

# **PROPOSED INTERIM GUIDELINES FOR APPLICANT PREPARED DRAFT ENVIRONMENTAL ASSESSMENTS**

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- 1.0 BASIS FOR APPLICANT PREPARED DRAFT EA
- 1.1 Regulatory Framework

The Office of Pipeline Regulation (OPR), within the Federal Energy Regulatory Commission (FERC or Commission) staff, commonly prepares environmental documents in accordance with regulations implementing the National Environmental Policy Act (NEPA) for proposed natural gas projects. As set forth in 18 CFR § 380.2 of the Commission's regulations these documents include the environmental assessment (EA), environmental impact statement (EIS), and finding of no significant impact (FONSI). These regulations supplement the regulations of the Council on Environmental Quality, 40 CFR Parts 1500 through 1508.

In 40 CFR § 1508.9, an EA means a concise public document for which a Federal agency is responsible under NEPA that serves to:

- (1) Briefly provide sufficient evidence and analysis for determining whether to prepare an EIS or a FONSI.
- (2) Aid an agency's compliance with NEPA when no EIS is necessary.
- (3) Facilitate preparation of an EIS when one is necessary.

EAs must include brief discussions of the need for the proposal, of alternatives as required by NEPA section 102(2)(E), of the environmental impact of the proposed action and alternatives, and a listing of agencies and persons consulted.

For projects not categorically excluded from the need for an EA by § 380.4, an applicant for construction of pipeline facilities must submit an application including an environmental report (ER) fulfilling the requirements of § 380.12.<sup>1</sup> A diagram of the review process is shown on Figure 1. Once the application is submitted, OPR staff acting on behalf of the FERC will make an initial decision as to whether an EA or EIS is required. If an EA is to be prepared, OPR staff will review the application/ER, request additional data if necessary, and prepare the document. The results of this effort will culminate in a FONSI or a recommendation for an EIS.

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<sup>1</sup> This is the description of the applicant's environmental report specified in the final rule in Docket No. RM 90-1.

