

The vertical line in the margin identifies text that has been modified in the Final EIS and differs from the corresponding text in the Draft EIS. The acreage values presented have not changed from the Draft EIS. The proposed changes in acreage and impacts were found to be minimal.

1.0 INTRODUCTION

The environmental staff of the Federal Energy Regulatory Commission (FERC or Commission) prepared this Environmental Impact Statement (EIS) to assess the environmental impacts associated with the construction and operation of the facilities proposed by Southeast Supply Header, LLC (SESH or Applicant). The facilities proposed by SESH are hereafter collectively referred to as the SESH Project, or the proposed Project, in this EIS.

On December 18, 2006, SESH filed an application for the proposed Project with the FERC, pursuant to Section 7(c) of the *Natural Gas Act* (NGA), as amended, and Parts 157 and 284 of the FERC's regulations. With this application, SESH seeks a Certificate of Public Convenience and Necessity (Certificate) to construct, own, operate, and maintain an interstate natural gas pipeline and associated ancillary facilities. The FERC issued a notice of SESH's application in the *Federal Register (FR)* on December 28, 2006.

The proposed Project would consist of

- approximately 269 miles of interstate natural gas mainline pipeline (104 miles of 42-inch-diameter, 165 miles of 36-inch-diameter),
- eight laterals (1.7 miles of 6-, 16-, 20-, 24- and 42-inch-diameter),
- three new mainline compressor stations (totaling 51,385 horsepower [hp]),
- two booster stations (totaling 10,650 hp), and
- associated valves, piping, and appurtenant facilities.

The pipeline would extend from the Delhi Compressor Station in Delhi, Louisiana, to Coden, Alabama, with 13 interconnections with 10 existing interstate natural gas pipelines. Those existing pipelines are in Richland Parish, Louisiana (CenterPoint Energy Gas Transmission Company or CEGT, Columbia Gulf Transmission or Columbia Gulf, and Gulf South Pipeline Company or Gulf South), Copiah County, Mississippi (Texas Eastern Transmission Limited Partnership or TETLP), Jefferson Davis County, Mississippi (Southern Natural Gas or SONAT), Covington County, Mississippi (Transco), Forrest County, Mississippi (Tennessee Gas), George County, Mississippi (Florida Gas Transmission or FGT), and Mobile County, Alabama (Mobile Gas Services, Transco, Gulf South, and Gulfstream Natural Gas System or Gulfstream).

SESH proposes to commence construction of the Project in November 2007 with a planned in-service date of June 2008. Upon completion of construction, the proposed Project would be capable of moving 1.14 billion cubic feet per day (Bcfd). The proposed Project would act as a virtual header system capable of receiving or delivering natural gas to and from CEGT, Columbia Gulf, Gulf South, TETLP, SONAT, Transco, Tennessee Gas, Mobile Gas Services, FGT, and Gulfstream.

1.1 PROJECT PURPOSE AND NEED

SESH indicates that the primary purpose of the proposed Project is to provide needed, new transportation capacity that significantly enhances access to reliable onshore gas supplies to serve growing demand in the Southeast for power generation and industrial and local gas distribution needs. The proposed Project would provide access to diverse sources of natural gas, including emerging basins of new supply such as the Barnett Shale, Bossier Sands, Arkoma, and Fayetteville Shale, as well as providing access to traditional Gulf Coast supplies. Access to these diverse supply sources would provide additional reliability and flexibility to the growing markets.

SESH designed the proposed Project so that it would enhance the seasonal demand requirements of multiple regional markets. Depending on the season, the proposed Project, via its interconnections with multiple interstate transmission systems, would help to offset a portion of the declining supply from the shallow water Gulf of Mexico continental shelf while maintaining peak day deliveries to Northeast and Southeast customers. In addition, the SESH system would be a reliable source of supply to the Florida market during the summer, as SESH mainly sources its gas from the Perryville Hub in Delhi, Louisiana, which is not sensitive to inclement weather. Consequently, the proposed Project would provide multiple shippers with additional capacity and enhanced reliability and consumers with increased opportunities for price competition.

