

1.0 INTRODUCTION

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared this final Environmental Impact Statement (EIS) to assess the environmental impact associated with the construction of facilities proposed by Rockies Express Pipeline LLC (Rockies Express), TransColorado Gas Transmission Company (TransColorado), and Questar Overthrust Pipeline Company (Overthrust) in accordance with the requirements of the National Environmental Policy Act (NEPA). These individual corporate entities have submitted separate and distinct proposals to the Commission; however, the FERC views the proposed facilities as interconnected projects that are necessary components of a larger, combined natural gas transportation system. As such, all three project proposals have been included in this final EIS, and are collectively referred to as the Rockies Western Phase Project (or the Project), and all three entities – Rockies Express, TransColorado, and Overthrust – are collectively referred to as the Applicants. As currently proposed, the Rockies Western Phase Project would consist of the construction and operation of approximately 795.6 miles of natural gas pipeline and a total of 237,320 horsepower (hp) of new compression. Following completion of the proposed facilities, the Rockies Western Phase Project would transport up to 1.5 million dekatherms per day (Dth/d) of natural gas, or approximately 1.5 billion cubic feet (bcf) of natural gas per day. Figure 1-1 presents an overview of the facilities proposed by the Applicants. A detailed discussion of the proposed facilities is presented in section 2 of this EIS.

A draft EIS was prepared and issued for public review and comment on November 3, 2006. This document is a final EIS that has been prepared to respond to comments received on the draft EIS. The distribution list for this final EIS is provided in Appendix A.

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

Rockies Express

On May 31, 2006, Rockies Express, a joint venture between Kinder Morgan Energy Partners, L.P. (Kinder Morgan) and Sempra Pipelines and Storage (Sempra), filed an application with the FERC in Docket Number CP06-354-000 under Section 7 of the Natural Gas Act (NGA), as amended, and Parts 157 and 284 of the Commission's regulations. Subsequent to the application filing, Conoco-Phillips joined Kinder Morgan and Sempra as an equity partner in Rockies Express LLC. Rockies Express is seeking a Certificate of Public Convenience and Necessity (Certificate) for its proposed Rockies Express West Project (REX-West Project) which would include the construction and operation of pipeline, compression, and ancillary facilities in Colorado, Wyoming, Nebraska, Kansas, and Missouri. These new facilities would transport natural gas produced in the Rocky Mountain and San Juan basins for delivery to major markets in the Midwest and eastern United States through interconnections with existing interstate natural gas pipeline systems (see section 1.1). Rockies Express is not proposing to supply gas to local distribution companies at this time.

Non-Internet Public

FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE
PROPOSED ROCKIES WESTERN PHASE PROJECT
Docket Nos. CP06-354-000, CP06-401-000, and CP06-423-000

Page 1-2
Figure 1-1
Project Location Map

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

In addition, the joint venture of Kinder Morgan-Sempra acquired Entrega Gas Pipeline, Inc. (Entrega) from Alenco Pipelines Inc., and Rockies Express LLC purchased the Entrega Pipeline on February 28, 2006, in a non-jurisdictional transaction.¹ The application filed by Rockies Express in Docket No. CP06-354-000 includes the addition of compression and related ancillary facilities along the acquired Entrega Pipeline system, as necessary components of the specific REX-West Project and thus the overall Rockies Western Phase Project.

TransColorado

On June 23, 2006, TransColorado filed an application with the FERC in Docket No. CP06-401-000 under Section 7 of the NGA to seek a Certificate to construct and operate both new and expanded compression facilities on a portion of its existing interstate natural gas pipeline system in New Mexico and Colorado. This project, the Blanco to Meeker Project, would provide firm transportation of 250,000 Dth/d of natural gas from the Blanco Hub in New Mexico north along the TransColorado pipeline system to the Meeker Hub in Colorado.

Overthrust

On July 19, 2006, Overthrust, a wholly-owned subsidiary of Questar Pipeline Company, filed an application with the FERC in Docket No. CP06-423-000 under Section 7 of the NGA for a Certificate to construct and operate new pipeline, compression, and ancillary facilities in Lincoln and Sweetwater Counties, Wyoming. This project, the Wamsutter Expansion Project, would interconnect with the Entrega pipeline system near Wamsutter in Sweetwater County and transport natural gas to the Cheyenne Hub in Weld County, Colorado via the Entrega pipeline.

1.1 PROJECT PURPOSE AND NEED

The purpose of the Rockies Western Phase Project is to provide natural gas transportation service from supply basins in the Rocky Mountains to demand-intensive markets in the Midwest. A portion of this natural gas supply could eventually be delivered to the eastern United States via existing or planned natural gas pipeline systems². While the Cheyenne Hub is an established receipt point for natural gas producers in the Rocky Mountain region, transportation capacity from this location to eastern markets is currently insufficient to meet expanding market demand.

The REX-West portion of the Project would transport natural gas from the Cheyenne Hub in Colorado to its terminus at the Panhandle Eastern Pipe Line Company (PEPL) interconnect in Audrain County, Missouri, which would allow deliveries to various markets in the Midwest including Kansas City, St. Louis, and Chicago. Along the proposed route, Rockies Express would construct five interconnects where gas would be delivered from the REX-West pipeline into other pipeline systems. These interconnects, and their contracted volumes of gas, are presented in table 1.1-1.

Upon completion of the Blanco to Meeker Project, shippers on TransColorado would be able to transport additional volumes of gas from receipt points at the Blanco Hub to interconnections with existing pipeline facilities at the Meeker Hub (including the proposed REX-West system). This would

¹ This joint venture now holds both Rockies Express and Entrega as subsidiaries, and under the terms of the purchase and sale agreement the Kinder Morgan-Sempra-Conoco-Phillips team is currently constructing the second segment of the Entrega project (Docket No. CP04-413-000, et al.) from Wamsutter, Wyoming to the Cheyenne Hub in Colorado, where it would interconnect with the proposed REX-West Project.

² Rockies Express is currently in the FERC Pre-Filing Process for its Eastern Phase Project (REX-East [Docket No. PF06-30-000]), which would conceptually extend from the terminus of the REX-West Project and end at the Clarington Hub in Munroe County, Ohio, delivering natural gas transported by the REX-West Project to midwestern and eastern markets.

enable shippers on the TransColorado system to transport San Juan basin gas from the Blanco Hub north through Colorado and then via the REX-West system for delivery to midwestern markets.

Overthrust has entered into an agreement with Rockies Express to provide firm transportation capacity of 625,000 Dth/d (expandable to 1.5 million Dth/d under certain conditions) of natural gas from the Opal Hub to the Wamsutter Hub. Rockies Express would then transport these volumes through the Entrega and REX-West pipelines for delivery to midwestern markets.

TABLE 1.1-1 REX-West Project Interconnect Locations		
Interconnect Entity	Location (County, State)	Contract Volume (bcf/d)
Kinder Morgan Interstate Gas Transmission (KMIGT)	Franklin, NE	<u>a/</u>
Natural Gas Pipeline of America (NGPL)	Gage, NE	0.075
Northern Natural Gas Company (NNG)	Jefferson, NE	0.075
ANR Pipeline Company (ANR)	Brown, KS	0.050
Panhandle Eastern Pipe Line Company (PEPL)	Audrain, MO	1.300

a/ Discretionary facility; no gas volumes are contracted at this location

According to an independent study by Barlow and Haun Geologists (2001), natural gas supply in the Rocky Mountain supply basin is only 16 percent depleted. For comparison, this study indicates that traditional mid-continent supply is 54 percent depleted. Meanwhile, the Midwest and Northeast have experienced growth in traditional local distribution company deliveries, with the greatest increase in demand by gas-fired electric power generation plants, which has continued without any associated increase in the availability of gas supplies. Without additional supply, gas costs could increase and available supplies could be stressed to meet current and future user demands in the Midwest and Northeast. Once all three components of the Rockies Western Phase Project are completed, Rockies Express would be capable of receiving gas from TransColorado and Questar Pipeline Company (Questar) to the south, from Overthrust to the west, and from other pipeline systems which transport central and eastern Wyoming production towards the east.

