;
- four pig receivers, one at the Ehrenberg Compressor Station, one at Rannells Trap, one at the Ogilby Meter Station, and one at the end of the IID Lateral at the IID El Centro Generating Station;
- nine remote manual valves with automatic shutdown capability on the B-Line, adjacent to the existing A-Line valve sites; and
- four remote manual valves with automatic shutdown capability on the IID Lateral.

The proposed Project would be constructed in three phases beginning in 2007 and ending in 2009. Phase I would involve modifications at the existing Ehrenberg Compressor Station and Ogilby and El Paso Meter Stations, and construction of the odorant facility, Blythe Meter Station, SoCal Gas Interconnect, and BEI Lateral. Phase I-A would involve the construction of the IID Lateral. Phase II would involve the construction of the B-Line adjacent to North Baja's existing A-Line between Blythe and the U.S.-Mexico border.

PUBLIC INVOLVEMENT AND AREAS OF CONCERN

On May 19, 2005, North Baja filed a request with the FERC to implement the Commission's Pre-Filing Process for the North Baja Pipeline Expansion Project. At that time, North Baja was in the preliminary design stage of the Project and no formal application had been filed with the FERC. On June 2, 2005, the FERC granted North Baja's request and established a pre-filing docket number (PF05-14-000) to place information related to the Project into the public record. The purpose of the Pre-Filing Process is to encourage the early involvement of interested stakeholders, facilitate interagency cooperation, and identify and resolve issues before an application is filed with the FERC. The CSLC, the BLM, and the BOR agreed to conduct their environmental reviews of the Project in conjunction with the Commission's Pre-Filing Process.

As part of the Pre-Filing Process, North Baja mailed notification letters to landowners, government and agency officials, and the general public informing them about the Project and inviting them to attend open houses on July 6 and 7, 2005 to learn about the Project and to ask questions and

express their concerns. Notifications of the open houses were also published in local newspapers. The open houses were held in Blythe, El Centro, and Calexico, California. The Agency Staffs attended the open houses to explain the NEPA/CEQA environmental review process to interested stakeholders and take comments about the Project.

In June and August of 2005, the Agency Staffs issued two separate notices that described the proposed Project and invited written comments on the environmental issues to be addressed in the EIS/EIR. The June 2005 notice announced the dates and locations of North Baja's three open houses. The August 2005 notice announced two public scoping meetings that were held in Blythe and El Centro on September 28 and 29, 2005, respectively. These notices were sent to Federal, State, and local agencies; elected officials; environmental and public interest groups; Native American tribes; affected landowners; local libraries and newspapers; and other stakeholders in the region who had indicated an interest in the Project.

On September 27, 28, and 29, 2005, the FERC and CSLC staffs conducted interagency scoping meetings in the Project area to solicit comments and concerns about the Project from other jurisdictional agencies. Agencies present at the meetings were the FWS, Carlsbad Office; the FWS, Cibola National Wildlife Refuge (NWR); the BLM; and the BOR.

On March 10, 2006, the FERC and the CSLC sent a letter and a copy of the August 2005 notice to potentially affected landowners on 18th Avenue in Riverside County that inadvertently had not been included on the environmental mailing list. The letter solicited comments about the proposed Project from the potentially affected landowners to provide them an opportunity to participate in the environmental review process.

Transcripts of the public scoping meetings, a summary of the interagency scoping meetings, and all written scoping comments are part of the public record for the North Baja Pipeline Expansion Project and are available for viewing on the FERC Internet website (<http://www.ferc.gov>).⁴ The most frequently raised issues were related to impacts on air quality in Imperial County as a result of the existing and proposed upstream facilities in Mexico and the cumulative impact of the proposed Project when considered in association with past, present, and future projects or activities. Other issues of concern included impacts on special status species and native vegetation and the development of mitigation measures to minimize and compensate for these impacts. Comments relating to safety, protection of surface waters, cultural resources, alternatives, and the effects of the Project on off-highway vehicle (OHV) use were also received.

This draft EIS/EIR was filed with the U.S. Environmental Protection Agency (EPA); submitted to the California State Clearinghouse; and mailed to Federal, State, and local government agencies; elected officials; Native American tribes; affected landowners; local libraries and newspapers; intervenors⁵ in the FERC's proceeding; and other interested parties (i.e., miscellaneous individuals who provided scoping comments or asked to be on the mailing list). A formal notice indicating that the draft EIS/EIR was available for review and comment was published in the Federal Register and posted in the appropriate County Clerks' offices in California. The typical NEPA/CEQA comment period for a draft EIS/EIR is 45 days. However, because the draft EIS/EIR is also a BLM draft land use plan amendment, the public has 90 days after the date of publication in the Federal Register to review and comment on the draft EIS/EIR both in the form of written comments and at two public meetings to be held in the Project area. All

⁴ 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., PF05-14 and CP06-61). Be sure to select an appropriate date range.

⁵ Intervenors are official parties to the proceeding and have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide 14 copies of its filings to the Secretary of the Commission and must send a copy of its filings to all other intervenors. Only intervenors have the right to seek rehearing of the Commission's decision.

comments received on the draft EIS/EIR related to environmental issues will be addressed in the final EIS/EIR.

ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

The environmental impacts associated with construction and operation of the North Baja Pipeline Expansion Project are analyzed in this EIS/EIR using information provided by North Baja and further developed from data requests; field investigations; scoping; literature research; alternatives analysis; contacts with Federal, State, and local agencies; and input from public groups and organizations. The Agency Staffs' analysis indicates that the Project would result in certain adverse environmental impacts.

North Baja has prepared specific plans that include measures to mitigate potential impacts. These plans include:

- Construction Mitigation and Restoration Plan (CM&R Plan);
- Spill Prevention, Containment, and Control Plan for Hazardous Materials and Wastes (SPCC Plan);
- Horizontal Directional Drill Plan (HDD Plan);
- Traffic Management Plans;
- Blasting Specifications;
- Paleontological Resource Mitigation and Monitoring Plan (PRMM Plan);
- Dust Control Plan;
- Fire Prevention and Suppression Plan;
- Site-specific Residential Construction Mitigation Plans;
- Off-highway Vehicle Management Plan (OHV Plan); and
- Unanticipated Discovery Plan for Cultural Resources.

Specific mitigation measures that are feasible were identified as part of the environmental analysis. When implemented, these measures would reduce most potential adverse impacts of Project construction and operation to a less than significant level. A table listing the anticipated impacts of the proposed Project and measures that would be implemented to mitigate those impacts is included in Section 5. The environmental effects of constructing and operating the proposed Project are summarized below.

Geology

The proposed Project is located within the Colorado Desert geomorphic province, commonly referred to as the "low desert" in southern California. Construction and operation of the proposed pipeline and aboveground facilities would not materially alter the geologic conditions of the Project area. Effects from construction could include disturbances to the natural topography along the right-of-way and at aboveground facilities due to grading and trenching activities. After completion of construction, North

Baja would restore topographic contours and drainage conditions as closely as feasible to their preconstruction condition.

Seismicity includes active faults, ground shaking, and soil liquefaction, and is the primary geologic hazard that could affect the proposed Project facilities. Seismic events in the vicinity of the Project are centered on fault activity in the Salton Trough. The potential for strong ground accelerations in the immediate vicinity of the proposed B-Line and BEI Lateral is generally low; however, several faults and fault zones are proximal to the proposed IID Lateral and have the potential for generating earthquakes that could cause strong ground motions. Damage to buried pipelines is most often caused by the differential movements of geologic material as opposed to shaking itself.

Results from the Liquefaction Hazard Evaluation and Mitigation Study North Baja performed in 2001 for the A-Line indicate that a major earthquake of magnitude 7.0 or greater originating on the San Andreas or Imperial Faults would create a high probability for soil liquefaction at the Arizona side of the Colorado River crossing and on the western portion of the 18th Avenue alignment. To mitigate the potential for liquefaction, North Baja incorporated the recommendations of the Liquefaction Hazard Evaluation and Mitigation Study into the design for the proposed Project. At the Colorado River, liquefiable soils would be avoided by use of the horizontal directional drill (HDD) crossing method.

The liquefaction study included as part of the Geologic Hazards Study conducted for the proposed Project concluded that in addition to the areas identified along the B-Line, there are areas of locally high liquefaction potential along the IID Lateral. In particular, areas along the East Mesa (between MPs 8.0 and 27.0) and in the Imperial Valley (between MPs 27.0 and 45.7) would have a locally or generally high potential for liquefaction based on soil type and potential for ground shaking. North Baja would design and construct the IID Lateral to be earthquake resistant.

To further mitigate and reduce potential damage to the proposed facilities from earthquakes, North Baja's facility design would comply with Federal standards outlined in Title 49 CFR Part 192 *Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards*. This code governs the construction and operation of natural gas pipelines, greatly reducing the potential risk of damage. The pipelines and associated facilities would be designed using the *Guidelines for the Design of Buried Steel Pipe* (American Lifelines Alliance 2001), *Guidelines for the Seismic Design and Assessment of Natural Gas and Liquid Hydrocarbon Pipelines* (Pipeline Research Council International, Inc. 2004), applicable building codes, and/or other similar recognized seismological engineering standards. The engineering design drawings for the entire Project in California would be certified by a California-registered civil/structural engineer, and would comply with the latest edition of the California Building Code.

