

EXECUTIVE SUMMARY

This draft environmental impact statement (EIS) for the proposed High Plains Expansion Project (Project) has been prepared by the staff of the Federal Energy Regulatory Commission (FERC or Commission) to fulfill the requirements of the National Environmental Policy Act (NEPA), the Commission's implementing regulations (Title 18 Code of Federal Regulations (CFR) Part 380), and the Council on Environmental Quality Regulations for implementing NEPA (Title 40 CFR Parts 1500-1508). The purpose of this document is to make public our¹ analysis of the environmental impacts that would likely result from the construction and operation of the proposed Project.

PROJECT BACKGROUND

On September 26, 2006, Colorado Interstate Gas Company (CIG) requested permission from the FERC to implement the FERC's Pre-filing Process for the proposed Project. On October 6, 2006, the FERC granted CIG's request and established Docket No. PF06-36-000.

On April 27, 2007, CIG filed an application with the FERC in Docket Number CP07-207-000 under Section 7 of the Natural Gas Act (NGA), as amended, and Part 157 of the Commission's regulations. CIG is seeking a Certificate of Public Convenience and Necessity (Certificate) to construct, own, and operate a new interstate natural gas pipeline system and ancillary facilities in Colorado. We have prepared our analysis based on this application and subsequent filings by CIG.

PROPOSED ACTION

In order to transport the proposed quantity of up to 899,000 dekatherms per day (Dth/d) of natural gas, CIG proposes to construct and operate:

- 64.5 miles of 30-inch-diameter pipeline and 20.5 miles of 24-inch-diameter pipeline in Weld and Adams Counties (Line 250A);
- 58 miles of 24-inch-diameter pipeline in Adams, Weld, and Morgan Counties (Line 251A);
- 14.9 miles of 30-inch-diameter pipeline in Weld County (Line 252A);
- 6.1 miles of 24-inch-diameter pipeline in Adams County (Line 253A); and
- ten new meter stations, 19 new main line valves (MLV), and 12 pig launcher/receiver² facilities in Weld, Adams, and Morgan Counties.

Dependant on Commission approval, CIG proposes to complete construction and begin operation of the Project in October 2008.

¹ "We," "us," and "our" refer to the environmental staff of the FERC's Office of Energy Projects.

² A pig is an internal tool that can be used to clean and dry a pipeline and/or to inspect it for damage or corrosion.

PUBLIC OUTREACH AND COMMENTS

As part of our pre-filing review of this project the FERC issued a *Notice of Intent to Prepare an Environmental Impact Statement for the Proposed High Plains Expansion Project, Request for Comments on Environmental Issues, and Notice of Site Visit and Open House Meeting Attendance* (NOI) on November 17, 2006. The NOI explained the pre-filing process, described the proposed Project, and provided a preliminary list of environmental issues. It also invited interested parties to attend CIG's open house meetings to learn about the proposed Project, and to provide comments; to attend site visits of the proposed facility locations; and to file written comments about the Project. The NOI was published in the Federal Register and sent to 742 parties, including federal, state, and local agencies; elected officials; environmental and public interest groups; Native American tribes; landowners whose properties were within a 200-foot-wide corridor centered on the planned route; local libraries, newspapers, and television and radio stations; and other stakeholders in the region who had indicated an interest in the proposed Project. The CIG open houses were held in Ault (November 28, 2006), Fort Morgan (November 29, 2006), and Brighton (November 30, 2006), Colorado. We attended the open house meetings and transcripts of these meetings are part of the public record for the proposed Project³. The intent of the FERC Pre-filing Process is to initiate scoping early in the project planning process and to encourage citizens, governmental entities, and other interested parties to identify and resolve issues prior to an application being formally filed with the FERC.

On May 7, 2007, the FERC issued a Notice of Application for the proposed Project. The notice announced that CIG's application had been filed with the Commission on April 27, 2007, informed that Pre-Filing Process had ended, invited additional written comments on the proposed Project from the public, and established a closing date for receipt of comments of May 29, 2007.

In response to our notices and at the CIG open house meetings, we received several oral comments about the Project and a total of seven filed comment letters. The comments expressed concern about project need, location, safety, easements, and use of eminent domain; and impacts on agriculture, soils, water resources, wildlife, vegetation, and existing and future land use. This draft EIS was filed with the U.S. Environmental Protection Agency (EPA) and mailed to various federal, state, and local agencies; elected officials; Native American tribes, newspapers, public libraries; television and radio stations; intervenors to the FERC's proceeding; and other interested parties (*i.e.*, landowners, miscellaneous individuals, and environmental groups who provided scoping comments or asked to remain on the mailing list). A formal notice indicating that the draft EIS is available for review and comment will be published in the Federal Register. The public has 45 days after the date of publication in the Federal Register to comment on the draft EIS in the form of written comments and at a public meeting to be held in the project area. All environmental comments received on the draft EIS will be addressed in the final EIS.