1.2 PURPOSE AND SCOPE OF THE EIS

The FERC is the federal agency responsible for evaluating applications to construct and operate interstate natural gas pipeline facilities. Certificates are issued under Section 7(c) of the NGA and Part 157 of the Commission’s regulations if the Commission determines that the project is required by the public convenience and necessity. We³ prepared this final EIS in compliance with the requirements of NEPA and the Council on Environmental Quality regulations for implementing NEPA (Title 40 Code of Federal Regulations [CFR] Parts 1500-1508), and the Commission’s regulations for implementing NEPA (Title 18 CFR Part 380).

The U.S. Bureau of Land Management (BLM) and the U.S. Fish and Wildlife Service (FWS) are federal land management agencies affected by this proposal and are cooperating agencies for the development of the EIS. A cooperating agency has jurisdiction by law or special expertise with respect to environmental impacts involved with the proposal, and is involved in the NEPA analysis.

³ “We,” “us,” and “our” refer to the environmental staff of the Office of Energy Projects, part of the Commission staff.

Our principal objectives in preparing this final EIS are to:

- identify and assess potential impacts on the natural and human environment that would result from the implementation of the proposed actions;
- describe and evaluate reasonable alternatives to the proposed actions that would avoid or minimize adverse effects on the environment; and
- identify and recommend specific mitigation measures, as necessary, to minimize the environmental impacts.

Our analysis in this final EIS focuses on the facilities that are under the FERC’s jurisdiction (*i.e.*, the natural gas pipeline and compression facilities proposed for construction by Rockies Express, TransColorado, and Overthrust) as well as the nonjurisdictional facilities that are integrally related to the development of the Project (*i.e.*, electric transmission facilities—see section 1.4 below).

The environmental topics addressed in this final EIS include geology; soils; water resources; wetlands; vegetation; fisheries; wildlife; threatened, endangered, and other special status species; land use (including agricultural and residential impacts) and visual resources; socioeconomics; cultural resources; air quality; noise; reliability and safety; cumulative impacts; and alternatives. The final EIS describes the affected environment as it currently exists, discusses the environmental consequences of each proposed project, and compares potential impacts of each project (as well as the Rockies Western Phase Project as a whole) to those of alternatives. The final EIS also presents our conclusions and recommended mitigation measures.

The Commission will consider the findings of the final EIS as well as non-environmental issues in its review of these proposals to determine whether Certificates should be issued for the individual components of the Rockies Western Phase Project. A Certificate would be granted only if the FERC finds that the evidence produced on financing, rates, market demand, gas supply, existing facilities and service, environmental impacts, long-term feasibility, and other issues demonstrates that the respective project is required by the public convenience and necessity. Environmental impact assessment and mitigation development are important factors in the overall public interest determination.

On September 15, 1999, the FERC issued a Policy Statement to provide guidance as to how it would evaluate proposals for certificating new construction. The Policy Statement established the criteria for determining whether there is a need for a proposed project and whether the proposed project would serve the public interest. Further, the Policy Statement explains that in deciding whether to authorize the construction of major new natural gas transportation facilities, the FERC balances the public benefits against the potential adverse consequences of the proposal. In evaluating new pipeline construction, the goal of the criteria is to give appropriate consideration to the enhancement of competitive transportation alternatives, the possibility of overbuilding, subsidization by existing customers of an applicant's responsibility for unsubscribed capacity, the avoidance of unnecessary disruptions of the environment, and the unneeded exercise of eminent domain.

1.3 PUBLIC REVIEW AND COMMENT

1.3.1 Pre-Filing Review Process

We initiated review of the individual Rockies Western Phase Project components using the FERC’s Pre-Filing Process. This environmental review process was established to facilitate and encourage early involvement by citizens, governmental entities, non-governmental organizations, FERC staff, and other interested parties. During the Pre-Filing Process, we worked with the Applicants and interested stakeholders to identify and resolve issues, where possible, prior to the Applicants filing formal

applications with the FERC. As part of this process, the FERC assigned each Project component an individual pre-filing docket number (see table 1.3-1). Initial contacts were made with federal and state natural and cultural resource agencies and other stakeholders having an interest in the Project. These initial contacts included a brief description of the Project and a request for information regarding the applicable permitting or other regulatory review authority. Follow-up correspondence and pre-filing meetings were conducted as requested by agency representatives.

Entity	Pre-Filing Request Date	FERC Pre-Filing Approval Date	Pre-Filing Docket Number	Application Date and Docket Number
Rockies Express	November 9, 2005	November 18, 2005	PF06-03-000	May 31, 2006 (CP06-354-000)
TransColorado	March 24, 2006	April 3, 2006	PF06-20-000	June 23, 2006 (CP06-401-000)
Overthrust	March 20, 2006	March 29, 2006	PF06-19-000	July 18, 2006 (CP06-423-000)

1.3.2 Open House Meetings

As part of the Pre-Filing Process, the FERC staff worked with Rockies Express and Overthrust to develop a public outreach plan for issue identification and stakeholder participation. As part of the outreach plan, each of these companies met with local associations, neighborhood groups, and other non-governmental organizations to inform them about the project and address issues and concerns. Both Rockies Express and Overthrust sponsored local public open houses to inform landowners, government officials, and the general public about their respective projects and invite them to ask questions and to express their project-related comments and concerns. Notifications of the open houses were mailed to all stakeholders and were published in local newspapers. Although TransColorado did not hold open house meetings, it did mail notification letters to landowners, government officials, and the general public informing them about the Blanco to Meeker Project.

Table 1.3-2 provides a list of public open houses held. The FERC staff participated in many of these open houses and provided information regarding the environmental review process. The questions and concerns raised by the public at the open houses are addressed in this final EIS.

Applicant	Date of Meeting	Meeting Locations
Rockies Express	December 6, 2005	Greeley, CO
Rockies Express	December 8, 2005	North Platte, NE
Rockies Express	December 9, 2005	Sidney, NE
Rockies Express	December 12, 2005	Hastings, NE
Rockies Express	December 13, 2005	Beatrice, NE
Rockies Express	December 14, 2005	St. Joseph, MO
Rockies Express	December 15, 2005	Moberly, MO
Rockies Express	December 16, 2005	Chillicothe, MO
Rockies Express	April 13, 2006	Wamsutter, WY
Rockies Express	April 24, 2006	Agency, MO
Overthrust	April 6, 2006	Rock Springs, WY

1.3.3 Public Scoping Period

On January 6, 2006, the FERC issued a *Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Rockies Express Pipeline Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings* (Rockies Express NOI) that explained the NEPA and pre-filing processes, briefly described the REX-West Project, provided a preliminary list of environmental issues, and invited written comments from the public. The Rockies Express NOI was published in the Federal Register on January 13, 2006. The Rockies Express NOI was sent to 6,040 parties, including federal, state, and local agencies; elected officials; environmental and public interest groups; Native American tribes; landowners along the pipeline route under consideration; local libraries and newspapers; and other interested stakeholders. The Rockies Express NOI indicated that the scoping period for the Rex-West Project would close on February 10, 2006.

