

**APPENDIX K**  
**Response to Comments**

## U.S. Department Of The Interior



IN REPLY REFER TO:

ER 07/158  
File 9043.1

### United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
P.O. Box 26567 (MC-9)  
Albuquerque, New Mexico 87125-6567



March 22, 2007

Magalie R. Salas, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Dear Ms. Salas:

Subject: COMMENTS on the Draft Environmental Impact Statement (DEIS) for the Proposed East Texas to Mississippi Expansion Project, Federal Energy Regulatory Commission (FERC) Docket No. CP06-446-000, various counties and parishes in eastern Texas, northern Louisiana, and western Mississippi

The U.S. Department of the Interior has reviewed the subject DEIS that would be owned and operated by Gulf South Pipeline Company, L.P. (Gulf South). The proposed project would involve constructing and operating: (1) approximately 240 miles of 42-inch-diameter natural gas pipeline extending easterly from DeSoto Parish, Louisiana, to Simpson County, Mississippi; (2) approximately 3.3 miles of 36-inch-diameter natural gas pipeline extending northward from Gulf South's existing Carthage Junction Compressor Station in Panola County, Texas, to interconnect with existing natural gas facilities within Panola County; (3) two new compressor stations, the Vixen and the Tallulah Compressor Stations, that would be located in Ouachita and Madison Parishes, Louisiana, respectively; (4) modifications to the existing Carthage Junction, Hall Summit, and McComb Compressor Stations in Panola County, Texas, Bienville Parish, Louisiana, and Walthall County, Mississippi, respectively; and (5) other ancillary facilities including six meter and regulator facilities, 11 mainline valves, nine side valves, six pig launcher and/or receiver facilities, and associated permanent and temporary access roads.

The Department has reviewed the information provided and offers the following comments in accordance with provisions of the National Environmental Policy Act (NEPA) of 1969 (83 Stat. 852; 42 U.S.C. 4321 et seq.), the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), the Migratory Bird Treaty Act (40 Stat. 755, as amended; 16 U.S.C. 703 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

U.S. Department Of The Interior

General Comments

F1-1 [ The DEIS is well written and well organized. It adequately describes the purpose and need for the proposed action and the alternatives considered. As documented in the Fish and Wildlife Service’s concurrence letters dated November 9, 2006, February 26, 2007, and March 5, 2007, to CH2M Hill and Gulf South, section 7 ESA consultation has been completed for the threatened Louisiana black bear (bear, *Ursus americanus luteolus*), threatened bald eagle (*Haliaeetus leucocephalus*), endangered red-cockaded woodpecker (RCW, *Picoides borealis*), endangered interior least tern (*Sterna antillarum*), and endangered pallid sturgeon (*Scaphirhynchus albus*). For specific details on those consultations, please contact the FWS Lafayette, Louisiana, Field Office (337/291-3100).

F1-2 [ Although the proposed project would be located within an area that may be inhabited by the Louisiana pine snake (*Pituophis ruthveni*), there is currently no requirement under the ESA for consultation regarding project impacts on that candidate species. In the interest of conserving the Louisiana pine snake, we encourage Gulf South to avoid project activities that would adversely affect that species or its habitat. Should it be federally listed as threatened or endangered in the future, however, further consultation on possible project impacts to that species could then be required.

F1-3 [ Additionally, the protracted period anticipated to implement the proposed project may necessitate further coordination with the FWS Lafayette, Louisiana, Field Office if: (1) a bald eagle nest is observed within 1,500 feet of the proposed project areas prior to or during construction; (2) a least tern nesting site is observed within 650 feet of the proposed project prior to or during construction; (3) new access roads (temporary or permanent) are proposed for that project reach located near the Tensas River National Wildlife Refuge (TRNWR); or (4) the Louisiana pine snake is listed as threatened or endangered. Should any new bald eagle nests or interior least tern nesting colonies be observed prior to or during project construction, the FWS should be contacted immediately for further consultation.

F1-4 [

F1-5 [

F1-6 [

F1-7 [

F1-8 [ Otherwise, no further ESA consultation with the FWS Lafayette, Louisiana, Field Office will be required for the above-listed species unless there are changes in the scope or location of the project or the proposed project has not been initiated within one year. If the proposed project has not been initiated within one year, follow-up consultation should be accomplished with the FWS prior to making expenditures because our threatened and endangered species information is updated annually. If the scope or location of the proposed project is changed, re-initiation of consultation should occur as soon as such changes are made.

Specific Comments

F1-9 [ Page 2-12 and 2-13, Section 2.2.1 Pipeline Facilities, Collocation of Pipeline Facilities – According to the DEIS, the industry’s typical nominal permanent right-of-way (ROW) width for a 42-inch diameter pipeline is 50 feet. Other pipeline projects of similar scope and within the same general corridor have proposed 50-foot wide permanent easements. In addition, Gulf South has mentioned in past meetings and consultations that their normal operation and maintenance procedures involve maintaining a 10-foot wide mowed ROW over the pipeline,

F1-1 Thank you for your comment. Section 3.7.1 discusses our Section 7 ESA consultation process for the proposed Project.

F1-2 The Louisiana pine snake is discussed in Section 3.7.1.11. As part of its draft Implementation Plan, Gulf South has consulted with the FWS regarding the Louisiana pine snake and has developed a training module to inform construction workers about avoiding impacts to this species. Should the listing status for the Louisiana pine snake change prior to or during construction, Gulf South would reinstate consultation with the FWS.