Energy demand in the United States has been growing and continues to increase steadily. The Energy Information Administration (EIA) Annual Energy Outlook 2006 Overview estimates that total energy consumption in the United States will increase from 99.7 quadrillion British thermal units (BTUs) per year in 2004 to 127.0 quadrillion BTUs per year in 2025, representing an annualized increase of 1.2 percent (EIA 2006a). Although this energy will be obtained from a variety of sources (e.g., coal, petroleum, hydropower, and other renewable sources), natural gas usage will represent about 22 percent of all energy consumption in the United States by 2025. To maintain pace with growing energy demands, the EIA anticipates that consumption of natural gas in the United States will grow from 22.4 trillion cubic feet (Tcf) per year in 2004 to 27.0 Tcf by 2025, an increase of more than 20 percent. The growth in natural gas demand is being driven primarily by increased use of natural gas for electricity generation and industrial applications, which together account for 62 percent of the projected demand growth from 2004 to 2025 (EIA 2006a).

The United States natural gas supply currently comes from three main sources: domestic production, pipeline imports from Canada and Mexico, and imports of liquefied natural gas (LNG). Net pipeline imports of natural gas from Canada and Mexico are expected to decline in coming years, and although LNG represents an increasingly important source of natural gas, LNG imports are only expected to account for about 15 percent of total United States natural gas consumption by 2025. Domestic production of natural gas will continue to account for the majority of total United States consumption, with onshore production expected to account for the bulk of that supply, growing to 14.7 Tcf by 2025 (EIA 2006a). Onshore production of natural gas from unconventional sources (e.g., shale, tight sands, and coal bed methane) is expected to be a major contributor to that growth. The EIA projects unconventional natural gas production in the lower 48 states will account for about 45 percent of total domestic production by 2030.

1.2 PURPOSE AND SCOPE OF THIS EIS

The FERC is the federal agency responsible for evaluating applications filed for authorization to construct and operate interstate natural gas pipeline facilities. As such, the FERC is the lead federal agency for the preparation of this EIS in compliance with the requirements of the *National Environmental Policy Act of 1969* (NEPA), the Council on Environmental Quality (CEQ) regulations for implementing

NEPA (40 *Code of Federal Regulations* [CFR] Parts 1500 –1508), and the FERC regulations implementing NEPA (18 CFR Part 380).

The U.S. Fish and Wildlife Service (FWS), the National Park Service (NPS), the Environmental Protection Agency (EPA), and the Natural Resource Conservation Service (NRCS) and the U.S. Army Corps of Engineers (COE) are federal cooperating agencies for the development of this EIS. A federal cooperating agency has jurisdiction by law or special expertise with respect to any environmental impact involved with the proposal and is involved in the NEPA analysis.

Our¹ principal purposes in preparing this EIS are to

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

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

With the issuance of the Final EIS, the Commission will determine whether the proposed Project should be approved. A final approval will be granted only if, after a consideration of both environmental and non-environmental issues, the FERC determines that the Project is consistent with the public interest. The environmental impact assessment and mitigation development discussed in this EIS will be important factors in that final determination.

1.3 PERMITS, APPROVALS, AND REGULATORY REQUIREMENTS

A number of federal, state, and local agencies have permit or approval authority or consultation requirements for portions of the proposed Project (see Table 1.3-1). The FERC states in its orders 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. The FERC encourages cooperation between interstate natural gas pipeline companies and local authorities, but state and local authorities may not prohibit or unreasonably delay the construction or operation of facilities approved by the FERC through application of state and local laws. As the lead federal agency for the proposed Project, the FERC has certain obligations under Section 7 of the *Endangered Species Act* (ESA) and Section 106 of the *National Historic Preservation Act* (NHPA). At the federal level, required permits and approval authority outside of the FERC's jurisdiction include

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

compliance with the *Clean Water Act (CWA)*, the *Rivers and Harbors Act of 1899*, and the *Clean Air Act (CAA)*. Each of these statutes has been taken into account in the preparation of this document.