On April 3, 2006, the FERC issued a *Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Blanco to Meeker Project and Request for Comments on Environmental Issues* (TransColorado NOI), indicating that the Blanco to Meeker Project is a necessary and supporting component of the overall Rockies Western Phase Project and that the environmental analysis for the Blanco to Meeker Project would be included in the EIS prepared for the Rockies Express facilities. The TransColorado NOI was published in the Federal Register on April 11, 2006. The TransColorado NOI was sent to 89 parties, including federal, state, and local agencies; elected officials; environmental and public interest groups; Native American tribes; affected landowners; local libraries and newspapers; and other interested stakeholders. The TransColorado NOI indicated that the scoping period for the Blanco to Meeker Project would close on May 5, 2006.

Also on April 3, 2006, the FERC issued a *Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Wamsutter Expansion Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meeting* (Overthrust NOI) indicating that the Wamsutter Expansion Project is a necessary and supporting component of the overall Rockies Western Phase Project and that the environmental analysis for the Wamsutter Expansion Project would be included in the EIS prepared for the Rockies Express facilities. The Overthrust NOI was published in the Federal Register on April 11, 2006. The Overthrust NOI was sent to 53 parties, including federal, state, and local agencies; elected officials; environmental and public interest groups; Native American tribes; landowners along the pipeline route under consideration; local libraries and newspapers; and other interested stakeholders. The Overthrust NOI indicated that the scoping period for the Wamsutter Expansion Project would close on May 5, 2006.

On April 4, 2006, the FERC issued a letter stating that Rockies Express had added additional facilities to its proposal and that the scoping period for these additional facilities would be extended through May 5, 2006. A copy of this letter with the Rockies Express NOI attached was mailed directly to landowners added to the mailing list because of the newly proposed facilities.

The FERC also held 10 public scoping meetings to provide the public with an opportunity to learn more about the Rockies Western Phase Project and to comment on environmental issues that should be addressed in the draft EIS. Table 1.3-3 lists the locations and dates of the FERC scoping meetings.

TABLE 1.3-3		
List of FERC Public Scoping Meetings Held for the Rockies Western Phase Project		
Project	Meeting Date	Location
REX-West	January 23, 2006	Greeley, CO
REX-West	January 24, 2006	Sidney, NE St Joseph, MO
REX-West	January 25, 2006	North Platte, NE Beatrice, NE
REX-West	January 26, 2006	Kearney, NE Moberly, MO
REX-West	January 27, 2006	Hastings, NE Chillicothe, MO
Wamsutter Expansion	April 24, 2006	Rock Springs, WY

A transcript of each scoping meeting, as well as all written comments received, are part of the public record for the Rockies Western Phase Project. For the proposed REX-West facilities, we received statements from a total of 27 individuals at the scoping meetings and written comment letters from a total of 35 federal and state agencies, counties, municipalities, organizations, and concerned citizens. We received written comments on TransColorado’s Blanco to Meeker Project from the Colorado Natural Heritage Program (CNHP) and Nebraska Natural Heritage Program (NNHP). There were no statements made at the Overthrust scoping meeting; however, we received written comments on the Wamsutter Expansion Project from the Wyoming Game and Fish Department (WGFD), the U.S. Environmental Protection Agency (EPA), Rosebud Sioux Tribe, and the Department of Health and Human Services. Table 1.3-4 indicates the issue areas identified during the public comment period and the location in this EIS where we have provided our analysis of the issue. Table 1.3-4 is meant to provide a comprehensive yet concise list of issues raised; further details and our analysis are contained in the referenced sections.

As part of the Pre-Filing Process, and during the development of the pipeline route, Rockies Express and Overthrust evaluated several minor route variations to minimize potential impacts on specific localized resources such as land use, residences, and cultural resources. Rockies Express and Overthrust conducted civil and environmental surveys and landowner consultations that resulted in minor changes to their respective pipeline routes that had originally been identified as the preferred pipeline routes. Collectively, these route changes are evaluated in this EIS as the currently proposed route and are further described below.

Originally, the REX-West pipeline route followed the Platte pipeline through a small residential area near MP 548, north of Agency, Missouri. Rockies Express evaluated a variation (“Agency Reroute”) at the request of landowners, residents, and civic officials in Agency to avoid this residential area. The Agency Reroute deviates from the Platte pipeline corridor at about MP 547.3 and continues southeastward around the residential area, before returning north to rejoin the Platte pipeline and the proposed route near original MP 550.6. The Agency Reroute is of comparable length to the corresponding segment of the originally envisioned route. The reroute would result in about 3.3 miles of greenfield construction; however, it would impact a similar amount of wetland and waterbody crossings and would avoid the residential area. Thus, Rockies Express incorporated the Agency Reroute into its filed proposed action, and we evaluate it as such in this EIS.

TABLE 1.3-4		
Issues Identified and Comments Received During the Public Scoping Process for the Rockies Western Phase Project		
Issue	Comment	Section Where Comment/Issue Addressed in EIS:
Construction	schedule, disposal of solid waste, trespass, hydrostatic testing, right-of-way width	2.2.1, 2.3, 2.4, 4.3
Alternatives	use of existing corridors, alternative energy sources, minor variations to avoid specific features/resources, aboveground facility locations	3.0
Geology/Soils	erosion, blasting, soil compaction, restoration, sand hills region, abandoned mines and karst terrain, topography of the Chalk Bluffs region	4.1, 4.2
Water Resources	spring-fed ponds, domestic wells, waterbody crossings, floodplains	4.3
Vegetation	native prairie/grasses, conservation reserve program, noxious weeds	4.4
Wetlands	wetland permitting issues (e.g., Section 404 of the CWA); sensitive wetland complexes	4.3.1.4, 4.3.2.4, 4.3.3.4
Revegetation	seed mixes, drought conditions, noxious weeds	4.4
Wildlife	affect on habitat, designated wildlife refuges and managed areas, prairie dogs, federally and state-listed species, raptors and other migratory birds	4.5, 4.7
Land Use	future use of right-of-way, easements and compensation, eminent domain, controlled burning practices, visual scarring	4.8
Residential	distance to residences, landscaping, septic systems, utility service	4.8.1.4, 4.8.2.2
Recreation	state and local parks	4.8.1.5, 4.8.3.3
Agriculture	topsoil segregation, crop loss and compensation, soil heating, irrigation systems and drain tiles, livestock management during construction, terraces, depth of cover	4.2.1.3, 4.2.2.3, 4.2.3.3, 4.8.1.2, 4.8.3.2
Socioeconomics	tax revenue, property values	4.9, 4.9.1.5, 4.9.2.5, 4.9.3.5
Cultural Resources	Native American contacts, unanticipated discoveries	4.10
Air Quality	emissions from new compressors, greenhouse gases and climate change	4.11.1
Noise	new compression	4.11.2
Safety	local emergency response, accident data, terrorism, maintenance, construction safety	4.12

Rockies Express initially considered a pipeline route between original MPs 708.7 and 709.3 that formed a wide “V” shape where the pipeline turned from a southeasterly direction to the northeast. Rockies Express received a request from a landowner to route the pipeline along an existing road right-of-way rather than extend further south and enter his property where four pipeline rights-of-way already exist. Rockies Express adjusted its alignment to meet this request. The currently proposed pipeline route would remain collocated with an existing road right-of-way and would be shorter than the originally envisioned route. No waterbodies or wetlands would be affected by this route segment, and standard upland construction techniques can be used.