F1-3 We have included a recommendation in Section 3.7.1.1 that would require Gulf South to immediately notify the FERC staff and to consult with the FWS should bald eagle nests be observed within 1,500 feet of the proposed Project.

F1-4 We have included a recommendation in Section 3.7.1.2 that would require Gulf South to immediately notify the FERC staff and the FWS if interior least terns are observed within 650 feet of proposed waterbody crossings in the Red and Mississippi River basins prior to or during construction.

F1-5 The proposed use of any new access roads affecting areas not already assessed in the EIS would require prior approval by the FERC and all necessary surveys and agency permitting.

F1-6 Please see the response to F1-2.

F1-7 Please see the response to F1-3 and F1-4.

## U.S. Department Of The Interior

- F1-8 Gulf South is now completing Section 7 ESA consultation in regard to several new re-routes, additional temporary workspaces, and access roads. We have included a recommendation in Section 3.7.1 that Gulf South should not begin construction activities until the FERC staff completes Section 7 consultation with the FWS and notifies Gulf South in writing that it may begin construction or mitigation.
- F1-9 We have included a recommendation in Section 2.2.1 that Gulf South should limit the width of its permanent right-of-way to 50 feet in the event that federal eminent domain authority is exercised.

## U.S. Department Of The Interior

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- F1-9 preventing trees greater than 15-foot tall from growing within a 30-foot wide ROW over the pipeline, and allowing the remainder of the temporary construction ROW to return to its pre-construction state. Minimizing the permanent ROW width to the maximum extent practicable would also minimize the long-term impacts to fish and wildlife habitats (e.g., riparian corridors, wetlands, forested tracts, etc.). Unless there are other factors (e.g., safety, future pipeline work/repairs, etc.) to preclude the use of a 50-foot wide permanent ROW, the FWS agrees with the FERC's recommendation of minimizing the permanent ROW width to 50 feet.
- F1-10 Page 2-14, Section 2.2.3.3 Access Roads – Should Gulf South require any permanent or temporary access roads to be located in wetlands or across waterbodies, we recommend that appropriate measures (e.g., culverts) be implemented to maintain wetland hydrology and stream morphology. Any additional wetland impacts due to construction, improvement, or maintenance of such access roads should also be included in the proposed Wetland Mitigation Plan.
- F1-11 Page 3-65, Section 3.7.1 Federally Listed Threatened and Endangered Species – As mentioned in our General Comments above, ESA section 7 consultation has been completed for the proposed project as of March 5, 2007. We recommend, therefore, that this section be revised accordingly.
- F1-12 Pages 3-69 and 3-70, Section 3.7.1.4 Louisiana Black Bear – The Department recommends that this section be revised to include Gulf South's site-specific construction and maintenance plan, as described in the FWS's January 31, 2007, letter, for that portion of the project located in northern Madison Parish, Louisiana, in the vicinity of the TRNWR. The FWS has identified a 5,160-foot long location of the proposed pipeline in that area that is known to be inhabited by the Louisiana black bear and is significant in ongoing bear recovery efforts. That portion of the ROW transects a previously designated and partially completed forested corridor that is intended to connect existing subpopulations of bears using the TRNWR. Gulf South has agreed to modify their typical ROW maintenance schedule, to maintain the integrity of that corridor, consistent with the FWS's ongoing bear recovery efforts. That modification would provide for a virtually "unmaintained" ROW throughout that 5,160-foot long portion of ROW. Gulf South also proposes to conduct their work during the non-denning season for bears (i.e., May through September 2007) within occupied bear habitat. For specific details of that ROW construction and maintenance plan, please contact the FWS Lafayette, Louisiana, Field Office (337/291-3100).
- F1-13 Page 3-73, Section 3.7.1.11 Louisiana Pine Snake – According to our records, the Louisiana pine snake may inhabit areas along the proposed pipeline route between mileposts 52 through 60, where suitable habitat occurs. In the interest of conserving that species and precluding its listing, the FWS would be pleased to work with Gulf South to develop measures to avoid and minimize any potential project-related impacts to the pine snake in those areas.
- F1-14 Page 3-80, Section 3.8.1.1 Land Types, Access Roads – As noted in our previous comments, should Gulf South determine that any permanent or temporary access roads would have to be located in wetlands or across waterbodies, we recommend that appropriate measures (e.g., culverts) be implemented to maintain wetland hydrology and stream morphology in those areas.
- F1-10 Gulf South would be required to restore stream contours and wetland hydrology in compliance with its Procedures, which are based closely on the FERC's Wetland and Waterbody Construction and Mitigation Procedures. Any additional wetland impacts would be mitigated in accordance with the COE permitting process.
- F1-11 See the response to F1-8.
- F1-12 We have revised Section 3.7.1.4 to include new information regarding habitat management for the Louisiana black bear in the vicinity of the Tensas River NWR. We have also included a recommendation that would require Gulf South to complete consultations with the FWS regarding the species used for replanting in this area.
- F1-13 Please see the response to F1-2.
- F1-14 Please see the response to F1-10.

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F1-15 [ Page 3-89, Section 3.8.4.1 Specially Managed Lands Impacts and Mitigation, FWS Managed Lands and Easements – Gulf South has provided the FWS with an acceptable proposed pipeline alignment that would avoid the FWS’s fee title and conservation easements associated with the TRNWR. We appreciate Gulf South’s cooperation in maintaining the integrity of those tracts and honoring our land-owner agreements.

