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DEPARTMENT OF ENERGY  
Federal Energy Regulatory Commission

Tennessee Gas Pipeline Company, L.L.C.  
National Fuel Gas Supply Corporation

Docket No. CP14-88-000  
Docket No. CP14-100-000

Notice of Intent to Prepare an  
Environmental Assessment for the Proposed Niagara Expansion Project and Northern  
Access 2015 Project, and  
Request for Comments on Environmental Issues

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of two related projects proposed by Tennessee Gas Pipeline Company, L.L.C. (TGP) and National Fuel Gas Supply Corporation (National Fuel). TGP's Niagara Expansion Project would involve construction and operation of facilities in Chautauga and Erie Counties, New York and Mercer County, Pennsylvania. National Fuel's Northern Access 2015 Project would involve construction and operation of facilities in Cattaraugus and Erie Counties, New York. The Commission will use this EA in its decision-making process to determine whether the projects are in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the projects. Your input will help the Commission staff determine what issues they need to evaluate in the EA. Please note that the **scoping period will close on May 12, 2014.**

This notice is being sent to the Commission's current environmental mailing list for these projects. State and local government representatives are asked to notify their constituents of these planned projects and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the projects, that approval conveys with it the right of eminent domain. Therefore, if easement negotiations fail to produce

an agreement, the pipeline company could initiate condemnation proceedings where compensation would be determined in accordance with state law.

TGP and National Fuel provided landowners with a fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?". This fact sheet addresses a number of typically-asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is also available for viewing on the FERC website ([www.ferc.gov](http://www.ferc.gov)).

### **Summary of the Proposed Projects**

TGP proposes to construct and operate 3.1 miles of natural gas pipeline loop<sup>1</sup> and modifications at two existing compressor stations and one existing meter station, and other appurtenant facilities. The Niagara Expansion Project would provide TGP with 140,000 dekatherms per day of leased capacity from National Fuel. According to TGP and National Fuel, their projects would increase natural gas delivery capacity in the northeast region of the U.S.

TGP proposes to construct pipeline facilities and modify existing compressor and meter station facilities to lease capacity from National Fuel. The Niagara Expansion Project would consist of the following facilities:

- 3.1 miles of 30-inch-diameter natural gas looping pipeline in Chautauqua County, New York;
- modifications to piping at Compressor Station 219 in Mercer County, Pennsylvania;
- modifications to piping and installation of a new pig launcher at existing Compressor Station 224 in Chautauqua County, New York; and
- modifications to the existing Hamburg Meter Station in Erie County, New York.

National Fuel proposes to construct compression and metering facilities to provide the proposed leased capacity to TGP. The Northern Access 2015 Project would consist of the following facilities:

- a new 15,400 horsepower compressor station in Cattaraugus County, New York;

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<sup>1</sup> A pipeline loop is constructed parallel to an existing pipeline to increase capacity.

- 7,700 horsepower of additional compression ancillary facilities at the existing Concord Compressor Station in Erie County, New York; and
- modifications to allow for bi-directional flow at the existing East Eden Station in Erie County, New York.

The general locations of the projects' facilities are shown in appendix 1.<sup>2</sup>

### **Land Requirements for Construction**

TGP's project would disturb approximately 86 acres of land for the aboveground facilities and the pipeline. Following construction, about 18 acres would be maintained for permanent operation of the project's facilities; the remaining acreage would be restored and allowed to revert to former uses. The entire proposed pipeline route parallels TGP's existing pipeline right-of-way.

National Fuel's project would disturb approximately 39 acres of land for the aboveground facilities. Following construction, about 18 acres would be maintained for permanent operation of the project's facilities; the remaining acreage would be restored and allowed to revert to former uses. National Fuel's proposed facilities would be constructed adjacent to existing aboveground facilities and/or pipeline facilities.

### **The EA Process**

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us<sup>3</sup> to discover and address concerns the public may have about proposals. This process is referred to as "scoping." The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of the issues to address in the EA. We will consider all filed comments during the preparation of the EA.

In the EA we will discuss impacts that could occur as a result of the construction and operation of the proposed projects under these general headings:

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<sup>2</sup> The appendices referenced in this notice are not being printed in the Federal Register. Copies of appendices were sent to all those receiving this notice in the mail and are available at [www.ferc.gov](http://www.ferc.gov) using the link called "eLibrary" or from the Commission's Public Reference Room, 888 First Street, NE, Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

<sup>3</sup> "We", "us", and "our" refer to the environmental staff of the Commission's Office of Energy Projects.