The original route filed by Rockies Express followed the Platte Pipeline corridor in the vicinity of Gower, Missouri (MPs 560 to 560.9), in an area located to the rear of a small residential development. During the public comment period, residents in this area suggested a route variation that would move the pipeline to the south and avoid impacts on residential land and homes. Rockies Express evaluated a route

variation that would deviate from the proposed route at about MP 560 and turn to the southeast, cross and parallel Country Road 348 on the south side, cross Country Road 348 again, and then continue eastward to rejoin the proposed route at MP 560.9. Rockies Express indicates that the new landowners that would be affected by this variation are amenable to this new route segment. Rockies Express stated that the Gower Route Variation has become the proposed route in this location. Thus, we evaluate it as such in this EIS.

Overthrust made multiple minor route adjustments that were designed to enhance constructability and avoid impacts on specific localized resources described above. Table 1.3-5 identifies 11 such changes by milepost⁴ and the reason each one was evaluated. These adjustments have been incorporated into Overthrust's currently proposed pipeline route and are thus a part of the proposed action for the Wamsutter Expansion Project evaluated in this EIS.

TABLE 1.3-5 Minor Route Adjustments Considered and Incorporated into the Currently Proposed Wamsutter Expansion Pipeline Route	
Approximate MP ^{OT} / Feature	Reason For Variation
0 / Rock Springs Compressor	Accommodate new information for tie-in point
4 / Ridge west of Quealy Road (County Road 50)	Avoid cultural resource site
5 / Quealy Road	Accommodate landowner request; avoid historical site
5.5 / Ridge east of Quealy Road (County Road 50)	Avoid cultural resources site
11 / West of Sulfur Plant railroad spur	Additional buffer from cultural site at MP ^{OT} 12
12 / Sulfur Plant railroad spur	Avoid cultural resources site
57.5 / East side of County Road 21	Increase distance from existing foreign pipeline
70 / Point of Rocks Road	Improve crossing of road, railroad, and waterbody; shorten route
70 / Pipeline Road	Increase distance from residence
77.2 / End point	Extend alignment to tie-in point

⁴ For clarity, milepost designations in this EIS are presented as follows: MP^{OT} indicates mileposts on the Overthrust Wamsutter Expansion Project system. Mileposts on the Rockies Express REX-West mainline are typically designated as MP; however, mileposts on the Rockies Express\Entrega Pipeline System are labeled as MP^{EN} and mileposts on the REX-West Echo Springs Lateral are designated as MP^{ES}.

1.3.4 Draft EIS and Public Comment Meetings

The FERC prepared a draft EIS for the Rockies Express Western Phase Project and issued a Notice of Availability (NOA) of the draft on November 3, 2006. In accordance with the Council on Environmental Quality's (CEQ's) regulations implementing NEPA, the NOA established a 45-day comment period ending December 28, 2006; and described procedures for filing comments on the draft EIS. The NOA also indicated that additional project information could be obtained from the Commission's Office of External Affairs and on the FERC's Internet website. A formal notice was also published in the Federal Register on November 9, 2006, indicating that the draft EIS was available and had been mailed to individuals and organizations on the mailing list prepared for the project.

The FERC mailed 6,025 copies of the draft EIS to interested parties, including federal, state, and local agencies; elected officials; environmental and public interest groups; Native American tribes; landowners along the pipeline route under consideration; local libraries and newspapers; and other interested stakeholders. The FERC also conducted public comment meetings in Sidney, Nebraska on December 11; North Platte, Nebraska on December 12; Beatrice, Nebraska on December 13; Moberly, Missouri on December 14; and St. Joseph, Missouri on December 15, 2006. A total of 21 people provided comments at these 5 meetings. A transcript of each meeting is part of the public record for the Rockies Express Western Phase Project. In addition, we received comment letters from 3 federal agencies, 6 state agencies, 12 individuals and other organizations, and 4 from the Applicants. Comments on the draft EIS and FERC staff's responses to those comments are provided in Appendix K of this document. The substantive changes in the final EIS are indicated by vertical bars that appear in the margins. The changes were made both in response to comments received on the draft EIS and as a result of updated information that became available after the issuance of the draft EIS.

The final EIS was mailed to the agencies, individuals, and organizations on the mailing list provided in Appendix A, and was submitted to the EPA for formal issuance of a NOA. We note that Appendix A-2 that was included in the draft EIS is not being included in this final EIS. In the draft EIS, Appendix A-2 listed landowners near the REX-West pipeline route but not actually crossed by the proposed right-of-way. We have sent an informational letter to the names contained on that list informing them of the availability of the final EIS and how to request a copy, if desired.

In accordance with CEQ's regulations implementing NEPA, no agency decision on a proposed action may be made until 30 days after the EPA publishes a NOA of the final EIS. However, the CEQ regulations provide an exception to this rule when an agency decision is subject to a formal internal process that allows other agencies or the public to make their views known. In such cases, the agency decision may be made at the same time the notice of the final EIS is published, allowing both periods to run concurrently. Should the FERC issue the Applicants Certificates for the proposed actions, it would be subject to a 30-day rehearing period. Therefore, the FERC could issue its decision concurrently with the EPA's NOA.

1.4 NON-JURISDICTIONAL FACILITIES

Under Section 7 of the NGA, the FERC considers, as part of its decision to authorize interstate natural gas facilities, all factors bearing on the public convenience and necessity. The facilities for the Rockies Western Phase Project that are under the FERC's jurisdiction are described in detail in section 2.1.

Occasionally, proposed projects have associated facilities not under the jurisdiction of the FERC. Nonjurisdictional facilities may be integral to the need for a proposed project or they may merely be associated as a minor, non-integral component of the jurisdictional facilities.

Rockies Express would require electric power to service the proposed Cheyenne, Julesburg, and Turney Compressor Stations since these stations would be electrically driven. Although not regulated by the FERC, local electric transmission lines that supply power to compressor stations are integral components to the operation of these facilities. Therefore, we are including them in our discussion in this EIS (see below). TransColorado and Overthrust did not identify any nonjurisdictional facilities that would be part of their respective projects.

The following electric transmission lines were identified by Rockies Express:

- A new 0.5-mile-long, 115-kilovolt (kV) electric transmission line would be required to serve the proposed Cheyenne Compressor Station. Poudre Valley Rural Electric Association, Inc. (PVREA) would design and construct this new transmission line. PVREA would also construct a new substation (the Owl Creek Substation) on about 3.4 acres of land adjacent to the southwest corner of Rockies Express' proposed Cheyenne Compressor Station. The electric transmission line would extend west from the Owl Creek Substation to PVREA's existing transmission line. It would be on a 100-foot-wide private easement, crossing about 6.2 acres of rangeland and one intermittent tributary to Owl Creek.
- A new 2.0-mile-long, 69-kV electric transmission line would be required to serve the proposed Julesburg Compressor Station. Highline Electric Association (HEA) would design and construct this new transmission line. HEA would construct a new substation (the Northeast Substation) on about 9.6 acres of land at the terminus of its 69-kV transmission line, about 2.0 miles north of the Julesburg Compressor Station. The electric transmission line would be located on a 100-foot-wide easement, crossing about 24.7 acres of rangeland and 0.7 acre of freshwater emergent marsh.
- A new 0.6-mile-long, 161-kV electric transmission line would be required to serve the Turney Compressor Station. Platte Clay Electric Cooperative, Inc. (PCEC) would design and construct, in conjunction with N.W. Electric Power Cooperative, Inc., this new transmission line and a new substation that would be located within the Turney Compressor Station fenceline. The transmission line would extend 0.6 mile east of the compressor station and would be located on a 50-foot-wide easement. It would cross about 2.4 acres of rangeland and 1.2 acres of agricultural land. No waterbodies or wetlands would be crossed.

The anticipated routes for these three electric transmission lines are shown on the maps in figures 1.4-1, 1.4-2, and 1.4-3.