## TYPICAL EA PROCESS

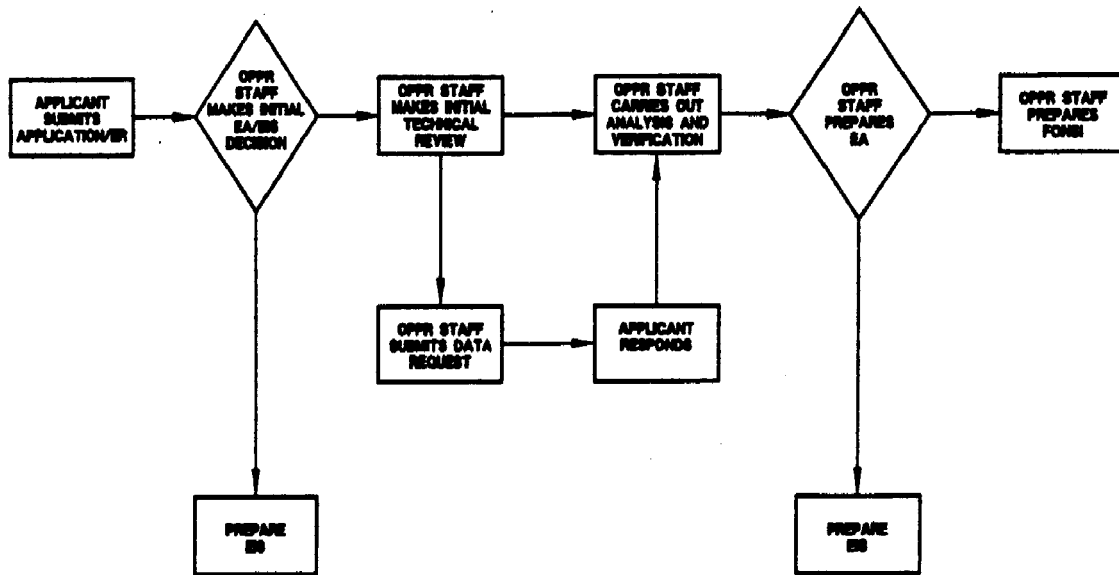


Figure 1

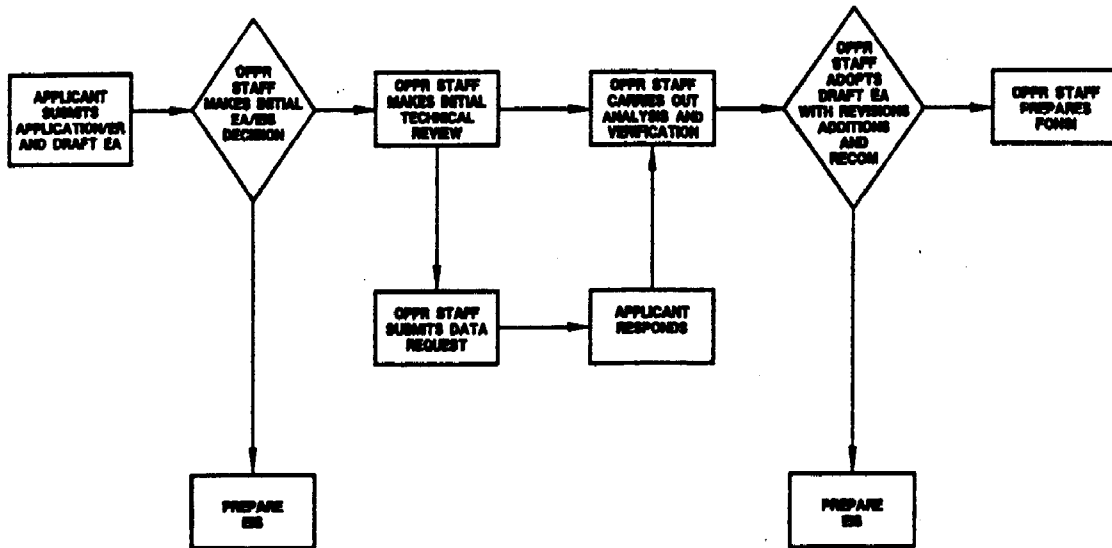
As an option to this approach, 40 CFR § 1506.5(b) allows agencies to authorize preparation of a draft EA by the applicants (see Figure 2). Using this method, the application submitted would include an ER and a draft environmental assessment (DEA) with the objective of accelerating OPR staff review and finalization of the EA. Rather than reviewing the ER and then preparing an EA, staff would analyze and verify the data in the ER to ensure that it supports the DEA; to make appropriate adjustments and revisions; and to develop recommendations as necessary in preparing a final EA for the Commission's use. Because staff would not develop an EA from scratch there could be significant time and cost savings realized; however, the supporting ER must be complete and fully in compliance with the requirements for an ER.

### 1.2 Relationship to ER and Staff Review

The ER, as described in 18 CFR Part § 380.12 must include a detailed description of the proposed action, the existing environment, environmental impact, alternatives, required permits and compliance with other regulations and codes, and sources of information. The DEA should clearly and concisely summarize the information contained in the ER to provide a basis to recommend preparation of an EIS or a FONSI.

For staff to be able to use an applicant-prepared DEA, the supporting ER must be complete and comprehensive, and must clearly indicate consultation with appropriate Federal, regional, state, and local entities as required by §§ 380.12. Staff should be able

**TYPICAL EA PROCESS  
WITH APPLICANT-PREPARED DRAFT EA OPTION**



**Figure 2**

to relate the summary statements directly to the text, tables, and graphics comprising the ER to verify the conclusions and recommendations. The ER and DEA should provide sufficient information to obviate the need for staff to prepare base maps and related graphics, conduct extensive independent analysis, and make widespread agency consultation.

**1.3 Level of Effort**

As stated previously, the DEA is intended to be a concise document containing brief text (and, as appropriate, graphics) to describe the need for the proposed action, alternatives, environmental impact of the proposed action and alternatives, and a list of agencies and persons consulted. The DEA should not include lengthy descriptions and detailed data. The ER submitted with the application should provide more detailed information on which the DEA is founded. In essence, the DEA is a type of executive summary providing sufficient evidence for staff to prepare a FONSI or recommend an EIS. Depending on the complexity of the project, the text of the DEA generally should be less than 50 pages long.

**1.4 Prefiling Consultation**

In order to help assure that the staff is in the best position to quickly respond to the filing of the DEA and verify its accuracy it is highly recommended that prefiling consultation about the project be arranged with OPR staff and the applicant's consultant. This should be accomplished as early in the process as possible.