Section 7 of the ESA, as amended, states that any project authorized, funded, or conducted by a federal agency (for example, the FERC) should not “jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which is determined...to be critical” (16 *United States Code [USC]* § 1536[a][2]). The FERC, or SESH as a non-federal party, is required to consult with the FWS to determine whether any species, federally listed or proposed for listing as endangered or threatened, or its designated critical habitat, occurs near the proposed Project. If, upon review of existing data or data provided by SESH, the FERC determines that a species or habitat may be adversely affected by the proposed Project, the FERC is required to prepare a biological assessment to identify the nature and extent of the adverse impact and to recommend measures that would avoid the habitat and/or species or would reduce potential impacts to acceptable levels. If the FERC determines that no federally listed or proposed endangered or threatened species or its critical habitat would be adversely affected by the proposed Project, then no further action is necessary. See Section 3.7 of this EIS for discussion of the ESA review.

Section 106 of the NHPA requires the FERC to take into account the effects of its undertakings on properties listed in, or eligible for listing in, the National Register of Historic Places (NRHP), including prehistoric or historic sites, districts, buildings, structures, objects, or properties of traditional religious or cultural importance, and to afford the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on the undertaking. The FERC has requested that SESH, as a non-federal party, assist in meeting the FERC’s obligations under Section 106 by preparing the necessary information and analyses as required by the ACHP procedures in 36 CFR Part 800. Additional information on Section 106 consultation is provided in Section 3.10 of this EIS.

SESH is required to comply with Sections 401, 402, and 404 of the CWA. The EPA has delegated water quality certification (Section 401) to the jurisdiction of individual state agencies, but the EPA may assume this authority if no state program exists, if the state program is not functioning adequately, or at the request of the state. Water used for hydrostatic testing of pipelines, which is point-source discharged into waterbodies, requires a National Pollutant Discharge Elimination System (NPDES) permit (Section 402) issued by the state with EPA oversight.

The COE has responsibility for determining compliance with the regulatory requirements of Section 404 of the CWA. The EPA also independently reviews Section 404 wetland dredge-and-fill applications for the COE and has Section 404(c) veto power for wetland permits issued by the COE. The Section 404 permitting process regulates the discharge of dredged or fill material associated with the construction of pipelines across streams and in wetlands. Before an individual Section 404 permit can be issued, the CWA requires completion of a Section 404(b) (1) guidelines analysis. The FERC, in the NEPA review required to prepare this EIS, has analyzed the technical issues required for the Section 404(b) (1) guidelines analysis, including analysis of natural resources and cultural resources that would be affected by the proposed Project, as well as analyses of alternatives and route variations that would eliminate or minimize the discharge of fill material into the waters of the United States. The COE, as a federal cooperating agency, may use the EIS to support its decision on the Section 404 permit for the proposed Project.

In addition to its CWA responsibilities, the COE has jurisdiction over Section 10 permits. Section 10 permits would be required for all construction activities in navigable waterways under the *Rivers and Harbors Act of 1899*.