These electric transmission lines would require easements, as described above, and would therefore affect land use to some extent. Because these are aerial structures, ground disturbance impacts would be limited to the specific locations where the tower supports are sited. Based on our review of the information provided by Rockies Express, we do not anticipate significant impacts from the construction and operation of the electric transmission lines. The land on which these electric transmission lines would be located is relatively flat to gently sloping and consists of range and agricultural lands. No parks or residential areas would be crossed. Further, we note that PVREA, HEA, and PCEC would be required to obtain and adhere to any state and local permits, including any required environmental review by the Colorado Public Utilities Commission and Missouri Public Service Commission, before constructing the electric transmission lines.

Rockies Express also indicated that each of these compressor stations would require an electrical substation as an auxiliary facility within the fenced-in compressor station yard. At each of these locations, the land required for the substation would be owned in fee by the electric company that would

construct the sub-station. As with the transmission line facilities, PVREA, HEA, and PCEC would be required to obtain and adhere to any state and local permits, including any required environmental review by the Colorado Public Utilities Commission and Missouri Public Service Commission, before constructing the substation facilities. However, because these facilities would be located within the boundaries of the compressor stations reviewed in this EIS, we do not believe that construction and operation would result in any additional environmental impact.

Cogeneration Facilities

There are millions of horsepower of installed gas turbine capacity in the continental United States in addition to the installed reciprocating engine capacity. Most, if not all, of these turbines and reciprocating engines operate on simple cycles and do not capture any exhaust for useful purposes. More than two-thirds of the fuel energy to drive a pipeline compressor is discharged to the atmosphere as exhaust heat. Using the exhaust gas to generate electricity can recapture from approximately 10 to 24 percent of the energy lost to the atmosphere and convert it to usable energy.

There are currently two competing technologies to produce electricity from this waste heat; the steam rankine cycle and the organic rankine cycle. The typical large electric generation combined-cycle plants typically use steam as the working fluid. A more recently available variation is the organic rankine cycle (ORC) which uses organic fluids as the heat transfer fluid and working fluid.

Currently, three projects in North America use turbines for waste heat electric generation at a pipeline compressor station or natural gas processing facility. All three facilities were designed and constructed by Ormat. The first project, constructed in 1999, is at TransCanada's Gold Creek Compressor Station in Alberta, Canada, rated at 6.5 megawatts (MW) of power from a Rolls Royce RB211 turbine (approximately 37,000 hp). The second project, the Neptune Gas Processing Plant in southeast Louisiana, has been using waste heat recovery since 2005 for primarily on-site electrical generation. It also feeds electricity to the grid and extracts approximately 4.6 MW of power from 2 Solar Mars 100 turbines (approximately 15,000 hp each). The newest project is the a 6.1 MW plant collocated with the Northern Border Compressor Station in south-central North Dakota. Ormat's current plans are to expand this technology to a total of four Compressor Stations on the Northern Border pipeline system.

Current ORC systems in use require a footprint of approximately 200 feet by 100 feet, which can be sited adjacent to or within existing facilities or designed into proposed facilities. Systems consist of an initial heat exchanger to transfer heat from exhaust gas to the heat transfer fluid (thermal oil). This heated fluid subsequently vaporizes the working fluid (pentane, in a secondary heat exchanger) which goes to the turbine to generate electricity. The working fluid is then sent through a preheater, a condenser (either water or air cooling), and back to the start of the system. Current systems use cooling fans to cool the working fluid. Water cooling is preferred due to higher efficiencies (especially in hot climates) but air cooling has the advantage of being able to be used anywhere. The ORC technology as currently produced has high reliability, relatively low operation and maintenance costs, the ability to be operated remotely, and can be operated at load rates from 25 to 100 percent.

There are no steam systems in use on pipeline facilities. Ormat's Gold Creek facility was initially operated in steam service; however, issues with freezing resulted in a conversion to an ORC. Steam rankine cycle, however, is the proven technology. It is used in virtually all power plants in North America in their combined cycle plants as well as in numerous industrial facilities around the United States. This technology has many "off the shelf" components; however, operating costs and manpower tends to be high in these systems. In addition, they are unable to be operated remotely and can take longer to start up. The steam cycle is more efficient than the ORC due to there being only one heat exchanger loop. Historically, the electric industry has not looked at waste heat electric generation using

steam for facilities that generate under 10 MW. A 10+ MW facility would correspond to only the largest of compressor stations.

After reviewing the available cogeneration technology, there would be some potential for environmental impacts if installed at the proposed REX-West compressor stations. For example, incorporating the technology into the REX-West Project would require a larger footprint for the compressor station and waste heat generation facilities. This increased footprint would result in increased impact on the previous land use, including soils, vegetation and wildlife habitat, archeological impacts, and stormwater drainage. Should water cooling be used, a large supply of water would be necessary, potentially causing impacts related to intake entrainment of aquatic species, effects of increased temperature of discharge, effect of treatment chemicals on the environment, as well as physical effects such as scour. In addition, we may see a slight increase in air emissions due to decreased efficiency of the compressor turbine, a potentially significant increase in air impacts due to decreased exhaust temperature, and an increase in noise impacts due to the air cooling fans and steam turbine.

It would appear that this technology could be utilized for electricity generation at medium to large gas-fired turbine compressor stations, and potentially for large reciprocating engine facilities. Major factors determining the use would be primarily economic and site-specific environmental conditions. Each cogeneration facility would require electric lines to get the electricity to market. If these lines do not exist, they would need to be constructed. For low Megawatt facilities, small local service lines would be acceptable to feed electricity into the local grid; however, transmission lines rated for higher kilovolts would be required for larger facilities. Depending on the length of these lines, this could be a significant cost. With a relatively small added footprint, manageable noise and air impacts, and little if any ground or surface water impacts (*e.g.*, if air cooling were used), environmental impacts would appear not to be significant, with proper siting and mitigation. However, local stakeholder input would be needed first.

At its open meeting on September 21, 2006, the Commission expressed interest in examining the potential for energy efficiency in connection with its consideration of major pipeline infrastructure projects. Accordingly, FERC staff issued a data request to Rockies Express on September 28, 2006, inquiring about measures that Rockies Express may have considered regarding energy efficiency at the proposed compressor stations. In this data request, FERC staff asked Rockies Express about the possibility of installing waste heat cogeneration facilities at the two gas turbine-driven compressor stations (Wamsutter and Steele City).

On October 27, 2006, Rockies Express filed its response regarding cogeneration opportunities with FERC and supplemented its response on December 7, 2006. Rockies Express stated that it does not believe that waste heat cogeneration is feasible for installation during construction of the facilities, but that subsequent third party installation of waste heat electric generation is possible. Should waste heat cogeneration be installed at these stations to support steam cycling, Rockies Express estimates approximately 4.4 megawatts (MW) could be generated at the Wamsutter Compressor Station and 6.5 MW generated at the Steele City Compressor Station at full load.

Rockies Express states that the compressor drive units (turbines, electric motors, and reciprocating engines) were picked primarily due to availability of the units, given the project schedule. Rockies Express has committed to an ongoing monitoring of its pipeline system to enhance the efficiency of its gas delivery system and has proposed an internal pipe coating option which would increase the efficiency of the system by reducing internal pipe friction and therefore reducing the amount of compression required. We believe that longer range planning could enable an applicant to obtain units more suitable to installation of waste heat cogeneration. With longer term planning, both an ideal setting and suitable engines could be picked that would both efficiently ensure transportation of the natural gas and maximize electricity generated.