## 2.0 FORMAT AND CONTENT

Applicant-prepared DEAs should be organized into three technical sections and accompanied by specific front matter and appendices. Table 1 illustrates the overall format of a DEA. A fourth section, Staff's Conclusions and Recommendations, would be prepared by the OPR staff.

In an effort to produce documents that are consistent, the OPR staff has adopted the Style Guide for FERC - OPR, EIS/EA Documents (Revision 3), which is available on request from the OPR. Additional guidance is provided in the U.S. Government Printing Office Style Manual (1984).

Recently published EAs that illustrate format and content for treating pipeline and aboveground facility environmental topics include Delta Project, June 1990; San Juan Lateral and Mainline Expansion Project, April 1991; Mobile Bay Project, April 1991; and Gateway Project, April 1991.

The content of DEA sections must address the topics and subtopics shown in the DEA Preparation Checklist, Appendix A, to the extent those topics are relevant to the project. In general, the better the job of explaining why these topics in § 380.12 are either not significant or not involved, the better the DEA.

## 2.3 Graphics

Each DEA submittal should include a general location map and detailed location maps. The general location map should be similar to the example in Figure 3, showing pipeline, compressor stations, meter stations, and other project facilities in relation to state and county lines.

Figure 4 is an example of a detailed pipeline route location map. Map(s) showing proposed pipeline and aboveground facilities should be prepared using the most current available U.S. Geological Survey (USGS) 1:24,000 or 1:25,000 scale base maps. For reference purposes the map(s) should also include milepost markers (consecutive from beginning (0) to end) or, for looping projects, use existing milepost designations. Figure 5 is an example of an aboveground facility map showing its location and station plot plan.

## 2.4 References and Contacts

This section should list all publications, reports, literature, and communications, including agency contacts, that were cited or relied on to prepare the report. The list of communications should include the names and titles of persons contacted, types and dates of contact, and, as appropriate, the agencies or organizations they work for.

## 2.5 Filing Format

Applicant-prepared DEAs should be submitted in hard copy and on Diskette. A single electronic copy should be provided on 3.5-inch diskettes in Wordperfect 5.1 format

**XYZ PIPELINE PROJECT  
Draft Environmental Assessment**

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Environmental Assessment Task Force