North Baja has committed to perform a site-specific seismic evaluation as part of its detailed design phase for the Project. This evaluation would determine the engineering/design solutions that are appropriate to mitigate against the hazard of seismic displacements along the Imperial Fault. The seismic evaluation would determine recommended design fault displacements for the pipeline design specifications. North Baja would develop a computer model to determine the soil-pipe interaction with the proposed applied displacement. The model would evaluate various combinations of pipe wall thickness and pipe grade to determine which pattern yields the best performance under displacement conditions. The design may also incorporate additional mitigation methods if necessary. North Baja would provide a copy of the final design for the Imperial Fault crossing, as well as any related geotechnical information, to the CSLC and the FERC before construction of the IID Lateral.

Implementation of these mitigation measures would reduce potential impacts from geologic hazards to less than significant levels.

The stratigraphic units that would be crossed by the BEI Lateral and the IID Lateral have a low potential to yield paleontological resources; therefore, construction of these facilities is not expected to impact paleontological resources. Although the B-Line route crosses several rock formations that have the potential to contain significant paleontological resources where construction activities could directly and/or indirectly damage, disturb, or result in the loss of these resources, the paleontological monitoring conducted during the construction of the A-Line revealed a very limited presence of paleontological resources. Only about a 1-mile-long stretch from MPs 28.1 to 29.1 yielded a single significant paleontological find during construction of the A-Line. Other areas of older Pleistocene alluvium between MPs 35.0 and 75.2 yielded only occasional paleontological materials and no significant finds.

To address potential impacts on paleontological resources resulting from Project construction, North Baja developed a PRMM Plan. The PRMM Plan includes a summary of the literature and museum archival review, field survey, and assessment of potential impacts on paleontological resources; Project-wide and site-specific mitigation and monitoring measures; and curation and reporting procedures. Implementation of North Baja's PRMM Plan would reduce potential impacts on paleontological resources to less than significant levels.

Soils

About 7 percent of the soils that would be crossed by the B-Line may exhibit shallow depth to bedrock. Based on North Baja's experience during construction of the A-line, shallow bedrock would be a concern primarily in the vicinity of MP 29.5 and would likely require blasting in order to excavate the trench through this area. All blasting activities would be conducted in strict compliance with North Baja's Blasting Specifications and in accordance with Federal, State, and local regulations regarding use, storage, and transport of explosives; safety; and environmental protection. Implementation of these measures would reduce the impacts of blasting on soils to less than significant levels.

Other soil limitations that would be encountered during construction of the Project include 491.5 acres of soils with high water erosion potential. The majority of these soils would occur along the B-Line (454.4 acres), with 0.7 acre affected along the BEI Lateral, and 36.4 acres affected along the IID Lateral. In addition, a total of 354.6 acres of soils along the B-Line (162.9 acres) and IID Lateral (191.7 acres) routes exhibit high wind erosion potential.

Construction of the pipelines and aboveground facilities could expose soils to erosional forces, compact soils, affect soil fertility, and facilitate the dispersal and establishment of weeds. North Baja proposes to mitigate these potential impacts by implementing a CM&R Plan that was developed in consultation with the appropriate land management agencies and addresses the special issues associated with construction and restoration in an arid environment; an SPCC Plan to address preventive and mitigative measures to minimize the potential for soil contamination from spills or leaks of fuels, lubricants, and coolants used during construction; and a Dust Control Plan to prevent soil loss due to wind erosion. Implementation of these plans would reduce impacts on soil resources to less than significant levels.

Modifications at the Ehrenberg Compressor Station, including the proposed pig receiver and El Paso Meter Station, would be completed within the existing fencelines and would not permanently affect additional soil resources. Construction of the Blythe Meter Station would result in the permanent loss of 4.3 acres of land that is mapped as farmland of local importance but is not currently used for agriculture. This loss would be much less than 0.1 percent of the agricultural lands in the Palo Verde Valley and would be less than significant.

The pig launcher and receiver proposed for Rannells Trap would require a permanent expansion of the existing site by 0.3 acre. Modifications at the Ogilby Meter Station, including the proposed odorant facility and pig launcher and receiver, would permanently affect about 0.4 acre of soils outside the existing fenced facility. The tap to the B-line and pig launcher associated with the IID Lateral would permanently affect 0.2 acre of soils. The El Centro Meter Station and pig receiver would permanently affect about 0.2 acre of soils during operation, all located within the existing fence line of the IID El Centro Power Generating Station. No prime farmland or farmlands of Statewide or local importance would be affected by these aboveground facility sites.

In total, 65.4 acres of prime farmland or farmlands of Statewide or local importance would be temporarily affected along the B-Line. Along the BEI Lateral, 0.1 acre of farmland of local importance would be crossed between MPs 0.0 and 0.5; however, this land is fallow and not currently used for agricultural purposes. About 21.7 acres of soils identified as prime farmland or farmlands of Statewide or local importance would be disturbed during construction of the IID Lateral. These impacts would be temporary and no permanent impacts on prime farmland or farmlands of Statewide or local importance would occur in association with the construction and operation of the pipelines. North Baja would avoid significant impacts on prime farmland or farmlands of Statewide or local importance by locating the B-Line and IID Lateral facilities in road shoulders adjacent to agricultural areas. Impacts that would occur on these soils and other active farmlands would be mitigated by segregating 1 to 2 feet of topsoil before installation of the pipeline and reapplying topsoil over the surface of the right-of-way during restoration as outlined in the CM&R Plan.

In addition, North Baja would implement a post-construction crop monitoring program to maintain the level of production of the affected soils. The program would evaluate crop productivity and success for a period of at least 2 years following construction. North Baja would prepare activity reports during this period documenting any problems identified by North Baja or the landowner and describing corrective actions taken to remedy these problems. These reports would be submitted to the FERC and the CSLC on a quarterly basis, as stipulated in the CM&R Plan. The FERC and CSLC staffs would also monitor the right-of-way after construction. If after 2 years it is determined that cropland crossed by the pipeline has not been restored successfully, North Baja would implement additional restoration measures. Implementation of North Baja's CM&R Plan would reduce impacts on agricultural land to less than significant levels.

Water Resources

For the majority of the Project, groundwater levels are generally well below the land surface that would be affected by construction activities. Shallow aquifers underlying a portion of the construction area (e.g., the Palo Verde Valley and portions of the route near the Cibola NWR, and the Imperial Valley) could experience minor impacts from clearing, grading, trenching, dewatering, soil mixing, and compaction that could temporarily alter overland flow and groundwater recharge. Near-surface soil mixing and compaction caused by heavy construction vehicles could also reduce the soil's ability to absorb water. These impacts would be temporary and minor and would not significantly affect groundwater resources or groundwater quality. In accordance with North Baja's CM&R Plan, vegetation would be cleared only where necessary. Upon completion of construction, North Baja would restore the ground surface as closely as practicable to original contours and allow vegetation to regenerate to provide restoration of preconstruction overland flow and recharge patterns. North Baja has prepared an SPCC Plan to address preventive and mitigative measures that would be used during construction to minimize the potential for a hazardous spill to contaminate groundwater resources. Routine operation and maintenance of the Project facilities would not result in disturbance or contamination of groundwater resources.

Ten water wells have been identified within 150 feet of the pipeline centerlines. All of these wells would be along the B-Line. Potential impacts on wells within 150 feet of the construction work area could include: localized decreases in groundwater recharge rates, changes to overland water flow, contamination due to hazardous materials spills, decreased well yields, decreased water quality (such as an increase in turbidity or odor in the water), interference with well mechanics, or complete disruption of the well. These impacts could result from trenching, equipment traffic, or blasting.

Before construction, North Baja would conduct a field survey to verify the location of any water wells that are identified within 150 feet of the construction work area. With the landowner's permission, North Baja would test these water wells before construction to determine baseline flow conditions. Where impacts are reported by landowners, North Baja would conduct post-construction water well tests. If it is determined that construction activities have impaired a well's water quality or yield, North Baja would either provide bottled water for drinking and arrange for an alternate source of water (such as a water truck) for other household uses, temporarily relocate the landowner until the water supply is restored, or compensate the landowner for losses. If water quality or yield is permanently impaired as a result of construction activities, North Baja would arrange for a new well to be drilled or compensate the landowner.

The proposed Project would cross 2 perennial waterbodies (the Colorado and Alamo Rivers), 70 man-made irrigation canals and drains, and 265 desert washes. Only the Colorado River has a fisheries classification (warmwater). Impacts on the Colorado River and two of the canals (the All-American Canal and the East Highline Canal) would be minimized through the use of the HDD crossing method. The HDD method involves installation of the pipe under the waterbody and therefore avoids disturbance to the bends and banks of the waterbody. The primary impact that could occur as a result of an HDD crossing is an inadvertent release of drilling mud directly or indirectly into the waterbody. North Baja has prepared an HDD Plan that describes how North Baja would conduct and monitor the drilling operations to minimize the potential for inadvertent drilling mud releases and includes procedures for corrective action and cleanup of drilling mud releases should one occur to land. The Agency Staffs have recommended that North Baja revise its HDD Plan to include specific procedures for corrective action and cleanup of drilling mud releases should one occur in the Colorado River or one of the canals.

