
ROCKIES EXPRESS PIPELINE INITIAL REVIEW RESULTS

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At The Request Of
DECATUR COUNTY RESIDENTS

Since this analysis was completed the Decatur County Residents succeeded in getting the pipeline relocated from their front yards to a point 0.25-miles distant, which greatly reduced the impact to their quality of life. The residents attribute their success in no small part to the strategy presented in this document.

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Introduction

Residents of Decatur County, Indiana retained Community & Environmental Defense Services (CEDS) to carry out an initial strategy analysis of a proposed 1600-mile natural gas pipeline. Specifically, the residents wanted to know how the likelihood of getting the Federal Energy Regulatory Commission (FERC) to adopt an alternative alignment, known as A15, which would relocate the pipeline 0.3- to 0.6-miles north of their homes.

One of the questions we both asked was:

How likely is it that FERC would approve the alternate route?

Following is an initial answer to this question. At the end of this analysis steps are proposed for increasing the likelihood that FERC mandates that the Rockies Express (REX) pipeline following Alternate A15.

INTRODUCTION

To get an initial answer to this question I looked at the five Final Environmental Impact Statements (FEIS's) on the FERC Gas-EIS webpage:

<http://www.ferc.gov/industries/gas/enviro/eis.asp>

My objective was to see if FERC approved any of the proposed alternatives and to determine what criteria FERC presented to justify a decision to approve-disapprove an alternate routing.

All five FEIS's contained a discussion of the following alternatives:

- no action;
- postponed-action alternative;
- system alternatives;
- major route alternatives; and
- route variations.

It appears that FERC requires those wishing to build new gas pipelines to first demonstrate why existing pipelines cannot fulfill the need for additional capacity. If a new pipeline is needed then FERC requires an applicant to first seek to locate it within or next to an existing utility corridor, hence the REX proposal to put the line within the easement on your property.

FERC also requires applicant's to compare the impact of all alternatives. The impact analysis is usually grouped into the following issue categories:

- Air Quality and Noise;
- Cultural Resources;
- Endangered and Threatened Species;

- Fish, Wildlife, and Vegetation;
- Geology and Soils;
- Land Use, Recreation and Special Interest Areas, and Visual Resources;
- Reliability and Safety;
- Socioeconomics; and
- Water Resources.

In a perfect world, the option scoring lowest for all issue impacts would be the one presented in the Final EIS as approved by FERC. Following is a brief review of the route alternatives presented in the five FEIS's.

ENTREGA PIPELINE PROJECT IN WYOMING AND COLORADO

I believe this is the first segment of the Rockies Express Pipeline project. Four route alternatives were considered by FERC. While FERC rejected all four alternatives, two route realignments were approved because they reduced the number of stream crossings when compared to Entrega's preferred route. Two minor route variations were also considered which affected one-to eight-miles of the applicant's preferred alignment. One variation was approved because:

Use of the Pine Tree Gulch Variation would avoid livestock water developments and productive grazing land along a stream drainage, which were issues raised by the affected landowner. Entrega has adopted this variation as its proposed route.

The other route variation was rejected because it:

was not environmentally advantageous because the variation is longer (more surface disturbance), would be more difficult to revegetate, and, by deviating from the existing pipeline/utility corridor would create future land use constraints on an adjacent landowner.

CARTHAGE TO PERRYVILLE PROJECT

The Carthage to Perryville Project consists of 172 miles of 42-inch-diameter natural gas pipeline from Carthage, Texas to Ouachita and Richland Parishes, Louisiana. The Final EIS presented three route alternatives. All three were rejected in favor of the original alignment. FERC justified this decision with:

We also evaluated three major route alternatives to the proposed Project route. However, none of these would offer significant environmental advantages over the proposed Project route, and we eliminated them from further consideration.

The Entrega FEIS also presented 41 route variations, seven of which were proposed in response to citizen concerns. The variations were mostly about a mile in length, though the longest would reroute 12 miles of pipeline. All but two of the variations were rejected by FERC. The justification for approving both variations was:

Of these, we recommended two route variations, which would reduce waterbody and wetland impacts and were therefore considered to offer significant environmental advantages to the proposed Project route.

CYPRESS PIPELINE PROJECT

This project consists of 167 miles of natural gas pipeline from northern Florida into Georgia. Two major route alternatives were considered. Both were rejected because:

...neither of these routes were environmentally preferable to the proposed route and were dropped from further consideration.

Several route variations were also considered. Only one was approved. The justification presented in the FEIS for those rejected and that approved was:

...This included a collocation variation that would place Southern's entire proposed mainline within existing powerline corridors, rather than adjacent to the powerline corridors. Based on our review, the collocation variation was not considered practical due to concerns about worker safety in proximity to the high voltage powerlines and associated facilities, and due to the presence of other physical constraints such as guy wires and other foreign utilities. However, we determined that about 9 miles of the proposed route located within Effingham County, Georgia, could be collocated within the existing powerline corridor, and we recommended in the draft EIS that Southern shift its right-of-way into the powerline corridor in that segment. Since the issuance of the draft EIS, Southern has adopted the collocation variation along this 9-mile-long segment, which would reduce the amount of forestland cleared.