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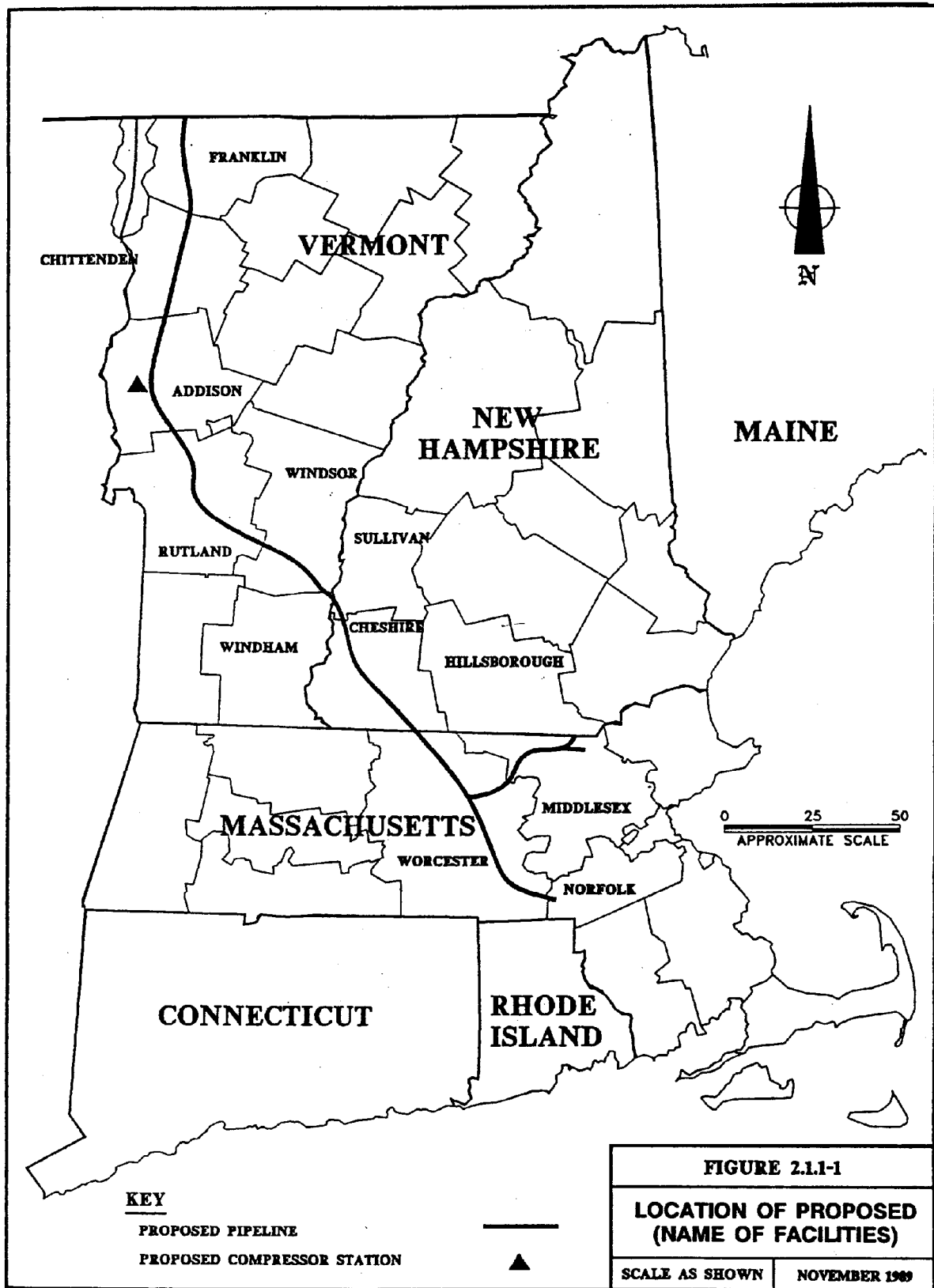