Impacts on the Alamo River would be minimized by North Baja's proposal to install the pipeline in the road shoulder over the culverts that carry the water under the road. North Baja would cross all but one of the canals and drains either by boring underneath the culverts or by installing the pipeline between the drain culverts and a road bed. Rannells Drain would be the only irrigation canal or drain crossed by the use of the open-cut crossing technique. The construction and restoration measures in North Baja's CM&R Plan would minimize Project-related disturbances to all waterbodies crossed by the pipeline routes.

The majority of the waterbodies that would be crossed are dry washes that do not support fisheries, provide critical aquatic habitat, provide migratory passage for aquatic organisms, or have California Regional Water Quality Control Board, Colorado River Basin Region- (CRWQCB) designated recreation/high quality visual resource values. North Baja would cross these dry washes with typical cross-country construction methods using the same techniques that were implemented to construct the A-Line. Impacts on dry washes would be limited to the temporary alteration of beds and banks, loss of wildlife habitat, and possibly increased sediment load during initial storm events following construction. As part of its Streambed Alteration Agreement with the California Department of Fish and Game (CDFG), North Baja would provide offsite, compensatory mitigation for disturbances to wildlife habitats located between the banks of dry desert washes.

Implementation of North Baja's SPCC Plan, revised HDD Plan, and CM&R Plan would reduce impacts on water resources to less than significant levels.

Wetlands

The proposed pipeline facilities would cross 18 palustrine emergent or palustrine scrub-shrub wetlands under the jurisdiction of the U.S. Army Corps of Engineers (COE). No wetlands would be affected by the aboveground facilities. Eight of the 18 wetlands crossed would be left undisturbed by use of the HDD method, bore method, or by installing the pipeline in the road shoulder outside the wetland boundary. North Baja would use the open-cut method to cross the remaining 10 wetlands implementing the construction and restoration procedures outlined in its CM&R Plan. These activities would result in a short-term disturbance of 35.7 acres of wetlands. Of this total, about 26.9 acres were previously disturbed during construction of the A-Line. Adherence to North Baja's CM&R Plan and its compliance with the COE's section 404 and the CRWQCB's section 401 permit conditions would reduce impacts on wetland resources crossed by the pipeline routes to less than significant levels.

Vegetation

Construction activities would result in disturbances of about 1,515.8 acres of vegetation. The most common vegetation communities that would be affected are creosote bush scrub (943.7 acres) and urban/ruderal (369.7 acres), which account for about 87 percent of the vegetation that would be cleared or affected by construction. The next most common communities that would be disturbed are desert wash woodland (82.9 acres) and agriculture (78.4 acres) accounting for about 11 percent of the affected vegetation. The least common vegetation community that would be affected is desert sand dunes (41.1 acres), which accounts for less than 3 percent of the vegetation that would be disturbed by the construction of the pipeline facilities. Areas of riparian vegetation would be avoided by the Project.

The agricultural community would typically regenerate quickly and impacts on these vegetation communities would be short term. Cultivated areas are regularly disturbed, generally receive ample water through irrigation if necessary, and would quickly re-establish on the right-of-way following replanting by the landowners. The removal of desert vegetation would have a long-term impact. The arid environment characteristic of these habitats is not conducive to plant growth and would slow the regeneration of vegetation following construction. Moreover, because of the dryness of these areas, regeneration by active seeding or planting is typically ineffective. Natural regeneration of these areas would take several years and in some cases could take over 50 years.

Of the vegetation communities that would be disturbed, the most sensitive is the desert wash woodland, which would be crossed by the B-Line. Desert wash species growing in microphyll woodland, such as ironwood, blue palo verde, and smoke tree, provide structural diversity, cover, and forage for many more wildlife species than the creosote bush scrub habitat. Of the total 82.9 acres of desert wash woodland that would be cleared, 22.0 acres (about 26 percent) would be new disturbance (i.e., not disturbed during construction of the A-Line).

North Baja would minimize tree clearing by reducing the width of the construction right-of-way from 105 feet to 80 feet in 16 woodland areas crossed by the proposed route. Trees that cannot be avoided would be subjected to one of several treatments (prune, limb, or remove) based on proximity to the pipeline centerline. By pruning or limbing trees rather than removing them, many trees within the right-of-way would be preserved. The reduction of the right-of-way width in these 16 areas would preserve 5.6 acres of desert wash woodland trees, which would reduce the amount of new clearing in desert wash woodlands by about 20 percent.

The CM&R Plan is specifically designed for minimizing and restoring disturbances to native vegetation and includes a Desert Restoration Plan. The Desert Restoration Plan was developed in consultation with the BLM, the FWS, and the CDFG and describes the procedures that were successful during construction of the A-Line that would be implemented during construction of the B-Line to preserve and restore habitat values affected by pipeline construction in the desert environment. Some of these procedures include: preserving the native seed bank by segregating topsoil to a depth of 2 to 8 inches in non-agricultural areas where grading would be conducted, and redistributing material over the right-of-way during cleanup; preserving and redistributing cut vegetation over the right-of-way; restricting grading and crushing or cutting of vegetation where possible, leaving rootstock and minimizing soil disturbance; and imprinting areas with a sheepsfoot or similar device to provide indentations to catch water/seed and anchor native plant material that has been respread over the right-of-way, thereby aiding in natural revegetation and erosion control. The Agency Staffs have recommended that North Baja revise its CM&R Plan to incorporate provisions for limited testing for compaction in desert areas, and measures to alleviate compaction if compaction is identified.

After construction, North Baja would monitor the entire pipeline route to determine the success of restoration of desert vegetation. In native desert habitats, restoration would be considered successful if the right-of-way is similar in species composition to adjacent undisturbed lands. This post-construction monitoring would be conducted annually in areas of desert vegetation disturbed by construction through 2012. Results of the monitoring would be provided in reports to the FERC, the BLM, the CSLC, and the CDFG.

Implementation of North Baja's revised CM&R Plan and post-construction monitoring program would reduce potential impacts on vegetation to less than significant levels.

The removal of existing vegetation and the disturbance of soils during construction could create optimal conditions for the invasion and establishment of exotic-nuisance species. Construction equipment traveling from invasive weed-infested areas into weed-free areas could also facilitate the dispersal of invasive weed seed and propagules and result in the establishment of noxious weeds in weed-free areas. Botanical surveys conducted before construction of the A-Line identified four invasive weed species in significant numbers including African mustard, Australian saltbush, fountain grass, and tamarisk. North Baja conducted post-construction weed and revegetation surveys for the A-Line, the most recent of which occurred in the Spring of 2005. The surveys indicate that although weeds (specifically mustard and tamarisk) have reoccurred in areas where they were present before construction of the A-Line, they have not spread to new areas along the right-of-way. Additionally, the surveys indicate that fountain grass has been eliminated from the right-of-way. Tamarisk has been identified along the BEI Lateral route. North Baja has not yet provided information regarding noxious weed species that may occur along the IID Lateral route; however, in accordance with the CM&R Plan, surveys for noxious weeds along the IID Lateral would be conducted before construction.

North Baja's CM&R Plan includes measures to minimize the spread of invasive exotic species that were developed in consultation with the appropriate natural resource agencies. The CM&R Plan does not, however, include a measure to employ wash stations along the construction right-of-way to clean equipment moving from weed-infested areas to non-weed-infested native areas. The Agency Staffs believe that weed stations could be effective in preventing the spread of weed species in locations where weed populations are adjacent to areas that are relatively free of weeds. The Agency Staffs have recommended that North Baja revise its CM&R Plan to include a plan for weed wash stations to be established along the construction right-of-way to clean all equipment after working in weed-infested areas prior to entering non-weed-infested areas.

North Baja would conduct surveys for non-native plant species after construction is complete to determine locations of weed infestations attributable to the Project. North Baja would conduct these surveys and implement control measures (e.g., herbicide application, pulling by hand as permitted by landowner or land management agency) at Project-related infestations twice a year for 2 years after construction is complete or until the infestations have been controlled. North Baja would also implement weed control measures annually as part of routine operation and maintenance.

Implementation of North Baja's revised CM&R Plan and post-construction monitoring program would reduce potential impacts associated with the spread of noxious weeds to less than significant levels.

Wildlife and Aquatic Resources

The primary impact of the Project on wildlife habitat, including habitat for migratory birds, would be the cutting, clearing, and/or removal of existing vegetation within the construction work area. Construction through agricultural areas would have the least impact. As discussed above, cultivated areas are regularly disturbed, receive ample water through irrigation, and would quickly reestablish on the right-of-way following replanting by the farmers. The removal of desert vegetation would result in the long-term loss of habitat for those species that utilize native vegetation communities. North Baja's CM&R Plan includes measures to avoid or minimize impacts on wildlife habitats as well as facilitate the recovery of native vegetation communities. North Baja's proposed conservation measures to minimize or avoid impacts on special status species would also serve to avoid, minimize, or compensate for impacts on general wildlife and their habitats.