F1-16 [ Page 5-4, Section 5.1.7 Threatened, Endangered, and Special Status Species – As noted in our General Comments above, ESA section 7 consultation has been completed for the proposed project. The FWS, therefore, recommends that this section be revised accordingly.

F1-17 [ Page 5-11, Section 5.2 Staff’s Recommendations, No. 12 – The FWS agrees with FERC that Gulf South should utilize a 50-foot wide permanent ROW easement for operation and maintenance to further minimize long-term impacts to Federal trust fish and wildlife resources.

F1-18 [ Page 5-12, Section 5.2 Staff’s Recommendations, No. 15 – Any proposed permanent or temporary access roads that would be located in wetlands or across waterbodies should also contain the appropriate features (e.g., culverts) necessary to maintain wetland hydrology or stream morphology.

F1-19 [ Page 5-13, Section 5.2 Staff’s Recommendations, No. 24 – Gulf South has completed ESA section 7 consultation with the FWS Lafayette, Louisiana, Field Office for the above-listed species.

F1-15 Comment noted.

F1-16 Please see the response to F1-8.

F1-17 Please see the response to F1-9.

F1-18 Please see the response to F1-10.

F1-19 Please see the response to F1-8.

We appreciate the opportunity to review the DEIS and to provide comments. If you have specific questions concerning these comments, please contact Brigitte Firmin of the Fish and Wildlife Service in the Lafayette Field Office at 337/291-3108.

Sincerely,



Stephen R. Spencer  
Regional Environmental Officer

cc: FERC Service list  
U.S. Army Corps of Engineers, Regulatory Functions Branch, Vicksburg, MS  
Natural Resource Conservation Service, Alexandria, LA  
ATTN: Ron Marcantel  
Louisiana Department of Wildlife and Fisheries – Natural Heritage Program,  
Baton Rouge, LA  
Louisiana Department of Wildlife and Fisheries, Baton Rouge, LA

## U.S. Department Of The Interior

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Gulf South Pipeline Company, LP            )  
East Texas to Mississippi Expansion Project )  
various counties and parishes in eastern TX, )  
northern LA, and western MS            )  
Draft Environmental Impact Statement

Docket Nos. CP06-446-000

Certificate of Service

I hereby certify that I have this day caused the foregoing document to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated on this 22<sup>nd</sup> day of March, 2007.



Stephen R. Spencer  
Regional Environmental Officer  
U.S. Department of the Interior  
PO Box 26567 (MC-9)  
Albuquerque, NM 87125-6567

## USDA-Natural Resources Conservation Service

Comments from USDA-Natural Resources Conservation Service  
For  
East Texas to Mississippi Expansion Project- DEIS  
Docket No. CP06-446-000

- F2-1 [ Page xi- Suggest consistent definition and use of the term “agricultural areas”. Does the term mean cropland, or does it include pastureland, forestland, abandoned cropland etc? Ensure consistent use throughout document.
- F2-2 [ Page 2-6, Section 2.2.1 Pipeline Facilities- Discussions in the field with GS and FERC indicated that for some sections of the alignment, that the pipeline would be aligned in the 100 ft. ROW on a 60/40 split to allow a portion of the ROW to be utilized by the planned Mid-continent Express pipeline resulting in a reduced impact footprint on NRCS WRP easements. NRCS requests that information to be included to communicate either here or in the mitigation section.
- F2-3 [ Page 2-13. - FERC recommendation beginning with “Gulf South should file with the Secretary...” NRCS recommends that the permanent ROW be limited to 50 ft. in areas crossing NRCS WRP easements.
- F2-4 [ Page 2-14, Section 2.2.3.3 Access Roads- ensure that no permanent, temporary, or widening of existing roads occurs on NRCS WRP easements.
- F2-5 [ Page 2-23, Section 2.3.2.2 Wetland Crossings- This section specifies procedures for crossing unsaturated wetlands, but fails to describe methods for saturated wetlands. Suggest adding narrative describing methods for saturated wetlands.
- F2-6 [ Page 2-31, Section 2.6 Operation, Maintenance, and Safety Controls- last paragraph beginning with “Vegetation management procedures...” suggest limiting maintenance of WRP lands to 10 ft. wide centered on the pipeline and eliminating all other maintenance within the 60 ft. ROW (this also applies to the discussion on page 3-48 Section 3.5.2 General impacts and Mitigation) Rationale for this suggestion rests in the fact that in areas of HDD, there are no provisions for ROW maintenance.
- F2-7 [ Page 3-13, Section 3.2.5.3 Revegetation Potential- Suggest specifying the conditions where native or introduced species will be allowed.
- F2-8 [ Page 3-14, Section 3.2.6 Prime Farmland- Can the Tallulah Compressor Station be relocated to non-prime farmland?
- F2-9 [ Page 3-34 Wetlands- Ensure that the wetland inventory includes all wetlands, not just jurisdictional wetlands. Non-jurisdictional wetlands may include prior converted cropland and isolated wetlands located in the upland landscape. The key here is to ensure that the delineation is based on wetland parameters, not jurisdiction. All WRP easements will meet wetland criteria. A clear distinction can then be made as to the effects on jurisdictional wetlands and other non-jurisdictional wetlands.
- F2-10 [ Page 3-35, paragraph entitled Palustrine Forested Wetlands- swamp chestnut oak is *Quercus michauxii*, not *primus*. Tupelo should be water tupelo.

