



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Washington, D.C. 20240

In Reply Refer To:
FWS/DFPA/BFA

Memorandum

To: Service Directorate

From: **Acting** Director /s/ Marshall P. Jones JUL 10 2003

Subject: Interagency Agreement on Interstate Natural Gas Pipeline Construction

In May 2002, the Department of the Interior joined several other Federal agencies in signing an interagency agreement ("Interagency Agreement on Early Coordination of Required Environmental and Historic Preservation Reviews Conducted in Conjunction with the Issuance of Authorizations to Construct and Operate Interstate Natural Gas Pipelines Certificated by the Federal Energy Regulatory Commission") regarding early coordination of environmental reviews associated with authorizations to construct and operate interstate natural gas pipelines certificated by the Federal Energy Regulatory Commission (attachment 1). A copy of the interagency agreement may also be accessed at:

The Fish and Wildlife Service is involved in the review of natural gas pipelines through the National Environmental Policy Act, as well as the Fish and Wildlife Coordination Act, Migratory Bird Treaty Act, Endangered Species Act, and Clean Water Act, when appropriate. The Service supports and encourages early project planning participation in natural gas pipeline project reviews to the greatest extent possible. Please review the interagency agreement and provide it to all Service staff involved in the review of natural gas pipeline activities, so that we are prepared to assist FERC, other Federal agencies and applicants in the review of applications for the construction and operation of interstate natural gas pipelines.

FERC has established a new NEPA Pre-Filing Process that is designed to incorporate environmental reviews prior to application for pipeline certificates. We are encouraged by FERC's new NEPA Pre-Filing Process for interstate natural gas pipelines, and believe that the early involvement provided by this process, provides increased opportunities for ensuring protection of fish and wildlife resources. FERC reference paper titled "Processes for Environmental and Historic Preservation Review of Proposed Interstate Natural Gas Facilities," on the Traditional and new NEPA Pre-Filing processes is attached for your information (attachment 2).

Please note that you can expect that prospective applicants may be contacting you to determine your willingness and ability to participate in the NEPA Pre-Filing Process. Finally, we strongly suggest that you consider the potential benefits of actively participating with FERC as a formal "cooperating agency" in the preparation of an Environmental Impact Statement and to seek those arrangements where appropriate.

To ensure that all staff are familiar with the interagency memorandum of agreement and the new NEPA Pre-Filing Process for natural gas pipelines, please consider incorporating these subjects into national and regional training opportunities, including courses that address NEPA review, the Fish and Wildlife Coordination Act, and the Clean Water Act Section 404 regulatory program. We also encourage the Regions to make the interagency agreement available electronically through the Internet or other means.

If you have any questions, please contact Dr. Benjamin N. Tuggle, Chief, Division of Federal Program Activities, at (703) 358-2183.

Attachments

cc: 3238-MIB-FWS/Directorate Reading File
3238-MIB-FWS/CCU File
3245-MIB-FWS/AFHC File
840-ARLSQ-FWS/DFHC File
400-ARLSQ-FWS/DFPA File
400-ARLSQ-FWS/DFPA/BFA File
400-ARLSQ-FWS/DFPA/BFA Staff
Assistant Regional Directors - Ecological Services

FWS/DFPA/BFA/RNims-Elliott: gj:05/15/03:703/358-2183

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