The clearing of vegetation during the nesting season could have direct impacts on individual migratory birds. North Baja would attempt to schedule construction in native habitats outside of the breeding season for migratory birds. If, however, construction activities are necessary during the bird breeding season, in accordance with its CM&R Plan, North Baja would remove vegetation that could provide nesting substrate from the right-of-way before the breeding season. The Agency Staffs have recommended that North Baja consult with the FWS, the BLM, and the CDFG to develop a Preclearing Plan that includes specific details of the preclearing methods to be implemented, the specific locations where preclearing would occur, and the dates preclearing would be initiated and completed for each phase of construction. Qualified biologists would conduct preconstruction surveys to confirm the absence of nesting birds before construction begins. If, in spite of vegetation removal, nesting birds are found on the construction right-of-way, the nest would not be removed until fledging has occurred or unless authorized after consultation with the FWS, the CDFG, and, if the nest is located on Federal lands, the Federal land management agency.

Fires inadvertently started by construction activities could also affect wildlife in the Project area by igniting vegetation along the right-of-way. This habitat loss could cause crowding in adjacent habitats reducing productivity and increasing stress-induced mortality. North Baja has developed a Fire Prevention and Suppression Plan to minimize the potential for wildfires.

Implementation of North Baja's CM&R Plan, the Preclearing Plan to protect nesting migratory birds, and the Fire Prevention and Suppression Plan would reduce the impacts of the Project on wildlife to less than significant levels.

Pipeline construction or operation would not directly affect aquatic resources. An inadvertent chemical or fuel spill in or near a waterbody could release contaminants, which could affect fish through changes in food sources or by contaminating the water resources. North Baja's adherence to its CM&R Plan and SPCC Plan would reduce the potential of a spill and decrease the response time for control and

cleanup of a spill, should one occur. Therefore, the probability of a spill of hazardous materials would be small and the impact on fisheries would be less than significant.

Special Status Species

The FWS identified nine federally listed endangered or threatened species that could potentially occur in the general vicinity of the North Baja Pipeline Expansion Project. The Agency Staffs have determined that, with implementation of North Baja's proposed minimization and conservation measures, its CM&R Plan, and the Agency Staffs' additional recommendations, the Project would have no effect on four species (desert pupfish, bonytail chub, brown pelican, bald eagle) and would not likely adversely affect three species (razorback sucker, southwestern willow flycatcher, Yuma clapper rail). The proposed Project is likely to adversely affect the Peirson's milk-vetch and the desert tortoise and its designated critical habitat. As such, impacts on these species would be considered significant.

This draft EIS/EIR is serving as the Biological Assessment that is necessary for compliance with section 7 of the Endangered Species Act. Copies of this draft EIS/EIR have been sent to the FWS along with a letter requesting concurrence with the determinations of effect and initiation of formal consultation. As part of the section 7 formal consultation process, the FWS is expected to issue a Biological Opinion (BO) regarding whether the Project would jeopardize the continued existence of the Peirson's milk-vetch and the desert tortoise. The BO would contain the FWS' non-discretionary terms and conditions in order to ensure that the Project would not jeopardize the continued existence of these species or critical habitat for the desert tortoise. North Baja would not be authorized to make any irreversible or irretrievable commitments of resources that would foreclose formulation or implementation of any reasonable or prudent alternatives needed to avoid jeopardizing the continued existence of these species and adverse modification of critical habitat for the desert tortoise. North Baja would be prohibited from beginning construction until the FWS' BO is received and the FERC and CSLC staffs have approved the start of construction.

Forty-two other special status species were identified as potentially occurring within the Project area. Based on the results of habitat evaluations and species-specific surveys, 18 of these special status species potentially occur in the area that would be impacted by construction of the Project. North Baja's implementation of general and species-specific conservation measures and the Agency Staffs' additional recommendations would allow the Project to avoid, minimize, or compensate for Project impacts on these species. Therefore, with one exception, impacts would be less than significant. The Agency Staffs believe that impacts on the flat-tailed horned lizard and its habitat would be considered significant.

Land Use, Special Management Areas, Recreation and Public Interest Areas, and Aesthetic Resources

Approximately 99 percent of the pipeline facilities would be constructed in or adjacent to various existing rights-of-way, including about 63 percent (the B-Line) that would be installed generally 25 feet from North Baja's existing A-Line. In most areas, about 80 feet of the construction right-of-way for the B-Line would overlap the area previously disturbed during construction of the A-Line. No new permanent right-of-way would be required for the B-Line.

Construction of the pipeline facilities would temporarily affect about 1,551.5 acres of land. About 858.5 acres (55 percent) of land is previously disturbed area associated with construction and operation of the A-Line. Open land would be the primary land use affected by construction of the pipeline facilities totaling about 1,103.4 acres (71 percent). The remaining land uses that would be disturbed consist of 369.7 acres (24 percent) of anthropogenic (i.e., transportation and industrial/commercial/utility uses) land and 78.4 acres (5 percent) of agricultural land. Most of this land

would be allowed to return to previous uses after construction is completed; however, about 102.9 acres of open land and anthropogenic land would be retained as new permanent right-of-way. Modifications at existing and construction of new aboveground facilities associated with the proposed Project would affect 9.7 acres of open and anthropogenic land. Of the 9.7 acres, 5.4 acres would be permanently converted for operation of these facilities. The permanent conversion of open and anthropogenic land for the pipeline and aboveground facilities would not convert more than 1 percent of agricultural lands in a county to a non-agricultural use and, therefore, would be less than significant.

There are 39 residences and 6 businesses located within 100 feet of the construction work areas for the North Baja Pipeline Expansion Project. All of these establishments are located along 18th Avenue, Riviera Drive, and various Imperial County roadways where North Baja proposes to install the pipelines in the paved road or abutting road shoulders. Temporary impacts during construction of the pipeline facilities in residential areas could include: inconvenience caused by noise and dust generated by construction equipment and traffic, and by trenching of roads or driveways; increased localized traffic; ground disturbance of lawns; removal of trees, landscape shrubs, or other vegetative screening between residences and adjacent rights-of-way; and potential damage to existing septic systems or wells. North Baja has prepared Site-specific Residential Construction Mitigation Plans and proposes additional mitigation measures to minimize impacts on residents. North Baja has also prepared Traffic Management Plans in consultation with Riverside and Imperial Counties to minimize disruptions to the flow of traffic along 18th Avenue and Imperial County roadways and a Dust Control Plan to minimize the nuisance of fugitive dust.

North Baja's Site-specific Residential Construction Mitigation Plans and additional proposed mitigation measures, including the Traffic Management Plans and the Dust Control Plan, would reduce the potential impacts of construction on residences to less than significant levels.

The proposed pipelines would cross three special management areas administered by the BLM: the CDCA, the Milpitas Wash SMA, and the Imperial Sand Dunes Recreation Area (ISDRA). A CDCA Plan amendment would be needed for approximately 27.6 miles of BLM-managed land that would be crossed by the B-Line (20.8 miles) and the IID Lateral (6.8 miles) outside of a designated utility corridor within the CDCA. The B-Line would be entirely adjacent to North Baja's existing A-Line, which was the subject of an amendment to the CDCA Plan and previously approved by the BLM in 2002. The portion of the IID Lateral outside of designated utility corridors would be within or adjacent to existing transportation (Interstate 8 and Evan Hewes Highway) and transmission line rights-of-way. An amendment to the Yuma District Plan would be needed for approximately 2.5 miles of BLM-managed land outside a designated utility corridor that would be crossed by the B-Line within the Milpitas Wash SMA. The B-Line would be entirely adjacent to North Baja's existing A-Line, which was the subject of an amendment to the Yuma District Plan and previously approved by the BLM in 2002. The portions of the proposed Project requiring a BLM plan amendment are shown on Figure ES-1. The amendments for the North Baja Pipeline Expansion Project would only accommodate the proposed Project and would not conflict with the CDCA Plan and the Yuma District Plan. Therefore, the proposed plan amendments would not be a significant impact.

The ISDRA was created in 1977 for the purpose of providing a formal space for OHV use. The ISDRA Management Plan was approved and adopted as an amendment to the CDCA Plan in March 2005. The B-Line would be in the ISDRA between MPs 71.1 and 74.5 and the IID Lateral would be in the ISDRA between MPs 0.0 and 7.9. The majority of the route in these areas would be in a designated utility corridor. The amendment to the CDCA Plan discussed above would include the portion of the route that deviates from a designated utility corridor on BLM land in the ISDRA.

Non-Internet Public

DRAFT ENVIRONMENTAL IMPACT STATEMENT/REPORT FOR
THE PROPOSED NORTH BAJA PIPELINE EXPANSION PROJECT
Docket Nos. CP06-61-000 and CP01-23-003

Figure ES-1 Locations Requiring a BLM Plan Amendment

Public access for this Non-Internet information is available only
through the Public Reference Room, or by e-mail at
public.referenceroom@ferc.gov.