MRJ

3/27/2007

- F2-1 The "agricultural" cover type, as well as other cover types, are defined in Table 3.5-1 and representative crop species are listed. This cover type does not include pasture, forestland, or abandoned cropland.
- F2-2 We are recommending in Section 2.2.1 that Gulf South limit its permanent right-of-way to a width of 50 feet instead of 60 feet as proposed in the event that federal eminent domain authority is exercised. In addition, we are recommending that Gulf South utilize at least 10 feet of existing, adjacent pipeline rights-of-way during construction and limit the construction right-of-way in rugged areas requiring two-tone construction to a width of 175 feet or less. Based on safety considerations and workspace requirements, we do not believe that it is appropriate to dictate the positioning of the proposed pipeline within the permanent right-of-way in this case.
- F2-3 We are recommending in Section 2.2.1 that Gulf South limit its permanent right-of-way to a width of 50 feet instead of 60 feet as proposed for the Project in the event that federal eminent domain authority is exercised.
- F2-4 We are recommending in Section 3.8.4 that Gulf South file with the Secretary prior to the start of construction, a plan approved in writing by the NRCS, for the crossing of Prior Converted wetlands and WRP lands. This recommendation should ensure that any construction or modification of access roads on WRP easements is conducted in accordance with NRCS requirements.

## USDA-Natural Resources Conservation Service

- F2-5 The possible crossing methods for saturated wetlands are described in Section 2.3.2.2. In conditions where the trench is inundated or saturated to the extent that soils can not support heavy equipment, especially in large wetlands, a prefabricated floating pipeline segment may be pushed or pulled into position from outside the wetland, using the push-float method. The floats would then be removed and the pipeline segment would sink into the trench. Wetlands may also be crossed using HDD.
- F2-6 Please see the response to F2-4. Gulf South's Procedures allow for maintenance of a herbaceous corridor that is 10-foot-wide, along with selective trimming and tree removal in a corridor 30-foot-wide, in wetlands. The removal of trees that are larger than 15 feet tall is typically necessary to prevent roots from growing around the pipeline, potentially causing damage. This concern typically does not apply to sections of pipeline installed via HDD, as the pipeline in these areas is typically buried much deeper underground than the three feet below ground surface associated with open-cut installation.
- F2-7 Gulf South has developed a plan for revegetation based on consultation with NRCS and state and federal wildlife management agencies. In general, this plan calls for reseeding using non-native bahia and bermuda warm season grasses, and rye and wheat as cool season species. Gulf South continues to consult with FWS and NRCS regarding revegetation near the Tensas River NWR, and we have included recommendations in Sections 3.7.1.4 and 3.8.4 that would require Gulf South to complete these consultations prior to construction.

## USDA-Natural Resources Conservation Service

- F2-8 Virtually the entire length of the proposed pipeline route in Madison Parish, Louisiana, where the Tallulah Compressor Station would be located, crosses prime farmland. Given engineering and hydraulic constraints associated with the positioning of compressor stations, it does not appear feasible that the compressor station could be moved to an area where prime farmland would not be affected.
- F2-9 Gulf South has delineated jurisdictional wetlands in accordance with criteria established by the COE (hydrology, soils, and vegetation), the federal agency responsible for permitting impacts to wetlands. Gulf South has also identified WRP easements in consultation with NRCS. Although Gulf South indicated that it does not believe that all WRP lands are jurisdictional wetlands, it has agreed to a series of measures developed in consultation with NRCS to treat WRP lands as wetlands for the purposes of construction and restoration. We acknowledge in Section 3.8.4.1 that NRCS considers all WRP lands and Prior Converted wetlands to be functional wetlands.
- F2-10 The suggested edits regarding swamp chestnut oak and water tupelo have been made to Section 3.4.1.

## USDA-Natural Resources Conservation Service

Comments from USDA-Natural Resources Conservation Service  
For  
East Texas to Mississippi Expansion Project- DEIS  
Docket No. CP06-446-000

- F2-11 [ Page 3-36, paragraph entitled Palustrine Emergent Wetlands- sedges should include other appropriate genus' including Cyperus, Eleocharis, Scirpus, Rhynchospora etc. Suggest edits to the following paragraph:
- F2-12 [ **Wetlands Reserve Program Lands and Prior Converted Wetlands**  
Gulf South identified lands in the NRCS Wetland Reserve Program (WRP) and the associated Prior Converted Wetlands ~~Program~~ along the proposed route. The NRCS administers the WRP, which is a voluntary program that offers landowners the opportunity to protect, restore, and enhance wetlands located on their property (NRCS 2006f). The private owner retains title to the lands in the WRP, but the NRCS controls a protective easement over the properties. The program attempts to ~~improve~~ (restore) wetland function and wildlife habitat, and to promote long-term conservation through technical and financial assistance. Prior Converted (Cropland are and Farmed Wet Pasture) wetlands are wetlands converted to agriculture that are targeted for voluntary restoration.
- Ensure that these edits are made in subsequent sections of the document such as on page 3-43.
- F2-13 [ Page 3-46, Section 3.5.1.1 Vegetative Communities of Special Concern of Value- the Farm Service Agency (FSA) administers CRP, not NRCS. Ensure corrections are made in subsequent sections.
- F2-14 [ Page 3-131, Table 3.13-1- Suggest including the proposed Gulf Crossing and Mid-continent Express projects in the cumulative effects analysis. Also the DEIS should cumulatively quantify the levels of anticipated impact on various resources, minus any mitigation, not just say that the levels would be similar to the proposed project.