Figure 3

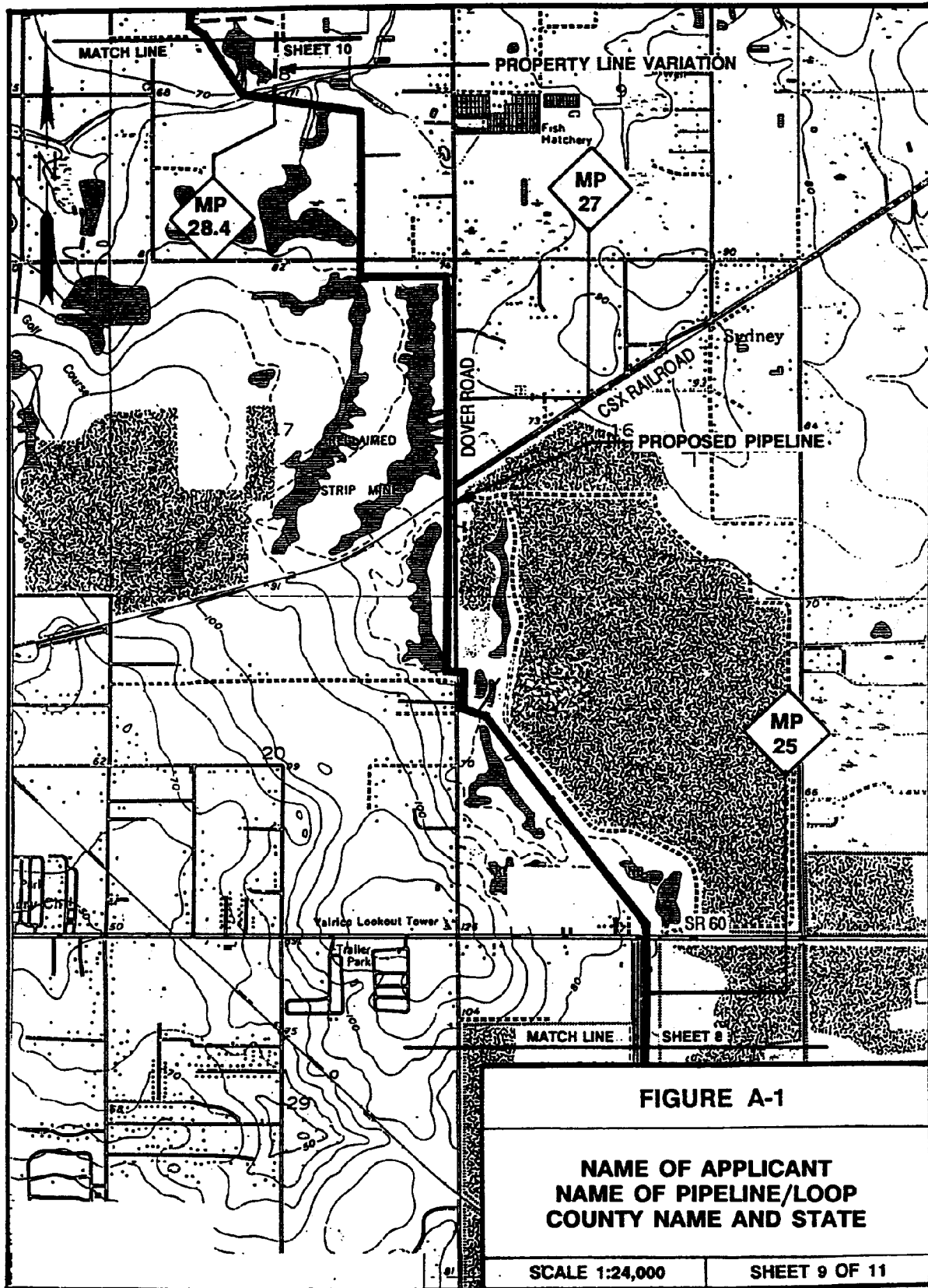
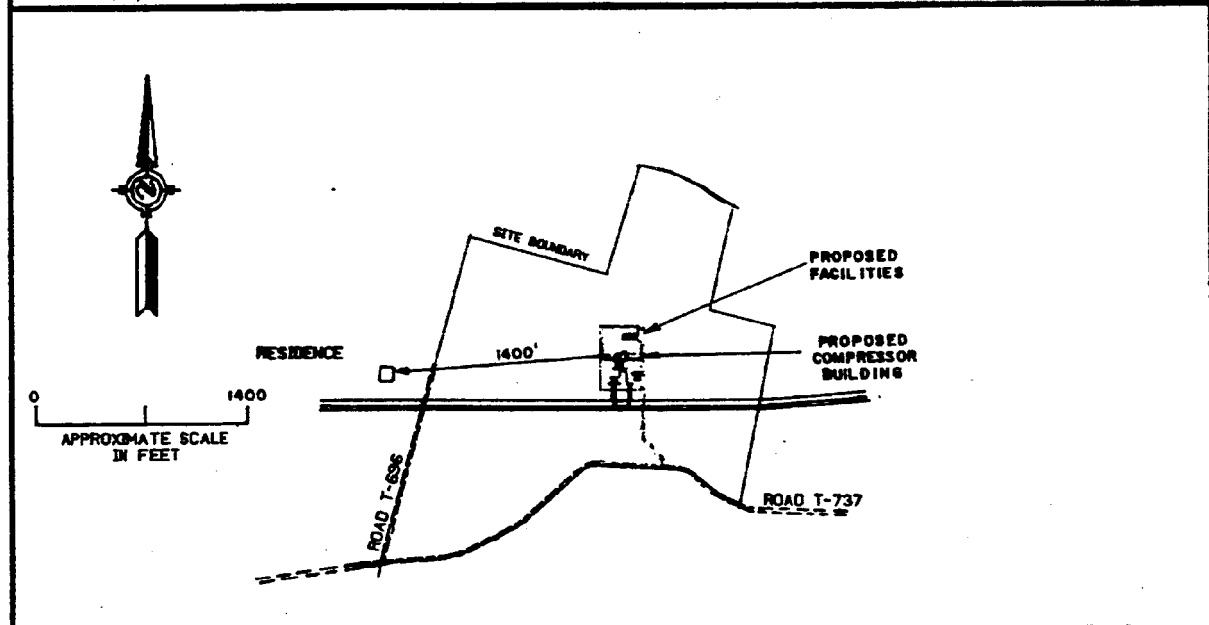
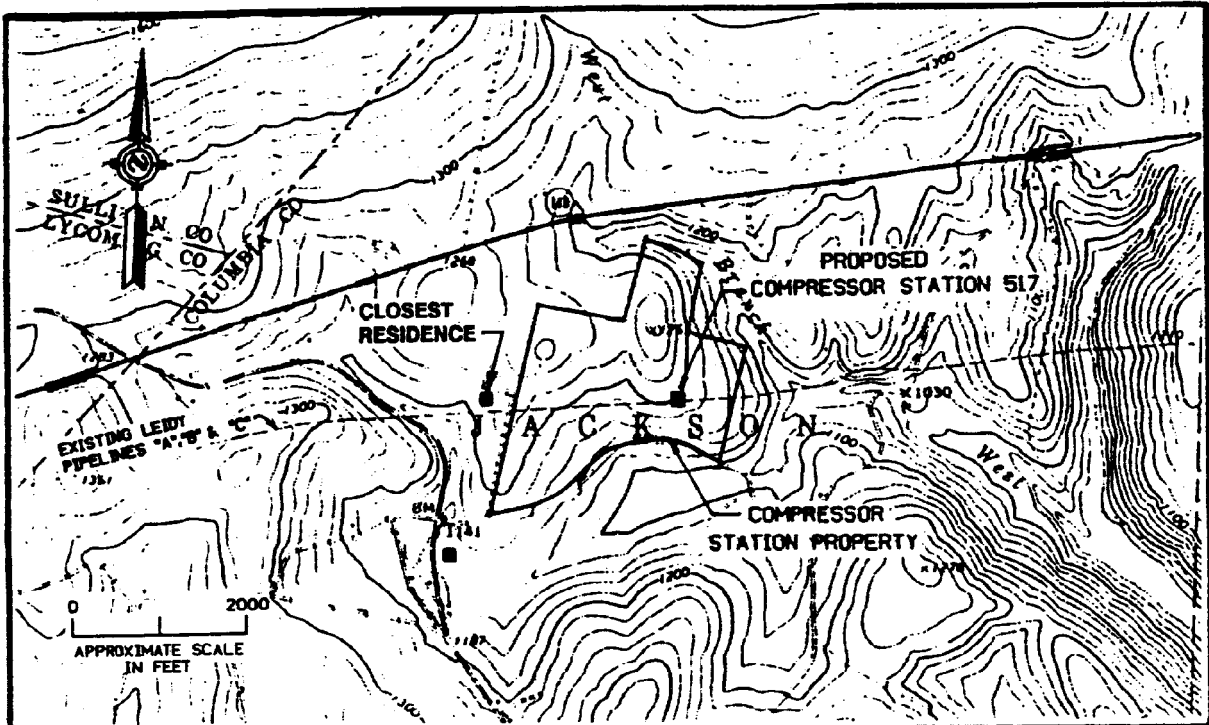