The proposed pipeline facilities would not cross any national or State forests, National or California Wild and Scenic Rivers, registered national natural landmarks, lands designated under a Habitat Conservation Plan, golf courses, or areas designated under the National Trails System. However, the proposed route crosses 11 recreation or public interest areas and is adjacent to several others. In general, impacts on recreational and public interest areas would be temporary and would be limited to the period of active construction, which typically would last only several days to several weeks in any one area.

During construction, the Project could have an impact on OHV use in the ISDRA and other areas by restricting access to areas designated for OHV use. Conversely, the pipeline rights-of-way could increase accessibility for OHV use into previously inaccessible, environmentally sensitive areas. To reduce the potential for interference between pipeline construction activities and authorized OHV use as well as unauthorized OHV use of the pipeline rights-of-way after construction, North Baja developed an OHV Plan that addresses the initial siting, construction, and operation of the proposed facilities. North Baja's OHV Plan was developed in consultation with BLM recreation specialists and biologists in 2001 and 2002 during planning for the original North Baja Pipeline Project and again in 2005 during planning for the proposed Project. The OHV Plan is also based on experience North Baja has gained while operating, maintaining, and managing the A-Line right-of-way since 2002. Peak OHV use in the ISDRA is especially high in November and December. North Baja has adjusted its construction schedule to avoid conflict with the high-use recreational season in the ISDRA. North Baja would also install the pipeline deeper in certain portions of the ISDRA to avoid conflict with recreational activities.

North Baja has no plans to maintain a permanent road on the right-of-way for operation and maintenance of the pipeline facilities. However, North Baja would maintain access to all portions of the permanent right-of-way by four-wheel drive vehicles in order to conduct emergency and periodic maintenance. The level of routine maintenance required by North Baja should not increase the accessibility the right-of-way provides for OHV use into previously restricted, inaccessible, or environmentally sensitive areas. In accordance with its OHV Plan, North Baja would install blocking measures to further reduce the potential for OHV use of the right-of-way. North Baja would also place signs and vegetative barriers at various access points along the right-of-way as requested by the BLM. Implementation of North Baja's OHV Plan and these measures would reduce the potential impacts associated with unauthorized OHV use of the right-of-way to less than significant levels. Other recreational activities occurring along the pipeline routes could be impacted by construction-induced effects such as traffic, noise, and dust. These effects may affect the quality of some users' recreational experiences, but would be temporary in nature and less than significant.

Visual impacts of the Project would be greatest at the aboveground facility sites. Modifications at the existing aboveground facilities would result in an incremental increase in impacts on visual resources but would generally be minor because of the presence of the existing facilities. North Baja would paint the new or additional facilities so they would blend with the surrounding landscape. Construction of these facilities would not result in a substantial adverse effect on a scenic area or vista, substantially damage scenic resources, or substantially degrade the existing visual character or quality of the area or its surroundings. North Baja's proposed mitigation measures would reduce the visual impact of the aboveground facilities to less than significant levels.

Socioeconomics

No significant adverse socioeconomic impacts associated with the proposed Project were identified. The existing regional infrastructure would be able to handle the demand for housing and other services created by the temporary influx of construction workers. Personnel from North Baja's existing staff would assume operation and maintenance of the new facilities as part of their existing routine

workload. Therefore, the Project would not cause a permanent population increase in any of the affected counties. The Project would not increase the short- or long-term demand for utilities and public service systems. Construction and operation of the Project would have a minor positive effect on local tax revenue and economies.

Transportation and Traffic

The proposed pipelines would cross several linear transportation and utility rights-of-way, including roads and railroads. All railroads and many road crossings would be bored; therefore, there would be little or no disruption to traffic. Most smaller, unpaved roads and driveways would be open cut where permitted by local authorities or landowners. However, no roads would be closed unless adequate detours are provided. If a detour is required, traffic would be rerouted to another nearby road. This would not result in a significant change in the level of service of Project-area roadways. If no reasonable detour is feasible, North Baja would leave at least one lane of traffic open. Where Project construction crosses roads necessary for access to private residences and no alternative entrance exists, North Baja would implement measures (e.g., plating over the open portion of the trench) to maintain passage for landowners and emergency vehicles. Most open-cut crossings would be completed and the road resurfaced in 1 or 2 days; therefore, construction would not cause the closure of a roadway for more than 48 hours consecutively.

In addition, construction of the B-Line would take place within the road or road shoulder of 18th Avenue for about 7.6 miles and the IID Lateral would be constructed within several Imperial County roadways. As discussed above, North Baja has prepared Traffic Management Plans in consultation with Riverside and Imperial Counties to minimize disruptions to the flow of traffic along 18th Avenue and Imperial County roadways. Implementation of these Traffic Management Plans would reduce impacts associated with construction of the Project to less than significant levels.

Construction of the Project would result in temporary increases to traffic levels due to the commuting of the construction workforce to the Project area as well as the movement of construction vehicles and delivery of equipment and materials to the construction work area. Overall, the number and frequency of construction vehicle trips would be low on any particular roadway at any one time because construction would move sequentially along the Project right-of-way and the Project would not cause an increase in traffic that would be substantial in relation to the existing traffic load and capacity. Therefore, impacts associated with increased traffic levels during construction of the Project would be less than significant.

Cultural Resources

The FERC is responsible for complying with section 106 of the National Historic Preservation Act (NHPA), which requires Federal agencies to take into account the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation (ACHP) an opportunity to comment. The procedures for complying with section 106 are outlined in the ACHP's regulations (Title 36 CFR Part 800). The effects of the Project on properties of traditional religious and cultural importance to Native Americans must also be considered in accordance with section 101 (d)(6) of the NHPA and the American Indian Religious Freedom Act. North Baja, as a non-Federal party, is assisting the FERC in meeting its obligations under section 106 and the implementing regulations in Title 36 CFR Part 800. In addition, the BLM must consider Native American religious and cultural concerns for the portion of the Project crossing Federal lands in accordance with the Archaeological Resource Protection Act, the Native American Graves Protection and Repatriation Act, and Sacred Sites Executive Order 13007.

The CSLC is responsible for complying with all provisions of the CEQA covering cultural resources, including the CEQA sections 21083.2 and 21084.1, and section 15064.5 of the Guidelines for Implementing the CEQA. Cultural resources include prehistoric and historic-period archaeological sites, districts, and objects; standing historic structures, buildings, districts, and objects; and locations of important historic events or sites of traditional/cultural importance. The State CEQA Guidelines section 15064.5 indicates a project may have a significant environmental effect if it causes “substantial adverse change” in the significance of an historic resource as defined in section 15064.5(a)(1) through (a)(4). Under the CEQA, the CSLC is also required to take into account the effect on properties eligible for listing on the California Register of Historic Resources (CRHR) or that meet the definition of a unique archaeological resource in the CEQA section 21083.2.

North Baja surveyed a 220-foot-wide corridor in 2000 and 2001 for the construction of the A-Line, which also covers the construction work area for the proposed B-Line. No cultural resources were identified in Arizona. Ninety cultural resources were identified along the B-Line route in California. Four cultural resources are recommended as not eligible for listing on the National Register of Historic Places (NRHP) and the CRHR and no further work is recommended. Forty-four cultural resources have not been evaluated to determine eligibility and 42 sites are recommended as eligible for listing on the NRHP and the CRHR, including the All-American Canal. North Baja would avoid impacts on the All-American Canal by use of the HDD crossing method. Impacts on the other canals and irrigation features would be mitigated by North Baja’s proposal to monitor construction activities. North Baja would mitigate impacts on the remaining unevaluated and eligible sites by the use of avoidance measures (including installation of exclusion fencing), construction monitors, data recovery, and/or narrowing of the construction right-of-way. In addition, North Baja would conduct additional surveys or evaluations at four cultural resources that are unevaluated or eligible for listing on the NRHP and the CRHR.

North Baja surveyed a 100- to 200-foot-wide corridor along about 43.0 miles of the proposed IID Lateral route. The remainder of the proposed route was not surveyed due to denied access. North Baja would complete surveys along the remaining portion of the IID Lateral route when landowner permission is obtained.

North Baja’s surveys identified 98 cultural resources along the IID Lateral. Five cultural resources are recommended as not eligible for listing on the NRHP and the CRHR and no further work is recommended. Two cultural resources (including the All-American Canal) are recommended as eligible for listing on the NRHP and the CRHR. North Baja would avoid impacts on the All-American Canal by use of the HDD crossing method. The remaining 91 cultural resources have not been evaluated to determine eligibility for listing on the NRHP and the CRHR. Two of these sites would not be within the construction work area. Seventy-two of the unevaluated cultural resources are canals or other irrigation features, 13 are transmission/telephone lines or poles, and 1 is a railroad. North Baja would mitigate impacts on these features by monitoring them during construction to ensure avoidance. North Baja would conduct additional evaluations at the three remaining unevaluated sites.