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FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE
PROPOSED ROCKIES WESTERN PHASE PROJECT
Docket Nos. CP06-354-000, CP06-401-000, and CP06-423-000

Page 1-15
Figure 1.4-1
115-kV Electric Transmission Line for the Cheyenne Compressor

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

Non-Internet Public

FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE
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Docket Nos. CP06-354-000, CP06-401-000, and CP06-423-000

Page 1-16
Figure 1.4-2
69-kV Electric Transmission Line for the
Julesburg Compressor Station

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FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE
PROPOSED ROCKIES WESTERN PHASE PROJECT
Docket Nos. CP06-354-000, CP06-401-000, and CP06-423-000

Page 1-17
Figure 1.4-3
161-kV Electric Transmission Line for the
Turney Compressor Station

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

1.5 PERMITS, APPROVALS, AND REGULATORY REQUIREMENTS

As the lead federal agency for the Rockies Western Phase Project, the FERC is required to comply with the Endangered Species Act (ESA) and the National Historic Preservation Act (NHPA). Both of these statutes have been taken into account in the preparation of this document. Since BLM lands would be crossed by all three components of the Project, the BLM would review the proposed Rockies Express, TransColorado, and Overthrust facilities and make a determination whether or not each project would conform with the BLM's statutory requirements and regulatory frameworks, such as the Federal Land Policy and Management Act of 1976, Archaeological Resources Protection Act, Native American Graves Protection and Repatriation Act, and/or the Mineral Leasing Act of 1920 (MLA).

As a cooperating agency under NEPA, with jurisdiction over management of the public lands, the BLM would prepare its own Record of Decision (ROD) for each project based on this EIS. The BLM proposes to adopt this EIS per 40 CFR 1506.3 to meet its responsibilities under NEPA in considering Rockies Express', TransColorado's, and Overthrust's applications for Right-of-Way Grants for their respective projects. Under section 185(f) of the MLA, the BLM has the authority to issue Right-of-Way Grants for all affected federal lands. This action would be in accordance with 43 CFR 2800 and 2880, subsequent 2800 and 2880 Manuals, and Handbook 2801-1. For each Applicant, the BLM considers the issuance of a new or amended Right-of-Way Grant and issuance of associated temporary use permits that would apply to BLM-managed lands crossed by each project. The BLM also considers conformance with land use plans and impacts on resources and programs in determining whether to issue any Right-of-Way Grant. The BLM's decision will be documented in its ROD. The ROD would describe the alternative selected and required mitigation measures and monitoring activities to be conducted when the Applicant is operating on BLM-administered lands. The State Director of BLM-Wyoming has been assigned as BLM's deciding official for the Rockies Express and Overthrust segments of the project, while the BLM-Colorado and New Mexico State Directors will be the authorizing officers for the TransColorado components. The BLM would prepare separate RODs for each project. One ROD would address an amendment to the REX-West Project's Right-of-Way Grant for the Echo Springs Lateral. Another ROD would address issuing a new Right-of-Way Grant for Overthrust, and separate RODs will address the Right-of-Way amendment for the TransColorado system in Colorado and New Mexico. The BLM will consider any FERC approval or denial of the Applicants' proposals before issuing or denying any Right-of-Way Grant for the proposed projects. The primary decisions to be addressed and made by the BLM include:

- Shall a Right-of-Way Grant or Grant Amendment that includes mitigation and monitoring requirements be issued for a permanent pipeline right-of-way that will support pipeline construction and operation on federal lands?
- Shall Temporary Use Permits be granted for roads and extra workspaces needed for project construction on federal lands?

Rockies Express submitted its Right-of-Way Grant application to the BLM's Rawlins Field Office in Wyoming on June 1, 2006. TransColorado submitted its applications to the Farmington, New Mexico, and White River, Colorado Field Offices on April 26, 2006. Overthrust submitted its applications to the three applicable BLM Field Offices in Wyoming (the Kemmerer Field Office on March 21, 2006 and the Rawlins and Rock Springs Field Offices on March 27, 2006).

The BLM would amend existing Right-of-Way Grants for the Rockies Express and TransColorado portions of this project and will issue a new Right-of-Way Grant to Overthrust that would authorize construction, operation, and maintenance of the facilities. Right-of-Way Grants typically include terms and conditions, mitigation requirements, and protective measures that were included in the

ROD. The Applicant would also be required to submit a completed Plan of Development (POD) to the BLM. In addition, the BLM would also require that Rockies Express, TransColorado, and Overthrust each furnish a surety bond or other acceptable security to cover losses, damages, liability from releases or discharges of hazardous materials, or injury to human health, the environment, and property in connection with the use and occupancy of the right-of-way.

Section 7 of the ESA, as amended, states that any project authorized, funded, or conducted by any federal agency should not "jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which is determined...to be critical..." (16 United States Code [USC] § 1536(a) (2) (1988)). Thus, the FERC or the applicant as a non-federal representative is required to consult with the FWS to determine whether any federally listed or proposed endangered or threatened species and/or their designated critical habitat occur in the vicinity of the proposed project. If upon review of existing data, it is determined that these species or habitats may be affected by the proposed project, the FERC is required to prepare a biological assessment (BA) to identify the nature and extent of adverse impact, and to recommend measures that would avoid the habitat and/or species, or would reduce potential impacts to acceptable levels. If, however, the FERC determines that there is no impact by the proposed project, no further action is necessary under the ESA. The Applicants of the Rockies Western Phase Project, as non-federal designated representatives, are assisting in meeting the FERC's obligations under Section 7 of the ESA. See section 4.7 of this draft EIS for the status of this review.

Section 106 of the NHPA requires the FERC to take into account the effects of our undertakings (including authorizations under Section 7 of the NGA) on historic properties, and afford the Advisory Council on Historic Preservation (ACHP) an opportunity to comment. Historic properties include prehistoric or historic sites, districts, buildings, structures, objects, or sites of traditional religious or cultural importance that are listed or may be eligible for listing on the National Register of Historic Places (NRHP). In accordance with the ACHP procedures for implementing Section 106, at 36 CFR 800, the FERC, as the lead federal agency, is required to consult with the appropriate State Historic Preservation Officers (SHPO) regarding the NRHP eligibility of cultural resources and the potential effects of the proposed undertaking on NRHP-listed or NRHP-eligible properties. Also, under the ACHP's regulations, the FERC would consult with Indian tribes, local governments, land managing agencies, and other parties interested in the potential impacts the project may have on historic properties. The Applicants, as non-federal parties, are assisting the FERC in meeting our obligations under Section 106 by preparing the necessary information and analyses. See section 4.10 of this draft EIS for the status of this review.

At the federal level, required permits and approval authority outside of the FERC's jurisdiction include compliance with the Clean Water Act (CWA), the Rivers and Harbors Act, and the Clean Air Act (CAA). The permitting processes for these statutes are generally delegated to individual states, with review by the appropriate federal agency (*e.g.*, EPA; U.S. Army Corps of Engineers [COE]). The Applicants would be responsible for obtaining all permits and approvals required to implement their respective projects, regardless of whether they appear in one of the tables below.

Orders issued by the FERC state that applicants should cooperate with state and local agencies. However, any state or local permits issued with respect to jurisdictional facilities must be consistent with the conditions of any Certificate the FERC may issue. Although the FERC encourages cooperation between interstate pipelines and local authorities, this does not mean that state and local agencies may prohibit or unreasonably delay the construction or operation of facilities approved by the FERC. Any non-federal permits or approvals with requirements that conflict with the FERC's Certificate, or that do not permit the applicants to meet their obligations under the FERC's Order, would be preempted by the Certificate; however, the Commission may require the applicants to comply with conflicting requirements of a state or local permit or approval if the agencies agree on how to proceed. Permits or approvals

required by state or local regulatory authorities that are not in conflict with the Certificate are not subject to federal preemption.