Figure 4



**FIGURE A-5-8**

**NAME OF APPLICANT  
NAME OF COMPRESSOR STATION  
COUNTY NAME AND STATE**

**COLUMBIA COUNTY, PENNSYLVANIA**

**SCALE: AS SHOWN**

**SHEET 1 OF 1**

Figure 5



# APPENDIX A

## DEA PREPARATION CHECKLIST

### A. PROPOSED ACTION

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#### **Purpose and Need**

- Describe project need including source of natural gas; volumes of natural gas to be transported, and type and location of markets to be served. Include a listing of end users, volumes, and delivery points.

#### **Proposed Facilities**

- Provide a general location map showing entire project.
- Describe facilities, including: length and size of new, replacement, and looping pipeline with summary table; description of compressor stations, meter stations, and other aboveground facilities.

#### **Nonjurisdictional Facilities**

- Identify nonjurisdictional facilities meeting the tests specified in the regulations.
- Describe each such integrally related, nonjurisdictional facility. Include the facility type and size, amount of natural gas to be transported or delivered to each facility, and 1:24,000 or 1:25,000 scale USGS topographic maps showing each facility's location.
- Summarize:
  - o effect on federally listed or proposed endangered or threatened species or critical habitat
  - o effect on historic and cultural resources included on or eligible for listing on the National Register of Historic Places
  - o consistency with Coastal Zone Management Act
  - o status of the nonjurisdictional facility at the state and local permitting level



## **Permits Required**

- Summarize permits required.
- Provide a table of required permits and responsible agencies.