- F2-11 The suggested edits regarding additional genera of sedges were added to Section 3.4.1.
- F2-12 The suggested edits regarding WRPs and Prior Converted Wetlands were incorporated into Sections 3.4 and 3.8.
- F2-13 The suggested edits regarding the FSA's managerial role of CRP lands were incorporated into Sections 3.5 and 3.8.
- F2-14 We have added discussion of the proposed Gulf Crossing and Midcontinent Express natural gas pipeline projects to our evaluation of cumulative impacts in Section 3.13. These new projects had not yet been proposed at the time of the Draft EIS. To the extent possible, we have quantified the potential effects of these projects, however, they are both still in the early planning stages, and detailed information on resources affected is not yet available in all instances.

# U.S. Environmental Protection Agency

Unofficial FERC-Generated PDF of 20070412-0048 Received by FERC OSEC 04/10/2007 in Docket#: CP06-446-0



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733  
April 2, 2007

ORIGINAL

Magalie R. Salas, Secretary  
Federal Energy Regulatory Commission  
888 First St., N.E., Room 1A  
Washington, DC 20426

2007 APR 10 P 4: 54

Dear Ms. Salas: **Docket Nos: CP06-446-000, PF06-17-000, PF06-23-000**

In accordance with our responsibilities under Section 309 of the Clean Air Act, the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) Regulations for Implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Draft Environmental Impact Statement (DEIS) for the Gulf South Pipeline Company, LP's request to construct and operate the East Texas to Mississippi Expansion Project. The project consists of 243 miles of natural gas pipeline and associated ancillary facilities capable of transporting up to 1.7 billion cubic feet per day of natural gas. The project will supply natural gas markets in the Gulf coast, Midwestern, Northeastern, and Southeastern United States.

The following comment is offered for your consideration.

F3-1

EPA suggest suggests one correction to the National Ambient Air Quality Standards (NAAQS) table on p. 3-109 of the DEIS. The table in the Final EIS (FEIS) should note that on October 17, 2006 EPA revised the NAAQS for PM2.5 and PM10 (71 FR 61236). The correct PM NAAQS are as follows:

PM10: annual standard has been revoked; 24-hr standard unchanged.  
PM2.5: annual standard unchanged; 24-hr standard dropped to 35 ug/m3

F3-2

EPA rates the DEIS as "LO," i.e., EPA has "Lack of Objections " to the proposed action as described in the DEIS. Our classification will be published in the Federal Register according to our responsibility under Section 309 of the Clean Air Act to inform the public of our views on proposed Federal actions. If you have any questions, please contact me 214-665-7451 or by e-mail at [jansky.michael@epa.gov](mailto:jansky.michael@epa.gov).

EPA appreciates the opportunity to review the DEIS. Please send our office two copies of the FEIS when it is sent to the Office of Federal Activities, EPA (Mail Code 2252A), Ariel Rios Building, 1200 Pennsylvania Ave, N.W., Washington, D.C. 20460.

Sincerely yours,

Michael P. Jansky  
Regional EIS Coordinator

Internet Address (URL) = <http://www.epa.gov>  
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F3-1 We have updated the table as indicated in the comment.

F3-2 Comment noted.

# National Park Service

Unofficial FERC-Generated PDF of 20070413-0189 Issued by FERC OSEC 04/12/2007 in Docket#: CP06-446-000



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE

Natchez Trace Parkway  
2680 Natchez Trace Parkway  
Tupelo, Mississippi 38804



MAR 27 2007

L7617(NATR) xL3027-3R ROW  
East Texas - Mississippi Expansion Project

Mr. John Peconom  
Federal Energy Regulatory Commission  
Office of Energy Projects, Room 6H-08  
888 First Street, NE  
Washington, DC 20426

ORIGINAL

MAR 12 PM 3:14  
FEDERAL ENERGY REGULATORY COMMISSION

Dear Mr. Peconom:

Per your March 1 conversation with Natchez Trace Parkway Natural Resource Management Specialist Kurt Foote, there has been a marked increase in the number of planned interstate pipeline projects in recent months. Several of them, as they are currently planned, intersect the Parkway. One of the projects affecting the Park, the East Texas to Mississippi Expansion Project, is currently undergoing a detailed compliance review as required by the National Environmental Policy Act (NEPA). The NEPA document written for this project is a draft environmental impact statement (EIS). Appendix H of the EIS contains a Natchez Trace Parkway-specific examination of the potential impacts of the pipeline project upon the Park. In effect, it is a stand-alone compliance document that can be used by the Parkway in the preparation of a right-of-way (ROW) permit application for the pipeline. Right-of-Way Permits are submitted by the Park to the National Park Service Southeast Regional Office for approval prior to rights-of-way being granted across Parkway lands.

F4-1

As stated in our December 21, 2006, electronic letter to Mr. Douglas Mooneyhan of Entrix, Inc., we were pleased with the scope and level of detail contained in Appendix H of the EIS. While every project has its unique characteristics, and while the Parkway is by no means a homogenous entity throughout its length, we feel that Appendix H can at least be looked upon as an example of the level of Park-specific compliance that is required by the Natchez Trace Parkway for projects requiring the issuance of new rights-of-way. In order to expedite the compliance process for future pipeline planning projects involving the Parkway, we suggest that the Federal Energy Regulatory Commission provide Appendix H to future compliance contractors for use as a template.

F4-1 Comment noted.