The major permits, approvals, and consultations required for the Rockies Western Phase Project are identified in tables 1.5-1 (Rockies Express), 1.5-2 (TransColorado), and 1.5-3 (Overthrust).

TABLE 1.5-1

Rockies Express Major Permits, Licenses, Authorizations, and Clearances

Agency	Clearance/Permit/Approval or Consultation	Date Filed
FEDERAL		
FERC	Certificate for construction and operation of interstate natural gas transmission pipeline facilities	Application filed on May 31, 2006
ACHP	Comment on the undertaking and its effect on historic properties under Section 106 of the NHPA	Ongoing
U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service – Southeast Regional Office	Confirmation that the Project does not impact any fisheries or areas protected or managed by this agency	Confirmed on February 7, 2006
COE – Sacramento, Omaha, St. Louis, and Kansas City Districts	Section 404 Permits	Applications submitted between November 10 and 15, 2006. Authorizations received: Colorado – November 14, 2006 Nebraska – December 12, 2006 Wyoming – December 18, 2006 Audrain Cty – January 4, 2007 Kansas/Missouri authorization pending
BLM – Rawlins Field Office, Wyoming	Right-of-Way Grant and Temporary Use Permit under Section 28 of the MLA	Applications for BLM Lands filed on June 1, 2006; Frerichs WPA filed on August 10, 2006
EPA Regions 7 and 8	Consultations related to Storm Water Construction Permit and permit for discharge of hydrostatic test water under Section 402, Clean Water Act National Pollutant Discharge Elimination System (NPDES): Management of Solid Waste under the Resource Conservation and Recovery Act (RCRA); Title 5 air permits requiring Prevention of Significant Deterioration permit	Applications to be filed as necessary prior to construction
Bureau of Alcohol, Tobacco, and Firearms	Explosives User's Permit	Application to be filed as necessary prior to construction
Federal Highway Administration	Encroachment Permits	Application to be filed as necessary prior to construction
FWS, Regions 6 and 2, Grand Isle, NE Ecological Field Service Office	Endangered Species Act – Informal consultation clearance or formal consultation with biological opinion; Right-of-Way Grant to cross FWS lands (BLM to issue)	Informal consultation initiated on December 2, 2005
STATE		
Colorado		
State Division of Wildlife	Input for potential impacts to sensitive species (e.g., state-listed and species of special concern), game species, and important habitats	Informal consultation initiated on December 2, 2005
State Land Office	Comment on Project and effect on Colorado lands	Ongoing
Natural Heritage Program	Occurrence information on sensitive species	Informal consultation initiated on December 2, 2005
Native American Consultations	Consultation to determine if proposed project would have any impact on receptors of cultural importance	Consultation initiated on December 5, 2005

TABLE 1.5-1 (Continued)

Rockies Express Major Permits, Licenses, Authorizations, and Clearances

Agency	Clearance/Permit/Approval or Consultation	Date Filed
SHPO (Colorado Historic Society)	Consultations under Section 106 of the NHPA	Informal consultations initiated November 22, 2005; letter reviewing survey report dated June 20, 2006, filed June 28, 2006.
State Land Board	Right-of-Way Permit for construction on State Lands	Application to be filed as necessary prior to construction
Department of Public Health and Environment – Water Quality Control Division	NPDES General Permit for storm water discharge associated with construction	Application to be filed in the first quarter of 2007
Department of Public Health and Environment	Section 401 Certification, received with COE Nationwide Permit approval for construction across streams	Application filed November 10, 2006 Authorization received November 14, 2006
State Engineer	Substitute Water Supply Plan – submit to State Engineer for approval (Hydrostatic test water supply)	Application to be filed as necessary prior to construction
Department of Public Health and Environment – Water Quality Control Division	Minimal Discharge-Industrial Wastewater Discharge Permit (NPDES for hydrostatic test water discharge)	Application to be filed during the first quarter of 2007
Department of Transportation	Encroachment/Road Crossing Permit	Application to be filed as necessary prior to construction
Department of Public Health and Environment	Air Construction Permit – compressor stations construction and operation	Application filed June 12, 2006. Authorization received October 13, 2006
Wyoming		
Game and Fish Department	Input for potential impacts to sensitive species (e.g., state-listed and species of special concern), game species, and important habitats	Informal consultation initiated on December 2, 2005
Natural Heritage Program	Occurrence information on sensitive species	Informal consultation initiated on December 2, 2005
Native American Consultations	Consultation to determine if proposed project would have any impact on receptors of cultural importance	Consultation initiated on December 5, 2005
State Historic Preservation Office (Wyoming Department of State Parks and Cultural Resources)	Consultations under Section 106 of the NHPA	Informal consultations initiated on December 6, 2005; E-mail accepting survey methods dated December 23, 2005, filed December 28, 2005.
Department of Environmental Quality	NPDES General Permit for storm water discharge associated with construction	Application to be filed in the first quarter of 2007
	Section 401 Certification, received with COE Nationwide Permit approval for construction across streams	Application filed November 15, 2006. Authorization received December 18, 2006
	Substitute Water Supply Plan – submit to State Engineer for approval (Hydrostatic test water supply)	Application to be filed during the first quarter of 2007
Department of Environmental Quality	Minimal Discharge-Industrial Wastewater Discharge Permit (NPDES for hydrostatic test water discharge)	Application to be filed in the first quarter of 2007
	Air Construction Permit – compressor stations construction and operation	Application filed June 7, 2006. Authorization received September 26, 2006

TABLE 1.5-1 (Continued)

Rockies Express Major Permits, Licenses, Authorizations, and Clearances

Agency	Clearance/Permit/Approval or Consultation	Date Filed
State Land Office	Comment on Project and effect on Wyoming lands	Ongoing
Department of Transportation	Encroachment/Road Crossing Permit	Application to be filed as necessary prior to construction
Nebraska		
Game and Fish Department	Input for potential impacts to sensitive species (e.g., state-listed and species of special concern), game species, and important habitats	Informal consultation initiated on December 2, 2005
Natural Heritage Program	Occurrence information on sensitive species	Informal consultation initiated on December 2, 2005
Native American Consultations	Consultation to determine if proposed project would have any impact on receptors of cultural importance	Consultation initiated on December 5, 2005
State Historical Preservation Office (Nebraska State Historical Society)	Consultations under Section 106 of the NHPA	Informal consultations initiated December 14, 2005; letters reviewing survey reports dated June 6, 2006, filed July 7, 2006.
Department of Environmental Quality	NPDES General Permit for storm water discharge associated with construction	Application to be filed in the first quarter of 2007
	Section 401 Certification, received with COE Nationwide Permit approval for construction across streams	Application filed November 15, 2006. Authorization received December 12, 2006
	Substitute Water Supply Plan – submit to State Engineer for approval (hydrostatic test water supply)	Application to be filed in the first quarter of 2007
	Minimal Discharge-Industrial Wastewater Discharge Permit (NPDES for hydrostatic test water discharge)	Application to be filed January 2007
	Air Construction Permit – compressor stations construction and operation	Application filed August 9, 2006
State Land Office	Comment on Project and effect on Nebraska lands	Ongoing
Department of Transportation	Encroachment/Road Crossing Permit	Application to be filed as necessary prior to construction
Kansas		
Department of Wildlife and Parks	Input for potential impacts to sensitive species (e.g., state-listed and species of special concern), game species, and important habitats); Permit for actions affecting threatened and endangered wildlife	Informal consultation initiated on December 2, 2005
Natural Heritage Inventory	Occurrence information on sensitive species	Informal consultation initiated on December 2, 2005