## **Construction, Operation, and Maintenance Procedures**

- Summarize construction procedures. Include special construction techniques to be used for sensitive environmental areas as defined in regulations or any nonstandard technique to be used for the project.
- Summarize maintenance procedures if different from those specified in the regulations.

## **Land Requirements**

- Summarize land requirements (in acres) to be affected by operation and construction.
- Provide summary table of construction right-of-way and permanent right-of-way requirements by pipeline segment.
- Estimate number of workers by each pipeline spread and for each aboveground facility.
- Identify amount of land to be disturbed and location of temporary work areas, pipe/equipment storage yards, and contractor office yards.
- Identify amount of land to be disturbed during construction and operation of aboveground facilities.
- Describe by milepost where pipeline construction or permanent right-of-way would be totally or partially within existing rights-of-way.
- Provide typical proposed right-of-way cross sections showing proposed pipeline, existing pipelines, existing right-of-way widths, temporary work space, and permanent right-of-way width.

## **Future Plans and Abandonment**

- Describe any future plans for the proposed facilities or adjacent existing facilities beyond the scope of the proposed project.
  
- Describe any facilities that are to be abandoned now or in the future as part of the proposed action.

## **B. ENVIRONMENTAL ANALYSIS**

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For the area along the proposed pipeline route and including the aboveground facilities:

### **Geology and Soils**

#### **Geology**

- Describe geologic hazard areas along the pipeline route.
- Describe mineral resource areas crossed by the pipeline route.
- Identify locations where blasting may be required and applicable blasting procedures to be followed.
- Summarize proposed hazard mitigation techniques.

#### **Soils**

- Generally describe soil types affected by construction.
- Summarize potential impact to soils.
- Summarize proposed mitigation including proposed erosion control, revegetation, and mitigation plan in Appendix C. Specify seed mixes to be used for revegetation.
- Provide the characteristics and agricultural status of soils at aboveground facilities. Include the amount of prime farmland soils to be disturbed.

### **Water Resources, Fisheries, and Wetlands**

#### **Water Resources**

##### **Groundwater**

- Summarize potentially affected groundwater conditions.
- Identify special status or municipal aquifers crossed.
- Identify by milepost private and municipal wells along proposed route.
- Summarize potential impact.
- Summarize proposed mitigation including spill prevention and control measures and well restoration measures.

## **Surface Water**

- Briefly summarize surface water quality classifications by state. Specifically note cold water/high quality streams and rivers.
- Provide table identifying perennial water bodies crossed by facility by milepost and water quality classification for each.
- Describe potable water supply intakes located 3 miles downstream of a stream crossing.
- Describe stream crossings with contaminated river sediments.
- Describe any aboveground facilities that would be located in floodplains.
- Summarize the Federal, state, or local permits that have or will be obtained.
- Describe amounts for hydrostatic test water and withdrawal and discharge locations.
- Summarize potential impact.
- Summarize proposed mitigation including detailed description of stream construction techniques proposed in Appendix D.

## **Fisheries**

- Discuss significant fisheries crossed by the pipeline.
- Summarize potential impact and avoidance.
- Summarize proposed mitigation techniques.

## **Wetlands**

- Provide a table listing wetlands crossed by facility by milepost. Include the National Wetland Inventory (NWI) mapping classification; distance (in feet) crossed; and the areas disturbed during construction and operation.
- Summarize the Federal, state, and local permits that have or will be obtained.
- Summarize by pipeline segment and wetland types the acres of wetland to be disturbed during construction and operation.
- Describe any aboveground facilities that would be built in a wetland.
- Summarize potential impact and avoidance options.
- Summarize proposed mitigation including proposed construction techniques.

## **Vegetation and Wildlife**

## **Vegetation**

- Summarize general cover types and specifically describe sensitive vegetation habitats crossed by the facilities (e.g., sugarbush, national forest, unique stands of vegetation).
- Summarize potential impact.
- Summarize proposed mitigation.