**TABLE 1.3-1
Summary of Major Permits, Approvals, and Consultations for the Proposed SESH Project**

Agency	Permit/Approval/Consultations	Agency Action (Status)
FEDERAL		
Federal Energy Regulatory Commission	Section 7(c) Certificate of Public Convenience and Necessity	Application submitted December 2006
U.S. Army Corp of Engineers—Vicksburg and Mobile Districts	Section 404 <i>Clean Water Act</i> (CWA)/ Section 10 <i>Rivers and Harbors Act</i> Nationwide Permits	Application submitted March 2007
U. S. Department of Interior, Fish and Wildlife Service—Louisiana, Mississippi, and Alabama	Consultations under Section 7 of the <i>Endangered Species Act</i> , the <i>Migratory Bird Treaty Act</i> , and the <i>Fish and Wildlife Coordination Act</i>	Consultations on endangered and threatened species and migratory birds complete. A Biological Opinion was issued by the FWS on July 19, 2007. Consultations for a Longleaf Pine Vegetative Community Plan and Exotic and Invasive Species Control Plan are ongoing. Consultations for any proposed variations to the pipeline route, additional temporary workspaces, or new access roads are ongoing.
U. S. Department of Interior, Fish and Wildlife Service—Tensas River National Wildlife Refuge	Special Use Permit (crossing fee title and conservation easements on federal lands)	Consultations are ongoing
National Oceanic and Atmospheric Administration (NOAA)—National Marine Fisheries Service (NMFS), Southeast Region	Section 7 of the <i>Endangered Species Act</i> , the <i>Magnuson-Stevens Fisheries and Conservation Act</i> , and Threatened and Endangered Species Consultation	No essential fish habitat (EFH) issues; no NMFS jurisdictional T&E issues are anticipated
U.S. Environmental Protection Agency (EPA)—Regions 4 and 6	CWA and <i>Clean Air Act</i> (CAA) Consultation	EPA consultations will continue as a part of the air permitting and the Section 404 permitting processes
National Park Service (NPS)—Natchez Trace Parkway	<i>Archaeological Resource Protection Act</i> (ARPA) Permit	An ARPA permit will not be required due to crossing the Natchez Trace Parkway in a previously disturbed area. NPS has agreed upon the proposed crossing location. Application submitted April 2007
Natural Resources Conservation Service (NRCS) and Farm Services Agency (FSA)—Louisiana, Mississippi, and Alabama	Wetlands Reserve Program (WRP), prime farmland and seed mix consultations	Recommended seed mixes have been received or approved; prime farmland conversion forms will be submitted for aboveground facilities
	Conservation Reserve Program (CRP) and Conservation Reserve Enhancement Program (CREP) Lands consultation/easement	Consultations regarding crossing of WRP, CRP, and CREP lands are ongoing
	Loess Soil Management Plan	A draft Loess Soil Management Plan has been submitted on June 11, 2007 for NRCS approval
LOUISIANA		
Louisiana Department of Wildlife and Fisheries	State T&E Species Consultation	Consultations for an Exotic and Invasive Species Control Plan are ongoing. State listed T&E species consultations regarding the need for additional surveys or mitigation to minimize or avoid impacts are ongoing..
Louisiana Department of Environmental Quality	Section 401 Water Quality Certification	Permit application submitted March 2007
	Hydrostatic Test Water Discharge Permit	Permit application submitted May 2007
	Air Permit	Permit application submitted March 2007

**TABLE 1.3-1
Summary of Major Permits, Approvals, and Consultations for the Proposed SESH Project**

Agency	Permit/Approval/Consultations	Agency Action (Status)
Louisiana Department of Culture, Recreation, and Tourism	Section 106 NHPA Consultation, State Cultural Resource Compliance	Consultations are ongoing. Phase I Cultural Resource Survey Report submitted, concurrence was received on the initial Phase I survey in March 2007; Phase I addendum submitted March 2007; Phase II testing reports submitted in March 2007
MISSISSIPPI		
Mississippi Department of Archives and History—Historic Preservation Division	Section 106 NHPA Consultation, State Cultural Resource Compliance	Consultations are ongoing. Phase I Cultural Resource Survey Report submitted; concurrence was received on the initial Phase I survey in March 2007; Phase I addendum submitted March 2007; Phase II testing reports submitted February 2007
Mississippi Department of Wildlife, Fisheries, and Parks	State T&E Species Consultation	Consultations for a Pitcher Plant Bog Mitigation Plan and Exotic and Invasive Species Control Plan are ongoing. State listed T&E species consultations regarding the need for additional surveys or mitigation to minimize or avoid impacts are ongoing. Permit application submitted March 2007
Mississippi Department of Environmental Quality	Section 401 Water Quality Certification	Permit application submitted March 2007
Mississippi Department of Environmental Quality	Hydrostatic Test Water Discharge Permit	Permit application submitted May 2007
	Water Withdrawal Permit	Anticipated permit submittal Fall 2007 (if required)
	Coastal Zone Consistency Determination	Permit application submitted March 2007
	Air Permit	Permit application submitted March 2006
ALABAMA		
Alabama Department of Environmental Management	Section 401 Water Quality Certification	Permit application submitted March 2007
	Hydrostatic Test Water Discharge Permit	Anticipated permit submittal Fall 2007 (if required)
	Coastal Zone Consistency Determination	Permit application submitted March 2007
Alabama Historical Commission	Section 106 NHPA Consultation, State Cultural Resource Compliance	Consultations are ongoing; Phase I Cultural Resource Survey Report submitted in December 2006; concurrence was received on the initial Phase I survey in March 2007; Phase I addendum submitted March 2007
Alabama Department of Conservation and Natural Resources—Division of Wildlife and Freshwater Fisheries	State T&E Species Consultation	Consultations for a Pitcher Plant Bog Mitigation Plan and Exotic and Invasive Species Control Plan are ongoing. State listed T&E species consultations regarding the need for additional surveys or mitigation to minimize or avoid impacts are ongoing.