North Baja surveyed a 110-foot-wide corridor along the BEI Lateral where it would be adjacent to Riviera Drive. The remaining portion of the BEI Lateral was covered by the survey of the Blythe Meter Station site, which included the SoCal Gas Interconnect. No cultural resources were identified along the BEI Lateral or at the Blythe Meter Station site. North Baja also completed surveys of the 18th Avenue, Ripley, Ogilby, and IID Lateral (El Centro) Contractor Yards. No cultural resources were identified at these yards. North Baja has indicated it would complete surveys along any access roads that require improvements or modifications.

North Baja provided its Unanticipated Discovery Plan to be used in the event that cultural resources or human remains are discovered during construction. The plan includes contact procedures for

the FERC, the State Historic Preservation Offices (SHPOs), the BLM, the BOR, and Native American tribes, as appropriate. The plan provides for the protection in place of any unanticipated discoveries until appropriate evaluation and consultation have occurred. In the event that the discovery is determined to be of NRHP significance, a treatment plan (such as avoidance, monitoring, and/or scientific data recovery) would be developed and implemented in consultation with the appropriate parties.

North Baja conducted initial and follow-up contacts with 18 Native American tribes whose traditional territories are crossed by the Project or who had been identified by the SHPOs or another knowledgeable party as having a potential cultural resources concern. Members of the Quechan Tribe and the Campo Band of Mission Indians participated in the cultural resources surveys as Native American monitors.

At the time of North Baja's follow-up consultations, the majority of the tribes indicated they had no concerns about the proposed Project or had not yet reviewed the Project materials. Some of these tribes also requested to receive future Project updates. North Baja was not able to complete follow up contacts with the Fort McDowell Yavapai Nation. The Gila River Indian Community and the Hualapai Tribe indicated they would defer comments to the Colorado River Indian Tribe. The Hualapai Tribe and the Torres-Martinez Desert Cahuilla Indians identified concerns about existing trails in the Project area. North Baja would monitor construction activities to avoid impacts on trails. The Tohono O'odham Nation indicated it would defer comments to the Colorado River Indian Tribe and the Mojave, the Cocopah, and the Quechan Tribes. The Hopi Tribe stated it would defer comments to the SHPO and other interested parties, that it had an interest in the White Tanks area, and that no known traditional cultural properties were in the Project area. The Salt River Pima-Maricopa Indian Community indicated it would defer comments to the Tohono O'odham Nation. The proposed Project would not affect the White Tanks area, which is near Phoenix. No Native American religious concerns were identified.

No traditional cultural properties have been identified in the proposed Project's area of potential effect to date. North Baja indicated it would continue consultations with Native American tribes throughout the Project.

In addition to North Baja's contacts, the Agency Staffs' August 2005 notice regarding the Project was sent to 64 individuals from 33 Native American tribes that were identified by the California Native American Heritage Commission. One tribe, the Ramona Band of Cahuilla, provided comments in response to the notice.

The Arizona SHPO indicated that previous surveys were adequate for the currently proposed Project in Arizona. In order to complete the process of complying with section 106 of the NHPA for the proposed facilities, North Baja would need to conduct cultural resources surveys along portions of the proposed route in California where landowner permission has not been obtained. In addition, North Baja would conduct further work at certain cultural resources sites to determine their eligibility for listing on the NRHP. Once cultural resources surveys and evaluations are complete, the FERC, in consultation with the SHPO(s); the BLM; the BOR; and the FWS, Cibola NWR, as applicable, would make determinations of eligibility and Project effects. If historic properties would be adversely affected, the FERC, as the lead Federal agency, would notify the ACHP to afford it an opportunity to participate in consultation. The CSLC would make the final determination of eligibility for the CRHR. If any historic property would be adversely affected, North Baja would be required to prepare treatment plans indicating how impacts would be reduced or mitigated. Once a treatment plan is approved, a Memorandum of Agreement would be executed by the appropriate parties. North Baja would implement the specific treatment measures before Project construction is authorized by the FERC and the CSLC in any given area. Implementation of treatment would occur only after certification of the proposed Project. Implementation of treatment would ensure that Project-related adverse effects would be resolved for purposes of section 106 compliance, and reduced to less than significant levels for the purposes of NEPA compliance.

Air Quality

Air quality in the Project area is regulated by the Arizona Department of Environmental Quality (ADEQ), the Mojave Desert Air Quality Management District (AQMD), and the Imperial County Air Pollution Control District (ICAPCD). La Paz County, Arizona is designated as attainment or unclassifiable for all criteria pollutants. Portions of Riverside and Imperial Counties, California that are within the Project area are designated as nonattainment for ozone and particulate matter having an aerodynamic diameter less than or equal to 10 microns and attainment for all other criteria pollutants. Because there would be no stationary sources or operational emissions associated with the proposed Project, the stationary source permitting requirements of the ADEQ, the Mojave Desert AQMD, and the ICAPCD do not apply.

Fugitive dust regulations adopted by the ADEQ, the Mojave Desert AQMD, and the ICAPCD do apply to the construction activities associated with the proposed Project. The construction activities that would generate emissions include land clearing, ground excavation, and cut and fill operations. These construction activities would occur 6 days per week for up to 12 hours per day during the construction periods. The intermittent and short-term emissions generated by these activities would include dust from soil disruption and combustion emissions from the construction equipment. Emissions from construction of the pipeline and aboveground facilities are not expected to cause or significantly contribute to a violation of an applicable ambient air quality standard or contribute substantially to an existing or projected air quality violation because the construction equipment would be operated on an as-needed basis during daylight hours only and the emissions from gasoline and diesel engines would be minimized because the engines must be built to meet the standards for mobile sources established by the EPA mobile source emission regulations including those in Title 40 CFR Part 85. Most of the construction equipment would be powered by diesel engines and would be equipped with typical control equipment (e.g., catalytic converters), and Project-related vehicles and construction equipment would be required to use the new low sulfur diesel fuel as soon as it is commercially available. In addition, North Baja would implement several other measures (e.g., minimize idling time, ensure that diesel-powered construction equipment is properly maintained and shut off when not in use, reduce construction-related trips as feasible for workers and equipment) to minimize impacts on air resources.

Fugitive dust generated by construction activities would be minimized by the implementation of North Baja's Dust Control Plan. The Dust Control Plan includes control measures identified as best management practices by the regulating agencies. Some of these measures include applying water to unpaved roads and active construction areas and reducing vehicle speeds on unpaved roads. The Agency Staffs have recommended that North Baja revise its Dust Control Plan to provide more specific information regarding the precautions that would be taken to minimize fugitive dust from construction activities. With the implementation of North Baja's revised Dust Control Plan, fugitive dust from Project construction activities is not expected to result in a violation of Federal or State ambient air quality standards or contribute substantially to an existing or projected air quality violation due to the transient and temporary nature of the construction activities.

The odorant facility North Baja proposes to install at the existing Ogilby Meter Station to odorize the natural gas before delivery into the SoCal Gas system could result in a potential for offsite odor. North Baja has designed the facility and associated equipment to minimize the potential for odorant release and would frequently inspect the odorant transfer, storage, and injection systems as part of routine maintenance to reduce the potential for spills to occur. In addition, North Baja would prepare a site-specific spill response plan to be implemented in case of an odorant release. This plan would address anticipated spill scenarios, release response actions, personal protective equipment, spill neutralization/cleanup, emergency responder coordination, and public communication. The siting of the odorant facility at a relatively remote location, the specific design features of the facility, and North

Baja's adherence to its inspection and maintenance procedures as well as its implementation of the site-specific spill response plan would minimize the potential for the Project to create objectionable odors that would affect a substantial number of people or affecting a lesser number of people for a substantial duration.

Noise

The Project would occur primarily in rural range, desert, and agricultural areas. Noise sources in rural areas are predominantly natural, including insects, birds, wind, and weather. Accordingly, existing ambient noise levels near most of the pipeline routes are low. The majority of the pipeline and aboveground facilities would be located in areas with little to no human population and few noise-sensitive areas. The FERC guidelines do not specifically cover operational noise for the North Baja Pipeline Expansion Project aboveground facilities such as the odorant facility, meter stations, launchers, or receivers. The proposed modifications at the existing Ehrenberg Compressor Station would not increase operational noise levels at the station. Neither the States of Arizona nor California have Statewide noise regulations that would limit noise from these facilities; noise is regulated at the local level in both States.

Noise would be generated during construction of the pipeline and aboveground facilities. Noise associated with construction activities would be both temporary and intermittent because equipment would be operated on an as-needed basis during daylight hours. Therefore, the potential for construction activities to result in the generation of or exposure of persons to excessive ground-borne vibration or ground-borne noise levels would be less than significant.

Pipeline construction would proceed at rates averaging about 1 mile per day. However, construction activities in any one area could last from several weeks to several months on an intermittent basis. Construction equipment would be operated on an as-needed basis during this period. Although certain noise-generating activities associated with pipeline construction (e.g., HDDs and bore operations) would occur at a single location for extended time periods and include nighttime activities, most activities would occur for limited lengths of time at a specific location and would occur during daytime hours. Additionally, a majority of the activities would occur away from population centers; therefore, the potential for the Project to result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project would be less than significant.