## **Wildlife**

- Summarize species relative to habitat type traversed.
- Summarize temporary and permanent loss of habitat.
- Identify site-specific important wildlife features that would be disturbed (e.g., wildlife refuges, game management areas, deer wintering areas).
- Summarize proposed mitigation procedures.

## **Endangered and Threatened Species**

- Provide a list of Federal and state listed threatened and endangered species showing species status and location by state and county.
- Summarize consultation with responsible agencies. Consultation should not be more than 1 year old.
- For each species affected, provide a discussion of its location; results of any surveys/studies undertaken; recommendations of appropriate agencies; and proposed mitigation measures.

## **Land Use, Recreation, and Visual Resources**

### **Land Use**

- Summarize miles of each generalized land use category (e.g., woodlands, agriculture, residential, commercial/industrial) crossed in miles and developable by segment of proposed facility.
- For each land use category, identify acres permanently and temporarily affected by pipeline.
- Summarize the impact and the proposed mitigation by land use category.
- Identify special land uses (e.g., orchards, agricultural districts) for each land use category and summarize impact and mitigation.
- Describe the types and amounts of land uses affected by aboveground facilities.
- Summarize proposed mitigation for aboveground facilities including screening plans.

- Summarize public and private ownership.
- Provide a list by milepost of residences/businesses within 50 feet of the construction right-of-way.
- Describe residential construction techniques for homes within 50 feet of the construction right-of-way.
- Provide a discussion of approved planned residential subdivisions crossed by the construction right-of-way.

**Recreation and Public Interest Areas**

- Identify recreation and public interest areas <sup>1/</sup> crossed or in proximity to proposed facilities.
- Summarize potential impact.
- Summarize proposed mitigation.

**Visual Resources**

- Summarize impact resulting from appearance of new or widened right-of-way in forested areas and in open or designated scenic areas where trees are cleared and soil stabilization and vegetation restoration are difficult.
- Summarize impact of proposed pipeline and aboveground facilities on visually sensitive areas.
- Summarize proposed mitigation.

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<sup>1/</sup> Public interest areas include areas designated by Federal agencies; parklands, wilderness areas, trails, wild and scenic rivers, wildlife refuges, resource management areas and sanctuaries, or ecologically critical or unique areas; similar state and local areas; national forests, hazardous waste sites, cemeteries, and historic districts.



## **Cultural Resources**

- Based on contact with the SHPO, identify Phase 1 and Phase 2 surveys undertaken or in process and results to date. Include pipelines, aboveground facilities, temporary work areas, equipment storage yards, and contractor yards.
- Summarize consultation with state and federal agencies.
- Summarize potential impact.
- Summarize proposed mitigation, including Phase 3 studies.

## **Air Quality and Noise**

### **Air Quality**

- Summarize operational impact by compressor station, including tons per year of NO<sub>x</sub> emissions.
- Summarize permitting required for each compressor station.

### **Noise**

- Summarize actual operational noise impact from each existing compressor station.
- Identify nearest residences.
- Identify the predicted day-night sound level (Ldn) at the nearest residence.
- Summarize proposed mitigation to limit noise to less than or equal to an Ldn of 55 decibels on the A-weighted scale (dBA).

## C. ALTERNATIVES

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### **No Action or Postponed Alternative**

- Summarize environmental impact if project is not built or is postponed.

### **System Alternatives**

- Identify alternatives using existing pipeline systems that meet stated objectives of the project (e.g., level of service, timing, reliability) with less impact.
- Provide general maps showing location of system alternatives in relation to proposed action.
- Provide 1:24,000 scale USGS topographic maps showing location of construction required for the system alternatives.
- Summarize and compare impact of the proposed action to each system alternative considered but rejected.

### **Alternative Pipeline Routes**

- Identify alternative routes to proposed alignment that were considered to avoid crossing or proximity to specific environmental concerns (e.g., residences, wetlands, parks).
- Provide 1:24,000 or 1:25,000 scale USGS topographic maps showing route alternatives in relation to proposed alignment that were considered but rejected.
- Summarize and compare impact of proposed alignment to each alternative route.

### **Aboveground Facility Alternatives**

- Identify the location of alternative aboveground facility locations considered but rejected.
- Provide 1:24,000 or 1:25,000 scale USGS topographic maps showing alternative locations.
- Summarize and compare impact of proposed and alternative locations.