Should you require further information or clarification, please contact Kurt Foote in our office at (662) 680-4015.

Sincerely,

Karen Gustin  
Acting Superintendent



# State of Mississippi Secretary of State

Unofficial FERC-Generated PDF of 20070320-0149 Received by FERC OSEC 03/19/2007 in Docket#: CP06-446-0

ORIGINAL



STATE OF MISSISSIPPI  
SECRETARY OF STATE  
ERIC CLARK

401 MISSISSIPPI STREET  
POST OFFICE BOX 136  
JACKSON, MISSISSIPPI 39205-0136

TELEPHONE (601) 359-1350  
FACSIMILE (601) 359-1499

March 12, 2007

The Honorable Magalie R. Salas, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E., Room 1A  
Washington, DC 20426

Re: Docket Nos. CP06-446-000  
PF06-17-000  
PF06-23-000

Dear Ms. Salas:

The Mississippi Secretary of State's Office has reviewed the Draft Environmental Impact Statement ("DEIS") for the above-referenced project. The DEIS adequately notes the Secretary of State's position that pipelines have a negative impact on the revenue generating function of the 16<sup>th</sup> Section Lands, and for that reason easements crossing 16<sup>th</sup> Section Lands are discouraged. The DEIS appropriately states that if the crossing of 16<sup>th</sup> Section Lands cannot be avoided, any crossing should occur in such a manner as to minimize fragmentation of the parcel.

Please continue to send all material pertaining to the DEIS or other documents pertaining to the Gulf South Pipeline Project to:

William G. Cheney, Jr.  
Senior Public Lands Attorney  
Mississippi Secretary of State's Office  
Post Office Box 136  
Jackson, Mississippi 39205-0136

If you need additional information, please contact Mr. Cheney at 601-359-6377 or via e-mail at [bcheney@sos.state.ms.us](mailto:bcheney@sos.state.ms.us). Thank you for your consideration.

Sincerely yours,

ERIC CLARK  
Secretary of State of Mississippi

FILED  
OFFICE OF THE  
SECRETARY OF STATE  
2007 MAR 19 P 2:43  
JACKSON, MISSISSIPPI

S1-1

S1-2

S1-1 Comment noted.

S1-2 Comment noted.

## State of Mississippi Secretary of State

Unofficial FERC-Generated PDF of 20070320-0149 Received by FERC OSEC 03/19/2007 in Docket#: CP06-446-0

- The Honorable Magalie R. Salas, Secretary  
March 12, 2007

Page 2

EC/wgc

cc:

ATTN: OEP – Gas, PJ – 11.2  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, DC 20426

Gas Branch 2, DG2E  
Federal Energy Regulatory Commission  
888 First Street, N.E., Room 1A  
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John Peconom  
Project Manager  
Federal Energy Regulatory Commission  
Office of Energy Projects  
888 First Street, N.E., Room 1A  
Washington, DC 20426

# Texas Parks and Wildlife

Unofficial FERC-Generated PDF of 20070330-0073 Received by FERC OSEC 03/28/2007 in Docket#: CP06-446-0

ORIGINAL



March 20, 2007

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Magalie R. Salas, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E., Room 1A  
Washington, DC 20426

RE: FERC Docket No. CP06-446-000  
East Texas to Mississippi Expansion Project,  
Gulf South Pipeline Company, LP - Proposed Natural Gas Pipeline  
(Panola County, Texas and Portions of Louisiana and Mississippi)

Dear Secretary Salas:

The Federal Energy Regulatory Commission (FERC) prepared the Draft Environmental Impact Statement (DEIS) for the proposed project referenced above and provided Gulf South Pipeline Company, LP (Gulf South) with recommendations and measures to avoid, minimize, or mitigate environmental impacts that would result from construction and operation of the project. The proposed project involves the construction of approximately 240 miles of 42-inch diameter natural gas pipeline and ancillary facilities extending from Louisiana to Mississippi. Within Texas, the project involves expansion of the Carthage Junction Compressor Station within the existing station fencing in Panola County and installation of 3.3 miles of 36-inch natural gas pipeline extending north from the Carthage Junction Compressor Station to interconnections with existing gas facilities in Panola County. The 36-inch line would be placed parallel to existing gas lines.

The Texas Parks and Wildlife Department (TPWD) has reviewed the DEIS and FERC's recommendations and offers the following comments:

## 2.2 LAND REQUIREMENTS

The proposed construction right-of-way (ROW) width would be 100 feet in uplands, and the permanent ROW width would be 60 ft.

In Section 2.2.1, FERC addressed a concern that a 60-ft. permanent ROW width is greater than the industry's typical nominal width of 50 ft. for a 42-inch diameter pipeline. FERC requested additional information to justify the need for a 60-ft. wide permanent ROW for maintenance and operation.



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*To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations.*

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S2-1 [ Comment. TPWD agrees with FERC and requests that Gulf South justify the need for a 60-ft wide permanent ROW for operation and maintenance of the 36-inch line proposed in Panola County, Texas. If there is no justification for a 60-ft. wide permanent ROW, then a smaller ROW width should be utilized.

### 3.3 WATER RESOURCES

Within Texas, Gulf South proposes to cross 2 intermittent streams and 3 perennial streams using open cut methods. In previous correspondence with Gulf South, TPWD asked Gulf South to coordinate with TPWD – Inland Fisheries regarding any necessary stream disturbance permits. The DEIS says that stream disturbance permits with TPWD are pending

S2-2 [ Comment. Gulf South has coordinated with TPWD - Inland Fisheries, though the issuance of stream disturbance permits are still pending.