North Baja would comply with the noise elements included in the Riverside County and Imperial County General Plans; therefore, the potential for the Project to result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies would be less than significant.

Reliability and Safety

The pipeline and aboveground facilities associated with the North Baja Pipeline Expansion Project would be designed, constructed, operated, and maintained to meet or exceed the U.S. Department of Transportation (DOT) Minimum Federal Safety Standards in Title 49 CFR Part 192 and other applicable Federal and State regulations including the California Public Utilities Commission, General Order 112-e. These regulations, which are intended to protect the public and to prevent natural gas facility accidents and failures, include specifications for material selection and qualification; odorization of gas; minimum design requirements; and protection of the pipeline from internal, external, and atmospheric corrosion. To address seismic hazards, the facilities would be designed to meet or exceed the latest edition of the Uniform Building Code or International Building Code and to incorporate current seismological engineering standards, including the *Guidelines for the Seismic Design of Oil and Gas*

Pipeline Systems (American Society of Civil Engineers 1984), *Guidelines for the Design of Buried Steel Pipe* (American Lifelines Alliance 2001), and *Guidelines for the Seismic Design and Assessment of Natural Gas and Liquid Hydrocarbon Pipelines* (Pipeline Research Council International, Inc. 2004).

North Baja would prepare and implement an Operation and Maintenance Plan in accordance with the requirements in Title 49 CFR Part 192. Within the first 6 months of placing the pipeline into operation, North Baja would conduct an internal inspection of the pipeline. This inspection would use an in-line magnetic flux leakage inspection tool (i.e., smart pig). The record of this inspection would serve as an initial set of data that would be compared to future internal inspections so that changes in pipe condition, primarily pipe wall thickness loss, can be readily determined and corrected. Following the initial test, internal inspections with a high resolution instrument would be conducted on a periodic basis, at a minimum of one inspection every 10 years, or sooner if the evidence suggests that significant corrosion or defects exist or if any new Federal or State regulations require more frequent or comparable inspections. In locations designated as high consequence areas, the pipeline would be inspected every 7 years.

The existing pipeline system is monitored and controlled 24 hours a day for pressure drops in the pipeline that could indicate a leak or other operating problem through a Supervisory Control and Data Acquisition (SCADA) system, which is a computer system for gathering and analyzing real-time systems. The system is programmed to take appropriate immediate action when alarm conditions are present. The SCADA system allows operators located in the Gas Control Center in Portland to monitor pipeline system conditions, including any actions that the SCADA system has made or any conditions that require immediate operator actions such as shutting down a compressor unit, closing a valve, or initiating emergency call-out action. In addition, a crew that conducts on-site operations and maintenance is located at the Ehrenberg Compressor Station, and is on call 24 hours a day. When completed, the B-Line, BEI Lateral, and IID Lateral would be operated in conjunction with the existing system and subject to the same operation and maintenance procedures.

The pipeline facilities would be clearly marked at line-of-sight intervals and at other key points to indicate the presence of the pipeline. The pipeline system would be routinely inspected by air and on the ground to observe right-of-way conditions and monitor for encroachments, third-party activities, or erosion on or near the right-of-way. All inspections would be conducted in accordance with DOT standards. Erosion or unstable conditions would be repaired as appropriate and appurtenant facilities would be maintained on a regular basis.

While the primary focus of these standards is prevention of accidents, North Baja would prepare an Emergency Response Plan that would be coordinated and tested (through drills and exercises) with local fire/police departments and emergency management agencies.

Cumulative Impacts

When the impacts of the North Baja Pipeline Expansion Project are considered additively with the impacts of other past, present, or reasonably foreseeable future projects, there is some potential for cumulative effect on resources such as soils, vegetation and wildlife (including special status species), land use, recreation, aesthetic resources, socioeconomics, transportation and traffic, cultural resources, air quality, and noise. For the North Baja Pipeline Expansion Project, mitigation has been developed or recommended to minimize, avoid, or compensate for adverse impacts on each of these resources. Consequently, the North Baja Pipeline Expansion Project would not contribute significantly to a cumulative adverse effect on the region's environment.

As discussed above, the North Baja system is the U.S. portion of the international North Baja/Gasoducto Bajanorte Pipeline Project. The Gasoducto Bajanorte pipeline, which currently takes gas from the North Baja system at the U.S.-Mexico border and moves it west, would be reconfigured to move gas in the opposite direction, similar to the reconfiguration of the North Baja system that would occur during Phase I. Transport of the initial volumes of LNG-source gas would also require a new compressor station (Algodones Compressor Station) on the Gasoducto Bajanorte pipeline. This compressor station would be located 2.5 miles south of the California-Mexico border and 3 miles west of the Arizona-Mexico border, in Baja California del Norte just southwest of the border town of Algodones. The reconfiguration of the Gasoducto Bajanorte pipeline and the construction of the Algodones Compressor Station are planned for completion in late 2007.

The capacity of the Gasoducto Bajanorte pipeline system would similarly be expanded in coordination with North Baja's Phase II expansion. To accommodate the additional volume of gas, up to 100 percent looping of the Gasoducto Bajanorte pipeline and additional compression would be required, both at the Algodones Compressor Station and at a new compressor station near Mexicali (Mexicali Compressor Station). These facilities would be constructed in 2009 to be operational by 2010.

Because of the proximity of the proposed compressor stations in Mexico, the potential exists for operating emissions to affect air quality in the United States, specifically in the Imperial Valley portion of Imperial County. The Agency Staffs conducted an analysis of the operating emissions from the Mexicali and Algodones Compressor Stations and determined that no emitted pollutants at these compressor station sites would result in a predicted concentration above an established significant impact level at the maximally impacted receptor located in the vicinity of the U.S.-Mexico border. Therefore, it is unlikely that emissions from these proposed stations would result in any significant cumulative ambient air quality impacts at receptors in the vicinity of or across the U.S. border. The emissions from existing power plants west of Mexicali (the La Rosita Power Complex [LRPC] and the Termoelectrica de Mexicali Power Plant [TDM Plant]) were taken into consideration in the cumulative impacts analysis.

A Health Risk Assessment was conducted to determine the potential impacts of the toxic air pollutants emitted by the existing power plants and proposed compressor stations. The analysis also included the LRPC and TDM Plant. Based on the analysis, the average cancer risks as well as the chronic and acute hazard indexes would be well below the established significance thresholds used by California air districts. In addition, the future chronic and acute hazard indexes would also be well below the more stringent thresholds set by the South Coast AQMD. Therefore, the cumulative risks associated with the emissions from the existing power plants and the future compressor stations would be considered less than significant.

Growth-inducing Impacts

North Baja does not anticipate adding permanent staff to handle Project operations. The potential growth-inducing impact of the North Baja Pipeline Expansion Project would be the delivery of an alternative or additional source of natural gas to existing natural gas users. Providing an alternate fuel supply could lead to a positive economic environment conducive to growth or prevent increases in energy costs that might restrict growth. The existing power plants that would be supplied by the North Baja Pipeline Expansion Project (i.e., the Blythe Energy Facility I and the IID El Centro Generating Station) would not be solely dependent on the gas supplied by the Project. Potential infrastructure growth might occur with or without the construction of the pipeline and thus would not be attributable to the proposed Project. However, to the extent that the IID's Unit 3 Repower Project, which is a proposed expansion at the El Centro Generating Station, would diversify its suppliers of natural gas, the additional gas supplied by the proposed Project could be a growth-inducing impact.

Environmental Justice

Some communities within the Potential Impact Radius⁶ of the Project have low-income and minority populations compared to the affected counties as a whole. However, none of the potential impacts of the Project that could affect environmental justice issues are considered significant. Therefore, the Project would neither result in a disproportionately high and adverse effect or impact on minority or low-income populations nor contribute to a cumulative impact on these populations.

ALTERNATIVES CONSIDERED

The No Project Alternative was considered. The Agency Staffs concluded that while the No Project Alternative would eliminate the environmental impacts identified in this EIS/EIR, North Baja would not be able to provide transportation for LNG-source natural gas from the Mexican pipeline system into the United States to meet the demand for natural gas in California and other southwestern U.S. markets. This means customers in the southwestern United States would likely have fewer and potentially more expensive options for obtaining natural gas supplies in the near future. This might lead to alternative proposals to develop natural gas delivery or storage infrastructure, reduced use of natural gas, and/or the use of other sources of energy.

It is possible that the infrastructure currently supplying natural gas to the proposed market area could be developed in other ways unforeseen at this point. This might include constructing or expanding regional pipelines as well as LNG import and storage systems. Any construction or expansion work would result in specific environmental impacts that could be less than, similar to, or greater than those associated with the proposed Project. Increased costs could potentially result in customers conserving or reducing use of natural gas. Although it is possible that additional conservation may have some effect on the demand for natural gas, the level of conservation efforts, as described in the CEC's *2005 Integrated Energy Policy Report* (CEC 2005a), is not expected to significantly reduce the long-term requirements for natural gas or effectively exert downward pressures on gas prices.