- geology and soils;
- land use;
- water resources, fisheries, and wetlands;
- cultural resources;
- vegetation and wildlife, including migratory birds;
- air quality and noise;
- endangered and threatened species; and
- public safety.

We will also evaluate reasonable alternatives to the proposed projects or portions of the projects, and make recommendations on how to lessen or avoid impacts on the various resource areas.

The EA will present our independent analysis of the issues. The EA will be available in the public record through eLibrary. Depending on the comments received during the scoping process, we may also publish and distribute the EA to the public for an allotted comment period. We will consider all comments on the EA before we make our recommendations to the Commission. To ensure we have the opportunity to consider and address your comments, please carefully follow the instructions in the Public Participation section beginning on page 5.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to environmental issues of these projects to formally cooperate with us in the preparation of the EA<sup>4</sup>. Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

### **Consultations Under Section 106 of the National Historic Preservation Act**

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, we are using this notice to initiate consultation with applicable State Historic Preservation Offices (SHPO), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the projects' potential effects on historic properties.<sup>5</sup> We will define

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<sup>4</sup> The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

<sup>5</sup> The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Historic properties are defined in those regulations as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register for Historic Places.

the project-specific Area of Potential Effects (APE) in consultation with the SHPOs as the projects develop. On natural gas facility projects, the APE at a minimum encompasses all areas subject to ground disturbance (examples include construction right-of-way, contractor/pipe storage yards, compressor stations, and access roads). Our EA for these projects will document our findings on the impacts on historic properties and summarize the status of consultations under section 106.

### **Public Participation**

You can make a difference by providing us with your specific comments or concerns about the projects. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. The more specific your comments, the more useful they will be. To ensure that your comments are timely and properly recorded, please send your comments so that the Commission receives them in Washington, DC on or before **May 12, 2014**.

For your convenience, there are three methods which you can use to submit your comments to the Commission. In all instances please reference the project docket number (CP14-88-000 and CP14-100-000) with your submission. The Commission encourages electronic filing of comments and has expert eFiling staff available to assist you at (202) 502-8258 or [efiling@ferc.gov](mailto:efiling@ferc.gov).

- (1) You may file your comments electronically by using the [eComment](#) feature on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) under the link to [Documents and Filings](#). This is an easy method for interested persons to submit brief, text-only comments on a project;
- (2) You may file your comments electronically by using the [eFiling](#) feature on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) under the link to [Documents and Filings](#). With eFiling you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on "[eRegister](#)." You must select the type of filing you are making. If you are filing a comment on a particular project, please select "Comment on a Filing"; or
- (3) You may file a paper copy of your comments by mailing them to the following address:

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE, Room 1A  
Washington, DC 20426

## **Environmental Mailing List**

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the projects. We will update the environmental mailing list as the analysis proceeds to ensure that we send the information related to this environmental review to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed projects.

If we publish and distribute the EA, copies will be sent to the environmental mailing list for public review and comment. **If you would prefer to receive a paper copy of the document instead of the CD version or would like to remove your name from the mailing list, please return the attached Information Request (appendix 2).**

## **Becoming an Intervenor**

In addition to involvement in the EA scoping process, you may want to become an "intervenor" which is an official party to the Commission's proceeding. Intervenors play a more formal role in the process and are able to file briefs, appear at hearings, and be heard by the courts if they choose to appeal the Commission's final ruling. An intervenor formally participates in the proceeding by filing a request to intervene. Instructions for becoming an intervenor are included in the User's Guide under the "e-filing" link on the Commission's website.

## **Additional Information**

Additional information about the projects is available from the Commission's Office of External Affairs, at **(866) 208-FERC**, or on the FERC website at [www.ferc.gov](http://www.ferc.gov) using the "eLibrary" link. Click on the eLibrary link, click on "General Search" and enter the docket number, excluding the last three digits in the Docket Number field (i.e., CP14-88 or CP14-100). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission now offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically

providing you with notification of these filings, document summaries, and direct links to the documents. Go to [www.ferc.gov/docs-filing/esubscription.asp](http://www.ferc.gov/docs-filing/esubscription.asp).

Finally, public meetings or site visits will be posted on the Commission's calendar located at [www.ferc.gov/EventCalendar/EventsList.aspx](http://www.ferc.gov/EventCalendar/EventsList.aspx) along with other related information.

Dated: April 11, 2014

Kimberly D. Bose,  
Secretary.

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