ENVIRONMENTAL IMPACTS AND MITIGATION

Construction and operation of the Project would result in impacts on soils, surface water, vegetation, wetlands, vegetation, wildlife, federal listed threatened or endangered species, and land use.

³ The open house transcripts and written comment letters are available for viewing on the FERC Internet website (<http://www.ferc.gov>). Using the "eLibrary" link, select "General Search" from the eLibrary menu, enter the selected date range and "Docket Number" (*i.e.*, PF06-36-000 and/or CP07-207-000), and follow the instructions.

The Project would cross oil and gas producing fields, scattered gravel and bituminous coal seams, and an inactive gravel pit. No blasting would be required to construct the Project. Construction and operation of the project is not expected to impact these resources.

The soils in the proposed Project area are diverse and include dune sands, thick loess (wind-blown silts), and loamy and clayey soils derived from various bedrock materials. CIG would implement the mitigation measures contained its Reclamation Plan for soil management, seeding, restoration, and monitoring; and in CIG's project-specific Upland Erosion Control, Revegetation, and Maintenance Plan (CIG's Plan). These plans are consistent with our Upland Erosion Control, Revegetation, and Maintenance Plan and should provide for erosion control during construction, for restoration, and for maintenance during operation of the Project.

Construction of the Project would temporarily affect three perennial waterbodies and 119 intermittent waterbodies, drainages, canals, and washes. Conventional open cut waterbody construction techniques would be used to complete all waterbody crossings. However, if there is water flowing in an irrigation canal at the time of crossing, the crossing would be completed as a bored crossing to minimize impacts on the irrigation system. The South Platte River and Lone Tree Creek are classified as use-protected, which requires that they be protected and maintained for their current designated uses (*i.e.*, agriculture and water supply). The South Platte River is the only waterbody that is classified as a warmwater fishery.

CIG would require water for hydrostatic testing, dust control, trench compaction, and horizontal directional drilling (proposed in business and highway areas). CIG has indicated that nearly all of water would be withdrawn from the South Platte River. This could temporarily affect the recreational and biological uses of the river if the diversions constitute a large percentage of the river's total flow or volume. The diversion of large volumes of water could also result in the temporary loss of habitat, changes in water temperature and dissolved oxygen levels, and entrainment or impingement of fish or other aquatic organisms. Based on consultations with the U.S. Fish and Wildlife Service (USFWS), 13 federal listed threatened or endangered species have been determined to potentially occur in the general vicinity of the proposed Project. We conclude that the construction and operation of the proposed Project would have no effect or would not likely adversely affect these species. However, several federal listed species are known to occur downstream of the South Platte River crossings in Nebraska and may potentially be adversely affected by the proposed Project due to water depletions from the Platte River system. With this draft EIS we are initiating formal consultations with the USFWS regarding water depletions and the potential impact on protected species, and have prepared a biological assessment (appendix N). The USFWS comments are pending.

Construction of the Project would affect 43 wetlands, disturbing about 6.9 acres of primarily palustrine emergent wetlands. About 3 acres of wetland would be within the permanent right-of-way. CIG would implement the mitigation measures in its Reclamation Plan for wetland restoration and in its project-specific Wetland and Waterbody Construction and Mitigation Procedures (CIG's Procedures). These plans are consistent with our Wetland and Waterbody Construction and Mitigation Procedures and should minimize impacts on wetlands during construction and operation of the Project.

Construction and operation of the Project would temporarily and permanently affect several land uses resulting in short- and long-term impacts. Agricultural land and pasture would be the primary land uses affected by construction of the pipeline facilities. Direct impact on agriculture land from the proposed Project would be short term, given that this type of land is routinely disturbed during normal crop rotation. To minimize impacts on agricultural land use, CIG would compensate landowners for crop loss and other associated damages. CIG would monitor the success of restoration in agricultural areas for at least three years or until it is successful and productivity on disturbed areas is similar to that of adjacent

undisturbed areas. Loss of future crop productivity as a result of soil disturbance would be minimized with the successful implementation of the mitigation measures contained in CIG's Plan. After construction, agricultural areas, including the permanent right-of-way, would be allowed to revert to former agricultural use.