TABLE 1.5-1 (Continued)

Rockies Express Major Permits, Licenses, Authorizations, and Clearances

Agency	Clearance/Permit/Approval or Consultation	Date Filed
Kansas State Historic Preservation Office (Kansas State Historical Society)	Consultations under Section 106 of the NHPA	Informal consultations initiated November 29, 2005. Letter reviewing survey report dated June 12, 2006, filed June 28, 2006.
Native American Consultation	Consultation to determine if proposed project would have any impact on receptors of cultural importance	Consultation initiated on December 5, 2005
Department of Health and Environment – Bureau of Water, Industrial Programs Section	NPDES for storm water discharge associated with construction	Application to be filed January 2007.
Department of Health and Environment – Bureau of Water	Kansas Water Pollution Control General Permit and Authorization to Discharge Hydrostatic Test Water from New Pipelines (NPDES for hydrostatic test water discharge)	Application to be filed in the first quarter of 2007
Department of Agriculture, Division of Water Resources	Hydrostatic test water use permit, temporary groundwater/surface water use permit	Application to be filed in the first quarter of 2007
	Permit for Dams, Stream Obstructions, and Channel Changes, and 401 Water Quality Permit	401 Certification filed November 15, 2006 Stream Obstruction Application filed January 25 2007
State Land Office	Comment on Project and effect on Kansas lands	Ongoing
Department of Transportation	Encroachment/Road Crossing Permit	Application to be filed as necessary prior to construction
Department of Agriculture, Division of Water Resources- Water Rights Group	Temporary Permit for any potential for dewatering activities associated with trench excavation	Application to be filed in the first quarter of 2007
Missouri		
Department of Conservation	Input for potential impacts to sensitive species (e.g., state-listed and species of special concern), game species, and important habitats); Permit for actions affecting threatened and endangered wildlife	Informal consultation initiated on December 2, 2005
Department of Conservation, Natural Heritage Database	Occurrence information on sensitive species	Informal consultation initiated on December 2, 2005
State Historic Preservation Office (Missouri Department of Natural Resources)	Consultations under Section 106 of the NHPA	Informal consultations initiated on November 30, 2005; letter reviewing survey report dated May 31, 2006, filed June 28, 2006
Native American Consultation	Consultation to determine if proposed project would have any impact on receptors of cultural importance	Consultation initiated on December 5, 2005
State Land Office	Comment on Project and effect on Missouri lands	Ongoing
Department of Transportation	Encroachment/Road Crossing Permit	Applications to be filed as necessary prior to construction

TABLE 1.5-1 (Continued)

Rockies Express Major Permits, Licenses, Authorizations, and Clearances

Agency	Clearance/Permit/Approval or Consultation	Date Filed
Department of Natural Resources	NPDES for storm water discharge associated with construction	Application to be filed in the first quarter of 2007
	Missouri Water Pollution Control General Permit and Authorization to Discharge Hydrostatic Test Water from New Pipelines (NPDES for hydrostatic test water discharge)	Application to be filed in February 2007
	Hydrostatic test water use permit, temporary groundwater/surface water use permit	Application to be filed in the first quarter of 2007
	Section 401 Certification	St. Louis District (Audrain County) application submitted November 15, 2006 – Authorization received January 4, 2007. Kansas City District application submitted November 15, 2006.
	Temporary Permit for any potential for dewatering activities associated with trench excavation	Application to be filed in the first quarter of 2007
Local Government		
County Flood Plain Permit	Executive Order 11988 – Floodplain construction requirements under the Federal Emergency Management Agency	Applications to be filed as necessary prior to construction
Burn Permit	Local permits allowing burning of cleared vegetation in approved locations	Applications to be filed as necessary prior to construction
Building Permit	Local permits for compressor station building construction	Applications to be filed as necessary prior to construction
County Road Crossing Permits	Local permits allowing construction across or under county roads	Applications to be filed as necessary prior to construction
Railroad Crossing Permits	Permits with individual railroads allowing crossing of their facilities	Applications to be filed as necessary prior to construction

TABLE 1.5-2

TransColorado Major Permits, Licenses, Authorizations, and Clearances

Agency	Clearance/Permit/Approval or Consultation	Date Filed
FEDERAL		
FERC	Certificate of Public Convenience and Necessity	Application filed on June 23, 2006
BLM – White River Field Office, Colorado and Farmington Field Office, New Mexico	Right-of-Way Grant and Temporary Use Permit under Section 28 (Mineral Leasing Act)	Submitted on April 26, 2006
FWS – Ecological Services	Threatened and endangered species informal consultation	Submitted on April 5, 2006
USEPA, Region 6	Stormwater Permit for Discharges Associated with Construction Activities for disturbances of 5 or more acres (New Mexico)	Not Applicable per 40 CFR Part 122
STATE		
Colorado		
Colorado SHPO	Consultations under Section 106 of the National Historic Preservation Act (NHPA)	Completed May 19, 2006
Department of Public Health/Air Pollution Control Division	Construction Air Emission Permit for Conn Creek Compressor Station	Application filed November 8, 2006
	Construction Air Emission Permit for Greasewood Compressor Station	Application filed October 18, 2006
Department of Public Health/Water Quality Division	Stormwater Permit for Discharges Associated with Construction Activities for disturbances of 5 or more acres	Anticipated to be submitted by April 15, 2007
New Mexico		
Environment Department, Air Quality Bureau	Construction Air Emission Permit for Blanco Compressor Station	Application filed October 24, 2006
Historic Preservation Office	Consultations under Section 106 of the NHPA	Completed January 24, 2007
Local Government		
Garfield County, Colorado	Special or Conditional Use Permit for Conn Creek Compressor Station	None required
Rio Blanco County, Colorado	Administrative Approval for Greasewood Compressor Station expansion	Submitted on April 18, 2006
San Juan County, New Mexico	Special or Conditional Use Permit for Blanco Compressor Station	None required

TABLE 1.5-3

Overthrust Major Permits, Licenses, Authorizations, and Clearances

Agency	Clearance/Permit/Approval or Consultation	Date Filed
FEDERAL		
FERC	Certificate of Public Convenience and Necessity	Application filed on July 18, 2006
BLM – Kemmerer, Rawlins, and Rock Springs Field Offices, Wyoming	Right-of-Way Grant and Temporary Use Permit under Section 28 (Mineral Leasing Act)	Submitted March 21 and 27, 2006
FWS – Ecological Services	Threatened and endangered species informal consultation	Consultation initiated March 2006 and completed July, 2006
COE – Omaha District	Section 404 Permit	Application expected to be filed in February 2007
STATE		
Wyoming		
Department of Environmental Quality	Section 401 Certification	Application expected to be filed in February 2007
	Section 402 National Pollutant Discharge Elimination System Stormwater, Temporary Discharges, and Temporary Turbidity Permits	Application expected to be filed in February 2007
	Air Construction Permit	Application for both compressor stations was filed on December 1, 2006
	Air Operating Permit	Application to be filed within 120 days of beginning operation
Game and Fish Department	Consultations for special status species and big game ranges.	Consultation initiated March 2006; completed via issuance of the draft EIS
SHPO (Wyoming Department of State Parks and Cultural Resources)	Consultations under Section 106 of the National Historic Preservation Act (NHPA)	Consultation initiated March 2006 and ongoing; expected completion May 2007
Department of Transportation	Highway Crossing Permit	Application expected to be filed March 2007
LOCAL		
Union Pacific Railroad	Railroad Crossing Permit	Application expected to be filed March 2007