Several route variations were also evaluated to avoid land use and residential impacts, and to minimize forest clearing and fragmentation. Of those route variations, none were determined to be preferable to Southern's proposed route or more practicable, except for one minor variation, which we recommended in the draft EIS that Southern adopt to minimize forest clearing. Since the issuance of the draft EIS, Southern adopted this route variation.

NORTHWEST PIPELINE PROJECT

This project consists of 268 miles of natural gas pipeline within Washington state. No route alternatives or variations were presented in the FEIS for this project.

PICEANCE EXPANSION PIPELINE PROJECT

This 141-mile natural gas pipeline would be located in Wyoming and Colorado and is closely related to the Entrega project presented above. In fact, FERC considered then rejected the possibility of requiring the construction of a single pipeline to accommodate the needs of both applicants. The justification for rejecting this option was:

While attractive in concept, we concluded that the “one-pipe” alternative would present a number of challenges and that melding the various factors and requirements (receipt points and pressures, delivery points and pressures, scheduling terms and conditions, etc.) of each individual system into a common system would be extremely difficult. Thus, we eliminated the one-pipe system alternative from further consideration.

Two route alternatives were considered then rejected by FERC. Following is text from the FEIS addressing these alternatives.

The Uinta Basin Lateral route alternatives for this segment appear to reduce environmental impacts compared to the proposed route because of: 1) equal or less overall surface disturbance; 2) less disturbance of sage grouse winter range (a locally important issue); 3) less disturbance in CDOW state wildlife areas; and 4) more miles parallel to existing pipelines. In its comments on the draft EIS, WIC provided additional information at our request regarding the rationale for selecting its proposed route from MP 105.1 to MP 141.7 over the Uinta Basin Lateral alternative and the constraints associated with collocating their pipeline with the Uinta Basin Lateral. Furthermore, we also conducted an over-flight of the proposed pipeline ROW and alternative routes since publication of the draft EIS. Based on the steep topography along the Uinta Basin Lateral in the Colorow Gulch area, the lack of workspace to install an additional pipeline where the best route alignment is already occupied by the Uinta Basin Lateral and the presence of highly erosive soils prone to undercutting and slumping in Indian Valley, we do not recommend the Uinta Basin Lateral alternatives. Furthermore, we also note that WIC’s proposed route avoids the crossing of Piceance Creek and associated hay pastures in the Piceance Creek Valley that are very susceptible to subsidence, which has affected the flow irrigation in the fields along the Uinta Basin Lateral, and which required 2 to 3 years of post-construction mitigation following construction of the Uinta Basin Lateral.

SUGGESTIONS FOR NEXT STEPS

From the preceding analysis it is clear that FERC tends to reject alternatives except where there is a clear and significant reduction in impacts to the environment or working farms. While consultants hired by FERC and REX will be surveying the two alignments for environmental and agricultural impacts, I suggest that we not rely upon their efforts. In fact, past experience shows that the consultants hired by both may do something less than a thorough survey. I suggest that you allow me to take the following steps:

1. I would like to do a paper review of both alignments for all of the issues presented in the FERC August 16th scoping document to get a sense for the resources likely to be present.
2. As part of the paper review I will come across professionals (university faculty, conservation staff, etc.) who know your area and have special insights into the resources which are:

- a. most likely to be present; and
 - b. likely to be high on FERC's protection priority list.
3. I would then like to visit your area to:
- a. Do a cursory survey of both alignments. This will give me a better sense of where we should focus limited resources for conducting more intensive surveys; and
 - b. I would also like to meet with the professionals mentioned above to get their input on the likelihood of finding high-priority resources given what I learned from the paper review and the cursory survey.
4. I can then provide you with an assessment of the likely cost and probability of success of more intensive research.

Should you approve the research described above then I suggest allowing me to come out for the September 12th scoping meeting, which would give me a chance to establish a connection with applicant and FERC representatives as well as state and local officials.

I also suggest organizing a meeting of all those who own property along the 11.8 mile corridor benefitting from the A15 alternative. The purpose of the meeting would be to form a strong organization dedicated to forcing FERC and REX to adopt A15. Specific objectives of the meeting could include:

- A. Get consensus among all property owners that they prefer the A15 alternative as proposed or with modifications to further reduce impacts;
- B. Ask the owners to list the elected officials they or their employers know and to ask if they would be willing to contact the official to lobby FERC to adopt the A15 alternative;
- C. Gaining participation from all property owners in establishing a Quality of Life Defense Fund to expand the campaign;
- D. Querying property owners about their knowledge of sensitive resources located along the proposed alignment;
- E. Gaining permission for more intensive survey work on the property owned by those attending the meeting;
- F. Asking if the owners or their acquaintances have specialized expertise in any of the following disciplines potentially needed for the intensive surveys: zoology, biology, ornithology, agronomy, geology, hydrology, botany, wetland delineation; etc.; and

G. We should also poll the owners for their willingness to donate other professional expertise such as: attorneys, real estate appraisal, civil engineering, etc.

If you wish I can prepare a first draft of a letter inviting the owners to the meeting, then we could place a follow-up phone call to each urging attendance.

Would you like to proceed with any of the next steps listed above?