The project would also affect Conservation Reserve Program (CRP) land. After construction, CIG would restore CRP land in a manner that is consistent with the existing use of the land. Therefore, no CRP land would be permanently affected by the proposed Project or disqualified from the CRP. The Project would have minimal impact on commercial/industrial properties. Some of this impact would be within CIG's existing aboveground facilities; and impacts would be minimized by crossing other commercial/industrial properties by horizontal directional drill. Three residences would be within 50 feet of the proposed pipeline. CIG has worked with developers to identify routes that would minimize impacts to the planned developments, and we have recommended two route variations to minimize impacts to planned residential developments identified during the comment period. Further, we have recommended that CIG develop a Residence and Business Construction Mitigation Plan for communicating information about project schedules with landowners, employing appropriate safety procedures, and restoring affected areas to minimize project impacts due to construction.

The proposed pipelines would cross the Mitani-Tokuyasu State Wildlife Area. The Mitani-Tokuyasu State Wildlife Area is open to hunting and wildlife viewing from mid-August to the end of February. Hunting and wildlife viewing in the Project area would be prohibited during construction, and the hunting and wildlife viewing experience in adjacent areas would likely be diminished during construction. After construction, hunting and wildlife viewing would be allowed to continue in the same manner as prior to construction. The proposed pipelines would also cross portions of the Greater Pawnee Conservation Area, South Platte Sandhills Conservation Area, and two areas designated by the Colorado Natural Heritage Program as Potential Conservation Areas that support relatively contiguous short grass prairie or sand sagebrush shrubland types of vegetation. Mitigation and reclamation procedures through Conservation Areas would be similar to those described for upland and wetland vegetation communities in CIG's Plan and Procedures.

To minimize and mitigate the environmental impacts of constructing and operating the proposed Project, CIG has developed and would implement several measures and plans including but not limited to:

- CIG's Plan;
- CIG's Procedures;
- Best Management Practices (for waterbody crossings) (BMPs);
- Waste and Spill Management Specification (Spill Plan);
- Hydrostatic Test Plan;
- Reclamation Plan; and
- Invasive Species Plan.

Based on our review of these measures, we have determined that they are acceptable and consistent with our guidance documents,⁴ but we have made several recommendations to further avoid, minimize, and mitigate environmental impacts. Also, CIG would be required to obtain and adhere to several federal, state, and local permits and authorizations that may include additional requirements to minimize and mitigate environmental impacts resulting from construction and operation of the Project. Detailed descriptions of environmental impacts including cumulative impacts, CIG's proposed impact avoidance and mitigation measures, and our recommendations are included in sections 2.0, 3.0, 4.0, and 5.0 of the draft EIS.

ALTERNATIVES CONSIDERED

We evaluated the No Action or Postponed Action Alternative, alternative energy sources, the potential effects of energy conservation, system alternatives, route alternatives, route variations, and aboveground facility site alternatives to determine whether they would be technically and economically feasible and environmentally preferable to the proposed action. In this analysis we considered the potential impacts to environmental resources and land uses. We are recommending adoption of two of the alternatives analyzed: the Owl Creek Route Variation and the Pioneer Route Variation. Our analysis of alternatives and our recommendations are included in section 3.0 of the draft EIS.

CONCLUSION

As part of our review, we developed measures that we believe would appropriately and reasonably avoid, minimize, or mitigate environmental impacts associated with construction and operation of the proposed project. We are recommending that these measures be attached as conditions to any authorization the Commission may issue. We conclude that if the Project is found to be in the public interest and is constructed and operated in accordance with CIG's proposed minimization and mitigation measures and our recommended mitigation measures, the proposed Project would result in limited adverse environmental impact. In support of this conclusion, we offer the following:

- the proposed Project would be collocated with existing utility rights-of-way for about 83.6 miles, or about 51 percent of the proposed route;
- CIG would implement the CIG Plan and Procedures, BMPs, Spill Plan, Hydrostatic Test Plan, Reclamation Plan, and Invasive Species Plan which would minimize and mitigate impacts to resources during construction and operation of the proposed Project;
- the appropriate consultations with the USFWS, state historic preservation officer, other affected land management agencies, Native American tribes, and any appropriate compliance actions resulting from these consultations would be completed before CIG would be allowed to begin construction in any given area; and
- CIG would implement an environmental inspection and monitoring program that would ensure compliance with all proposed and recommended mitigation measures.

⁴ The Office of Energy Project's Upland Erosion Control, Revegetation, and Maintenance Plan and Wetland and Waterbody Construction and Mitigation Procedures.