Ambient air quality is protected by federal regulations under the CAA. These regulations include compliance under the New Source Performance Standards (NSPS) and the requirements for the prevention of significant deterioration (PSD). The federal permitting process for the CAA has been delegated to individual state agencies. Although the states and the EPA review applications, only the states would determine the need for NSPS or a PSD permit. Air quality and applicable regulations are discussed further in Section 3.11 of this EIS.

1.4 PUBLIC REVIEW AND COMMENT

On May 5, 2006, SESH filed a request with the FERC to implement the Commission's pre-filing process for the SESH Project. At that time, SESH was in the preliminary design stage of the proposed Project and no formal application had been filed with the FERC. The FERC granted SESH's request to use the pre-filing process on May 30, 2006, and established a pre-filing docket number (PF06-28-000) to place information relevant to the proposed Project into the public record. The pre-filing process was established by the FERC to encourage early involvement of interested stakeholders, facilitate interagency cooperation, and identify and resolve environmental issues before an application is filed with the FERC.

Open houses were held by SESH in June and July 2006 at the following locations:

- Gallman, Mississippi – June 12, 2006
- Vicksburg, Mississippi – June 13, 2006
- Tallulah, Louisiana – June 14, 2006
- Lucedale, Mississippi – June 19, 2006
- Irvington, Alabama – June 20, 2006
- Hattiesburg, Mississippi – June 21, 2006
- Gallman, Mississippi – July 10, 2006

Staff representing the FERC attended the open houses to explain the environmental review process to interested parties and accept comments about the proposed Project.

On July 28, 2006, the FERC issued a "Notice of Intent [NOI] to Prepare an Environmental Impact Statement for the Proposed Southeast Supply Header Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings." The NOI was sent to affected landowners; federal, state, and local government agencies; elected officials; environmental and public interest groups; Native American tribes; other interested parties; and local libraries and newspapers. The NOI, which was published in the *FR*, provided a summary of the proposed Project, outlined the NEPA-required environmental review process, provided a list of the then currently identified environmental issues, and requested comments on the scope of the analysis for the EIS. The NOI also listed the dates and times of three public scoping meetings that were sponsored by the FERC to give the public an opportunity to learn more about the proposed Project and to comment on environmental issues to be addressed in the EIS. These scoping meetings were held on August 21, 22, and 24, 2006, in Gallman, Mississippi; Hattiesburg, Mississippi; and Lucedale, Mississippi, respectively.

The transcripts of the scoping meetings, as well as all written comments received before and after the scoping meetings, are part of the public record for the proposed Project and are available for viewing on the FERC Internet website (<http://www.ferc.gov>). Excluding representatives of SESH and the FERC, about 100 people attended the public scoping meetings for the proposed Project, and approximately 36 individuals provided verbal statements. During the pre-filing and scoping periods for the proposed Project, we received numerous written comment letters from members of the general public, Native American tribes, and federal and state resource agencies. The issues and concerns identified during the public scoping process for the proposed Project are summarized in Table 1.4-1, which also identifies the EIS section in which these issues are addressed. All comments received during the pre-filing period, and since SESH's application was filed under Docket No. CP07-44-000 and CP07-45-000 are considered part of the record for the SESH Project.