### 3.4 WETLANDS

Avoidance and minimization of impact to wetlands are proposed through reductions in the nominal construction ROW width in wetlands to 75 ft., placement of the pipeline parallel to existing utility ROW, selective routing, the use of *Wetland and Waterbody Construction and Mitigation Procedures*, and reducing maintenance of the permanent ROW in wetlands to a width of 10 ft. over the pipeline. In wetlands, the 10 ft. width over the pipeline would be permanently maintained in an herbaceous state. In wetlands, trees of greater than 15 ft. in height within 15 ft. of the pipeline would be selectively removed or trimmed; therefore, reestablishment of forested wetlands would not occur for a 30 ft. width over the pipeline.

In Section 3.4.4, FERC recommends that Gulf South's Wetland Mitigation Plan be developed in consultation with a list of agencies including TPWD.

Gulf South provided TPWD with the Wetland Mitigation Plan, which includes compensatory mitigation for unavoidable permanent (0.08 acres) and temporary (0.58 acres) forested wetland impacts in Texas. The proposed project will not result in a net loss of wetlands, though there will be a reduction in overall functional value when forested wetlands are permanently and temporarily converted to emergent or scrub-shrub. Therefore, Gulf South proposes mitigation at a ratio of 6:1 and 3:1 after applying an adjustment for loss in function, 33.3% and 22.3%, to the area of permanent impacts and temporary impacts, respectively. Mitigation is proposed through purchase of 0.6 credits from the Sabal Wetland

S2-1 We have included a recommendation in Section 2.2.1 that Gulf South should limit the width of its permanent right-of-way to 50 feet in the event that federal eminent domain authority is exercised.

S2-2 Gulf South would be required to obtain all necessary permits, including the pending TPWD stream disturbance permits, prior to the initiation of construction.

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Preserve Mitigation Bank in the Sabine River floodplain in Upshur County, Texas.

S2-3 [

Comment. TPWD concurs with the proposed Wetlands Mitigation Plan.

S2-3 Comment noted.

### Water Oak – Willow Oak Community

TPWD previously informed Gulf South that the proposed 36-inch line may cross a portion of a significant Water Oak – Willow Oak (*Quercus nigra* – *Quercus phellos*) (WO-WO) Series Community and recommended that the proposed project ROW be surveyed to determine the extent and quality of the WO-WO community in the project ROW.

Gulf South provided TPWD with the results of their WO-WO survey. Trees to be impacted in this area were not found to be of high quality and exhibited an average dbh of 8 inches and a maximum dbh of 14 inches. Gulf South would provide mitigation for unavoidable impacts to this community by treating the affected wetlands as high-quality forested wetlands. Gulf South would place the proposed line adjacent to existing lines, thus reducing fragmentation to this bottomland hardwood community.

S2-4 [

Comment. TPWD agrees with FERC that impacts to wetlands and the WO-WO community would be adequately minimized and mitigated as proposed.

S2-4 Comment noted.

### 3.5 VEGETATION

#### Revegetation Plan

Gulf South's revegetation plan includes but is not limited to restoring pre-construction contours, placing soil nutrients and lime in upland areas, and seeding all disturbed areas. Gulf South has consulted with the local soil conservation authorities to determine the appropriate seed mixtures for stabilization and permanent erosion control. To verify successful revegetation and to determine the need for additional restoration, Gulf South would conduct at least 2 years of post-construction monitoring.

In Section 3.5, FERC recommended that Gulf South consult with the state fish and wildlife agencies regarding seed mixtures and revegetation.

CH2M HILL, a consultant on this project for Gulf South, provided TPWD with a copy of the Natural Resource Conservation Service (NRCS) guidance materials

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that were be used by Gulf South in their revegetation plan for the ROW. The guidance materials indicated that the seed mixes proposed for revegetating the ROW contain primarily bermuda grass (*Cynodon dactylon*) and /or bahiagrass (*Panicum notatum*). Both of these grasses are non-native species that typically create a monoculture on the landscape and limit biodiversity.

The NRCS guidance materials also provided conservation practice standards for establishing permanent vegetation on sites of high erosion potential or on sites that have physical, chemical, or biological conditions that prevent the establishment of vegetation with normal practices. NRCS recommends to select species that are suited to the current site conditions and intended uses and to consider native species that have multiple values and provide species diversity.

S2-5 [ Comment. Regarding the proposed 36-inch pipeline in Panola, County, Texas, TPWD prefers that disturbed areas be planted with a mixture of native grass and forbs species, especially when the adjacent property on one or both sides of the pipeline ROW contain native species of vegetation. Introduction of non-native species into native landscapes should be prevented. Native, perennial grass species that were listed by NRCS, LA in their October 2005 Pasture and Hay Planting Specification and preferred by TPWD for permanent cover include Switchgrass (*Panicum virgatum*) and Eastern Gamagrass (*Tripsacum dactyloides*). Native, perennial grass species that were listed by NRCS, LA in their October 2004 Critical Area Planting Specifications and preferred by TPWD for permanent cover include Switchgrass, Virginia Wildrye (*Elymus virginicus*), and Canada Wildrye (*E. canadensis*). To increase species diversity Yellow Indiangrass (*Sorghastrum nutans*) and Little Bluestem (*Schizachyrium scoparium*) could be added to the native seed mix.