Denying North Baja's applications could force potential natural gas customers to seek regulatory approval to use other forms of energy. California regulators are promoting renewable energy programs to help reduce the demand for fossil fuels. While renewable energy programs can contribute as an energy source for electricity, they cannot at this time reliably replace the need for natural gas or provide sufficient energy to keep pace with demand.

Alternatives involving the use of other existing or proposed LNG or natural gas facilities to meet the stated objectives of the proposed Project were evaluated. None of these system alternatives could meet the Project objectives within the time frame of the proposed Project. Furthermore, each of the system alternatives could result in its own set of significant environmental impacts that could be greater than those associated with the proposed Project.

The B-Line deviates from a designated utility corridor on BLM land at five locations in the CDCA. As part of the EIS/EIR for the A-Line, the alternative of following designated utility corridors was considered. Based on the analysis conducted for that project, the route selected for the A-Line, including the deviations from designated utility corridors and the crossing of the Milpitas Wash SMA, was determined to be environmentally preferable to a route that remained within designated utility corridors. The proposed B-Line would be adjacent to the existing A-Line for the entire route. The collocation of facilities is generally preferred by land management agencies, land use planners, and other regulatory agencies and has several inherent engineering and environmental advantages. Perhaps the

⁶ The potential impact radius is calculated as the product of 0.69 and the square root of the maximum allowable operating pressure of the pipeline in pounds per square inch multiplied by the pipeline diameter in inches.

most important of these advantages is that new land disturbance is minimized. Because of the advantages of collocation, and because the route selected for the A-Line that would be followed for the B-Line was previously determined to be environmentally preferable to a route that remains within a designated utility corridor, alternatives for the B-Line route that would follow designated utility corridors were not considered. The Agency Staffs evaluated one route alternative (22nd Avenue Alternative) in comparison with the corresponding segment of the proposed B-Line. The 22nd Avenue Alternative would avoid 18th Avenue. The 22nd Avenue Alternative was eliminated because it would merely transfer impacts from one or more property owners or communities to another without conferring obvious environmental advantages.

Seven route alternatives were evaluated in comparison with the corresponding segment of the proposed IID Lateral. Along the IID Lateral, North Baja proposes to deviate from a designated utility corridor at three locations within the CDCA. Two alternatives (Corridor L and Bonds Corner Alternatives) were evaluated to stay within a designated utility corridor for a longer distance than the proposed route. Four alternatives (CalTrans, ISDRA North, ISDRA Transmission Line, and ISDRA Grays Well Road Alternatives) were identified to avoid potential conflicts of the IID Lateral with existing and planned recreational use in the ISDRA. One alternative (Gasoducto Bajanorte Pipeline Route Alternative) would connect directly from the Gasoducto Bajanorte pipeline west of Mexicali to the IID's El Centro Generating Station. All of the IID Lateral alternatives were eliminated because they would not be environmentally preferable to the corresponding segment of the IID Lateral, would be infeasible, or would not meet the Project objectives.

Four route variations (East Mesa Route Variation and Imperial Valley Route Variations A, B, and C) in comparison with the corresponding segment of the proposed IID Lateral were evaluated to avoid potential conflicts with other projects or address scoping comments. These route variations were eliminated because they would not be environmentally preferable to the corresponding segment of the IID Lateral, would be infeasible, or would merely transfer impacts from one or more property owners or communities to another without conferring obvious environmental advantages.

An alternative to the proposed delivery points to the SoCal Gas system and Blythe Energy Facility I supply pipeline along Riviera Drive was considered. This alternative, the Arrowhead Alternative, would deliver natural gas to the SoCal Gas system at SoCal Gas' existing Blythe Compressor Station at the intersection of 14th Avenue and Arrowhead Boulevard in Riverside County. This alternative would add 2.1 miles of 36-inch-diameter pipeline; a new meter station; a pig launcher and receiver; and ancillary taps, piping, and aboveground facilities. The Arrowhead Alternative would eliminate the proposed Blythe Meter Station at Riviera Drive, the SoCal Gas Interconnect at the Blythe Meter Station, the 0.6-mile-long BEI Lateral, and the odorant facility at the Ogilby Meter Station. The Arrowhead Alternative would modify a small portion of the proposed Project by essentially exchanging certain aboveground facilities and short segments of pipeline. Because North Baja's negotiations with SoCal Gas regarding the delivery point to its system are still in progress, the Agency Staffs consider the Arrowhead Alternative to be a reasonable alternative and have analyzed it in the applicable resource discussions in Section 4.

The Agency Staffs evaluated the alternatives of installing the odorant facility at the proposed Blythe Meter Station site or constructing the facility on a new site at a different location. Construction of the odorant facility on the proposed Blythe Meter Station site would require an expansion of that site and would place the facility in a residential area. Construction of the odorant facility at a different location would require disturbance of previously undisturbed land and the construction of additional pipeline facilities to connect it to the proposed pipeline. The alternatives of creating a new industrial site or installing the odorant facility in a residential area on an expanded Blythe Meter Station site would not be environmentally preferable to the proposed Project and were eliminated from further consideration.

ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The State CEQA Guidelines (section 15126.6(d)) require that an EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. An analysis of the Arrowhead Alternative and the No Project Alternative in comparison with the proposed Project is included in the major resource topics in Section 4. A comparison of the impacts of the proposed Project, the No Project Alternative, and the Arrowhead Alternative is included in Section 5. Based on the analysis in this EIS/EIR, the No Project Alternative would eliminate the environmental impacts associated with the proposed Project and, therefore, is the environmentally superior alternative. However, as discussed above, under the No Project Alternative North Baja would not be able to provide transportation for LNG-source natural gas from the Mexican pipeline system into the United States to meet the growing demand for natural gas in California and other southwestern U.S. markets.

Section 15126.6(e)(2) of the State CEQA Guidelines provides, in part, “If the environmentally superior alternative is the “No Project Alternative,” the EIR shall also identify an environmentally superior alternative among the other alternatives.” The Arrowhead Alternative would modify only a small portion of the proposed Project essentially by exchanging certain facilities; therefore, it is considered an alternative segment of the proposed Project rather than an alternative to the overall Project. Because the draft EIS/EIR identifies only the “No Project Alternative” as an alternative to the proposed Project, there is no obligation to identify an environmentally superior alternative as provided in section 15126.6(e)(2).

MAJOR CONCLUSIONS

The Agency Staffs have concluded that if the Project is constructed in accordance with applicable laws and regulations, North Baja’s proposed mitigation, and the Agency Staffs’ additional mitigation recommendations, it would be an environmentally acceptable action. Although many factors were considered in this determination, the principal reasons are:

- 99 percent of the proposed pipeline facilities would be constructed in or adjacent to various existing rights-of-way;
- no new permanent right-of-way would be required for the B-line, and the permanent right-of-way for the IID Lateral would be limited to a maximum width of 30 feet;
- North Baja would implement its CM&R Plan, SPCC Plan, HDD Plan, Traffic Management Plans, Blasting Specifications, PRMM Plan, Dust Control Plan, Fire Prevention and Suppression Plan, Site-specific Residential Construction Mitigation Plans, OHV Plan, and Unanticipated Discovery Plan for Cultural Resources to protect natural resources and residential areas during construction and operation of the Project;
- use of the HDD method would avoid disturbances to the beds and banks of the Colorado River, the All-American Canal, and the East Highline Canal and associated wetlands/riparian areas;
- the appropriate consultations with the FWS, the CDFG, the SHPOs, and Native American tribes, and any appropriate compliance actions resulting from these consultations, would be completed before North Baja would be allowed to begin construction in any given area; and

- an environmental inspection and mitigation monitoring program would ensure compliance with all mitigation measures that become conditions of certification or approval.

The FERC and CSLC staffs are responsible for identifying any significant environmental impacts so they can be considered by their respective Commissions in deciding whether to approve the Project. As part of the analysis, specific mitigation measures were developed to reduce the environmental impact that would result from construction of the Project. With three exceptions, North Baja's proposed and/or the Agency Staffs' recommended mitigation would reduce potential environmental impacts to less than significant levels. The Agency Staffs have determined that the Project is likely to adversely affect the Peirson's milk-vetch and the desert tortoise and its designated critical habitat. The Agency Staffs also believe that impacts on the flat-tailed horned lizard and its habitat would be considered significant. As such, impacts on these three species would be considered significant. Approval of the Project would be subject to a Statement of Overriding Considerations under the CEQA due to these significant unavoidable impacts that could remain after all available or feasible mitigation is applied.

The FERC and CSLC staffs will recommend that all mitigation measures in this EIS/EIR be attached as conditions to any Certificate issued by the FERC and to any approval issued by the CSLC. The BLM will present, in its Records of Decision for the North Baja Pipeline Expansion Project, its own recommendations that incorporate the concurrence or non-concurrence of the BOR and the FWS. The FERC, the CSLC, and the BLM would ensure compliance with the mitigation measures included in this EIS/EIR through the adoption of an environmental inspection and mitigation monitoring program for the Project.