**TABLE 1.4-1
Issues Identified and Comments Received During the Public Scoping Process
for the Proposed SESH Project**

Issues/Specific Comments	EIS Section Addressing Comment
General	
Project purpose and need	Section 1.1
Public notification	Section 1.4
Construction methods and land requirements	Sections 2.3 and 3.8
Maintenance procedures to be implemented during operation, including vegetation management and inspections	Sections 2.6 and 3.5
Potential damage to existing utilities, including water lines and irrigation systems	Sections 3.3 and 3.8
Geology and Soils	
Impacts to soils, including compaction, drainage, and erosion potential following construction, and associated mitigation	Sections 3.1 and 3.2
Impacts to prime farmland soils	Section 3.2
Water Resources	
Construction-related impacts to wells; potential for contamination and monitoring requirements	Section 3.3
Impacts to waterbodies (rivers, streams, lakes, and ponds), particularly that associated with crossings of major or state-designated scenic rivers	Section 3.3 and Appendix D
Impacts associated with hydrostatic test water withdrawals	Section 3.3
Vegetation and Wetlands	
Avoidance and minimization of impacts to sensitive habitats, including wetlands, bottomland hardwoods, riparian habitats, undisturbed forested tracts, and unique or sensitive vegetative communities during construction and maintenance activities; mitigation for Project-related effects	Sections 3.3, 3.4 and 3.5 and Appendix E
Use of native vegetation and seed mixes to restore disturbed areas	Section 3.5
Fish and Wildlife Resources	
Impacts to fish and wildlife habitat	Section 3.6
Potential impacts to colonial, nesting water birds, or migratory bird species	Section 3.6
Collocation with other existing rights-of-way to minimize habitat fragmentation	Section 3.5, 3.6 and 3.8
Threatened, Endangered, and Special Status Species	
Potential impacts to state- and federally protected species, including red-cockaded woodpecker (RCW), bald eagle, interior least tern, Louisiana black bear, pallid sturgeon, and Louisiana pine snake, or their habitats	Section 3.7
Land Use, Recreation and Special Interest Areas and Visual Resources	
Impacts to affected property including agriculture, silviculture activities, and property access during operation	Section 3.8

**TABLE 1.4-1
Issues Identified and Comments Received During the Public Scoping Process
for the Proposed SESH Project**

Issues/Specific Comments	EIS Section Addressing Comment
Proximity of pipeline to occupied structures	Section 3.8
Reduced property access during construction activities, including that of livestock	Section 3.8
Allowable uses/restrictions on future development along the permanent right-of-way	Section 3.8
Compatibility/potential conflicts with designated special-use areas, including U.S. Fish and Wildlife Service (FWS) conservation easements and lands within the Natural Resources Conservation Service's (NRCS's) Wetland Reserve and Conservation Reserve Programs	Section 3.8
Impacts of multiple pipeline and utility rights-of-way	Section 3.8
Air Quality and Noise	
Potential impacts from construction-related noise	Section 3.11
Potential noise impacts from compressor stations during operations	Section 3.11
Cultural Resources	
Identification, evaluation, and protection of potentially affected cultural resources	Section 3.10
Native American notification and consultation	Section 3.10
Socioeconomics	
Potential effect on property values	Section 3.9
Loss of timber production values for affected silviculture operations	Section 3.9
General economic effects to agricultural operations	Section 3.9
Potential for landowner liability associated with accidental pipeline damage; associated insurance premium effects	Section 3.9
Responsibility for payment of property taxes along pipeline right-of-way	Section 3.9
Reliability and Safety	
Public safety; risk of leak, explosion, or catastrophic accident	Section 3.12
Stability and integrity of pipeline; potential for damage from outside forces such as agricultural operations and equipment	Section 3.12
Cumulative Impacts	
Cumulative impacts of similar proposed pipeline projects	Section 3.13
Alternatives	
Analysis of alternative pipeline routes and aboveground facility locations, including alternative compressor station sites	Section 4

In addition to the public notice and scoping process discussed above, the FERC conducted agency consultations and participated in interagency meetings to identify issues that should be addressed in this EIS. These activities included participation in interagency meetings on August 23, 2006, in Mississippi, and August 24, 2006, in Alabama, to discuss the proposed Project and its associated environmental review process with other key federal and state agencies. The agencies that participated in those meetings included the FWS; Mississippi Department of Wildlife, Fisheries and Parks; Mississippi Natural Heritage Program; Alabama Department of Environmental Management—Water Quality Division and Coastal Section; and Alabama Department of Conservation and Natural Resources—Division of Wildlife and Freshwater Fisheries.

We prepared a Draft EIS for the proposed Project and issued a Notice of Availability (NOA) on April 27, 2007. The Draft EIS was also filed with the EPA, and a formal notice was published in the *Federal Register* on May 4, 2007 indicating that the Draft EIS was available and had been mailed to individuals and organizations on the distribution list prepared for the proposed Project (Refer to Appendix A). In accordance with CEQ regulations, the NOA and *FR* notice established a 45-day comment period ending on June 18, 2007; described procedures for filing comments on the Draft EIS; and announced the time, dates, and locations of public comment meetings on the Draft EIS. These announcements also described how additional information on the proposed Project could be obtained from the Commission's Office of External Affairs and on the FERC's Internet website.