S2-6 [ Comment. During the easement acquisition process, each landowner should be offered the choice of a native or an introduced seed mix.

Bahiagrass is considered undesirable from a wildlife perspective due to its invasive nature and lack of providing habitat for most wildlife. Once established, bahiagrasses can thrive with little water and fertilizer. In habitat restoration, herbicide treatment may remove bahiagrass for one season, though eradication of bahiagrass is very difficult because of the abundance of viable seed that remains in the soil. Whereas, without application of fertilizer and water, bermuda grass is less invasive allowing for some biodiversity. Additionally, eradication of bermuda grass with herbicide is much more feasible.

S2-5 We recognize that TPWD prefers revegetation using native grass and forb species, especially in areas already containing native landscapes. The TPWD's recommendation does not agree with the draft plan that Gulf South has developed for revegetation, which includes seeding with non-native bermuda, bahia, and annual rye grasses and wheat. In order to ensure that TPWD's input into the revegetation plan is fully considered, we are recommending in Section 3.5 that Gulf South finalize development of revegetation procedures for Panola County, Texas in consultation with TPWD prior to construction.

S2-6 We note TPWD's recommendation that each landowner in Panola County, Texas be allowed to decide on reseeding with either native or non-native species. We believe that this comment would be addressed in the continuing consultations between Gulf South, TPWD, and affected property owners as recommended and described in the response to Comment S2-5.

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S2-7 [ Comment. Table 3.5-1 of the DEIS lists bahiagrass as present to a lesser amount within the "Pasture" vegetation cover type. Because bahiagrass is not considered a primary species existing within the vegetative cover types for this project, the use of bahiagrass should be avoided. When the use of native seed mixes is not feasible, TPWD prefers the use of bermuda grass rather than bahiagrass.

In wetlands, vegetation would be allowed to reestablish naturally, though Gulf South would monitor revegetation for the first three years after construction or until wetland revegetation is considered successful. Unsuccessful revegetation would require active planting with native wetland herbaceous and woody plant species in consultation with a professional wetland ecologist.

S2-8 [ Comment. TPWD has no objection to the revegetation plan within wetland areas.

### Exotic and Invasive Species Control

In Section 3.5.3, FERC recommends that Gulf South's Exotic and Invasive Species Control Plan be developed in consultation with a list of agencies including TPWD.

Gulf South provided TPWD with their Exotic and Invasive Species Control Plan, which includes appropriate measures to minimize and control potential invasive species infestations, targeting cogon grass (*Imperata cylindrica*), Chinese privet (*Ligustrum sinense*), Japanese honeysuckle (*Lonicera japonica*), Chinese tallow tree (*Sapium sebiferum*), and purple loosestrife (*Lythrum salicaria*).

S2-9 [ Comment. TPWD concurs with the proposed plan.

### 3.7 THREATENED, ENDANGERED, AND SPECIAL STATUS SPECIES

In Section 3.7.2, FERC recommends that Gulf South consult with state fish and wildlife agencies regarding the need for additional surveys or mitigation to further minimize or avoid potential impacts to state listed species.

S2-10 [ Comment. Potential impacts to Texas listed species have been adequately avoided and/or minimized, though further consultation with TPWD would be warranted upon detection of a Texas listed rare, threatened, or endangered species within or near the ROW at any time prior to or during construction and operation of the pipeline.

S2-7 We note TPWD's recommendation that when re-seeding of native species is infeasible, that bahia grass should be avoided and bermuda grass should be used instead. We believe that this comment would be addressed in the continuing consultations between Gulf South and TPWD that we have recommended as described in the response to Comment S2-5.

S2-8 Comment noted.

S2-9 Comment noted.

S2-10 Comment noted. Gulf South has also proposed to train construction personnel regarding special-status species and not to disturb such species during construction.

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If you have any questions, please contact me at (903) 675-4447.

Sincerely,



Karen B. Hardin  
Wildlife Habitat Assessment Program  
Wildlife Division

kbh/12287(11912)

cc: FERC Gas Branch 2, DG2E  
Andrew Chartrand, Gulf South Pipeline Company, LP  
David Thomas, CH2M HILL





## Minden Public Meeting

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1                   VIDEOGRAPHER: We're back on record.

2                   MR. PECENOM: It is now approximately 7:30 p.m.,  
3 and I am concluding this meeting tonight. Thank you very  
4 much.

5                   VIDEOGRAPHER: We're off record.

6                   (Whereupon, at 7:30 p.m., the public meeting was  
7 concluded.)

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**Monroe Public Meeting**

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BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION

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IN THE MATTER OF:                                 : Project Number:  
DEIS FOR THE PROPOSED EAST TEXAS : CP06-446-000  
TO MISSISSIPPI EXPANSION PROJECT :  
-----x

    Cuachita Parish Public  
    Library-Main Branch  
    1800 Stubbs Avenue  
    Monroe, Louisiana

    Tuesday, February 27, 2007

    The above-entitled matter came on for public  
meeting, pursuant to notice, at 6:00 p.m.

BEFORE:  
    JOHN PECENOM, FERC



## Monroe Public Meeting

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1           VIDEOGRAPHER: Okay, we're on record. Go ahead.

2           MR. PECENOM: The time now is 7:00, and seeing

3 that no one has shown up tonight, I am concluding the

4 meeting. Thank you very much.

5           VIDEOGRAPHER: And we're off record.

6           (Whereupon, at 7:00 p.m., the public meeting was

7 concluded.)

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