During the Draft EIS comment period, the FERC conducted public comment meetings in Lucedale, Hattiesburg and Gallman, Mississippi on May 21, 22 and 24, 2007. The meetings provided interested individuals and groups the opportunity to present oral comments on the FERC Staff's analysis of the environmental impacts of the proposed Project as described in the Draft EIS. Fourteen individuals provided oral comments at the public meetings. In addition, we received written comments on the Draft EIS from five federal agencies, the National Oceanic and Atmospheric Administration (NOAA), NRCS, Department of Interior (DOI), FWS, and EPA and three state agencies, Mississippi Department of Environmental Quality (MDEQ), Mississippi Department of Marine Resources (MDMR) and Alabama Historical Commission (AHC), and two dozen state legislators. The public comment transcripts and all written comments on the Draft EIS are part of the public record for the Project. Comments received on the Draft EIS and the FERC Staff's responses to these comments are provided in Appendix K of the Final EIS. Changes were made in the text of the Final EIS in response to the comments on the Draft EIS and in order to include updated information that became available following issuance of the Draft EIS.

The Final EIS was mailed to the agencies, individuals, and organizations on the mailing list and submitted to the EPA for issuance of a formal public notice of availability. 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 notice of availability of a 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 SESH authorizations for the proposed Project, it would be subject to a 30-day rehearing period. Therefore, the Commission could issue its decision concurrently with the EPA's notice of availability.

1.5 NONJURISDICTIONAL FACILITIES

Under certain circumstances, the FERC is required to consider, as part of a decision to certificate jurisdictional facilities, all facilities including nonjurisdictional facilities that are directly related to the proposed Project where there is sufficient federal control and responsibility to warrant environmental analysis as part of this proceeding. The jurisdictional facilities for the proposed Project are described in

detail in Section 2.1 and are addressed throughout this EIS. Nonjurisdictional facilities are those facilities that would be constructed upstream or downstream of the jurisdictional facilities for the purpose of delivering, receiving, or using the proposed gas volumes.

Nonjurisdictional facilities that were identified include electrical power lines that would be constructed to provide electrical service to the three new compressor stations, two booster stations, and a meter/regulator (M&R) station. These facilities would be constructed and operated by Entergy Louisiana, Inc. (Entergy); and Southwest, Southern Pine, Dixie, and Singing River Energy Power Associations; and have been identified as nonjurisdictional facilities (See Table 1.5-1). Although these facilities are outside the Commission’s jurisdiction, they are directly related to the Project. In order to ensure that our responsibilities under NEPA are met, **we are recommending that:**

- **SESH should not begin service until: the staff receives documentation, including clearances and/or surveys required from the FWS and SHPO regarding the proposed electric service lines to compressor stations, and SESH has received written notification from the Director of OEP that service may begin.**

TABLE 1.5-1 Summary of Nonjurisdictional Facilities for the Proposed SESH Project						
Facility	County/ State	Certificated Supplier	Capacity (kVA)	Voltage	Easement (ft)	Length
Delhi Compressor/ Meter Station	Richland, LA	Entergy	1,000	3-phase/ 15-kV Class	60	1,200 ft
TETLP M&R Station	Copiah, MS	Southwest Mississippi Energy Power Association	1,000	1-phase/ 100 amps	60	4,300 ft
Gwinville Compressor/Meter Station	Jefferson Davis, MS	Southern Pine Energy Power Association	300/500	3-phase/ 15-kV Class	40	1.25 miles
Collins Booster/ Meter Station	Covington, MS	Southern Pine Energy Power Association	150/200	3-phase/ 15-kV Class	40	900 ft
Petal Booster/ Meter Station	Forrest, MS	Dixie Energy Power Association	150/200	3-phase/ 15-kV Class	60	1,500 ft
Lucedale Compressor/ Meter Station	George, MS	Singing River Energy Power Association	300/500	3-phase/ 15-kV Class	40	2.75 miles
ft = foot/feet kV = kilovolts kVA = kilovolt-ampere						