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### DEPARTMENT OF ENERGY

### FEDERAL ENERGY REGULATORY COMMISSION

Tennessee Gas Pipeline Company, L.L.C. Docket No. CP20-493-000

### NOTICE OF INTENT TO PREPARE AN ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED **EAST 300 UPGRADE 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 the East 300 Upgrade Project involving construction and operation of facilities by Tennessee Gas Pipeline Company, L.L.C. (Tennessee) in Susquehanna County, Pennsylvania and Sussex and Passaic Counties, New Jersey. The Commission will use this EA in its decision-making process to determine whether the project is 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 about issues regarding the project. The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from its action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires the Commission to discover 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 issues to address in the EA. To ensure that your comments are timely and properly recorded, please submit your comments so that the Commission receives them in Washington, DC on or before 5:00 pm Eastern Time on **September 14, 2020**. Comments may be submitted in written form. Further details on how to submit comments are provided in the Public Participation section of this notice.

You can make a difference by submitting your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the EA. Commission staff will consider all written comments during the preparation of the EA.

If you sent comments on this project to the Commission **before** the opening of this docket on June 30, 2020, you will need to file those comments in Docket No. CP20-493-000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives should notify their constituents of this proposed project 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 easement agreement. You are not required to enter into an agreement. However, if the Commission approves the project, the Natural Gas Act conveys the right of eminent domain to the company. Therefore, if you and the company do not reach an easement agreement, the pipeline company could initiate condemnation proceedings in court. In such instances, compensation would be determined by a judge in accordance with state law.

Tennessee 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? which addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. This fact sheet along with other landowner topics of interest are available for viewing on the FERC website ([www.ferc.gov](http://www.ferc.gov)) under the Natural Gas Overview or Landowner Topics link.

### **Public Participation**

The Commission offers a free service called eSubscription which makes it easy to stay informed of all issuances and submittals regarding the dockets/projects to which you subscribe. These instant email notifications are the fastest way to receive notification and provide a link to the document files which can reduce the amount of time you spend researching proceedings. Go to <https://www.ferc.gov/ferc-online/overview> to register for eSubscription.

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208-3676 or [FercOnlineSupport@ferc.gov](mailto:FercOnlineSupport@ferc.gov). Please carefully follow these instructions so that your comments are properly recorded.

- 1) You can file your comments electronically using the eComment feature, which is located on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) under the link to FERC Online. Using eComment is an easy method for submitting brief, text-only comments on a project;

- 2) You can file your comments electronically by using the eFiling feature, which is located on the Commission's website ([www.ferc.gov](http://www.ferc.gov)) under the link to FERC Online. 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 will be asked to select the type of filing you are making; a comment on a particular project is considered a Comment on a Filing; or
- 3) You can file a paper copy of your comments by mailing them to the Commission. Be sure to reference the project docket number (CP20-493-000) on your letter. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, MD 20852.

Information about FERC's environmental review process can be found on the FERC website ([www.ferc.gov](http://www.ferc.gov)) under the natural gas Landowner Topics link. In addition, Tennessee has created a project-specific website with additional information at [https://www.kindermorgan.com/pages/business/gas\\_pipelines/east/east300upgrade/](https://www.kindermorgan.com/pages/business/gas_pipelines/east/east300upgrade/).

Please note this is not your only public input opportunity; please refer to the review process flow chart in appendix 1.<sup>1</sup>

### **Summary of the Proposed Project**

Tennessee proposes to construct and operate a new compressor station in the Township of Milford in Passaic County, New Jersey and modify two compressor stations in Susquehanna County, Pennsylvania and Sussex County, New Jersey, respectively. The East 300 Upgrade Project would provide about 115 million standard cubic feet of natural gas per day to Consolidated Edison Company of New York, Inc. (Consolidated Edison). According to Tennessee, the East 300 Upgrade Project would help eliminate capacity constraints in Consolidated Edison's service region and ensure that Consolidated Edison's residential, commercial, and industrial customers are able to meet their heating and cooling needs.

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<sup>1</sup>The appendices referenced in this notice will not appear in the Federal Register. Copies of the 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.

The East 300 Upgrade Project would consist of the following facilities:

- one Solar Taurus 70 turbine with an International Organization for Standardization (ISO) rating of 11,107 horsepower and auxiliary facilities and appurtenances, including additional cooling equipment and filter separators at Tennessee's existing Compressor Station 321 in Susquehanna County, Pennsylvania;
- one Solar Titan 130 turbine with an ISO rating of 20,500 horsepower and auxiliary facilities and appurtenances, including additional cooling equipment and filter separators at existing Compressor Station 325 in Sussex County, New Jersey; and
- one new electric-driven compressor station ("Compressor Station 327") and various appurtenances and auxiliary facilities along Tennessee's existing 300 Line in the Township of West Milford in Passaic County, New Jersey.

The general location of the project facilities is shown in appendix 2.

### **Land Requirements for Construction**

Construction of the proposed facilities would disturb about 82 acres of land. Following construction, Tennessee would maintain about 22 acres for permanent operation of the project's facilities; the remaining acreage would be restored and revert to former uses.

### **The EA Process**

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

- geology, groundwater, and soils;
- surface water resources and wetlands;
- vegetation and wildlife and threatened and endangered species;
- cultural resources;
- socioeconomic;
- land use and visual resources;
- air quality and noise;
- public safety; and
- cumulative impacts

Commission staff will also evaluate reasonable alternatives to the proposed project or portions of the project and make recommendations on how to lessen or avoid impacts on the various resource areas.

The EA will present Commission staff's independent analysis of the issues. The EA will be available in electronic format in the public record through eLibrary<sup>2</sup> and the Commission's natural gas environmental documents webpage (<https://www.ferc.gov/industries-data/natural-gas/environment/environmental-documents>). If eSubscribed, you will receive instant email notification when the EA is issued. The EA may be issued for an allotted public comment period. Commission staff will consider all comments on the EA before making recommendations to the Commission. To ensure Commission staff have the opportunity to address your comments, please carefully follow the instructions in the Public Participation section, beginning on page 2.

With this notice, the Commission is asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate in the preparation of the EA.<sup>3</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.

### **Consultation 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, the Commission is using this notice to initiate consultation with the New Jersey and Pennsylvania State Historic Preservation Offices, and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the project's potential effects on historic properties.<sup>4</sup> The EA for this project will document findings on the impacts on historic properties and summarize the status of consultations under section 106.

### **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

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<sup>2</sup> For instructions on connecting to eLibrary, refer to the last page of this notice.

<sup>3</sup> The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

<sup>4</sup> The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

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 project and includes a mailing address with their comments. Commission staff will update the environmental mailing list as the analysis proceeds to ensure that Commission notices related to this environmental review are sent to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

If the Commission issues the EA for an allotted public comment period, a *Notice of Availability* of the EA will be sent to the environmental mailing list and will provide instructions to access the electronic document on the FERC's website ([www.ferc.gov](http://www.ferc.gov)). **If you need to make changes to your name/address, or if you would like to remove your name from the mailing list, please return the attached Mailing List Update Form (appendix 3).**

### **Additional Information**

Additional information about the project 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 in the Docket Number field, excluding the last three digits (i.e., CP20-493). 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 (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

Public virtual sessions or site visits will be posted on the Commission's calendar located at <https://www.ferc.gov/news-events/events> along with other related information.

DATED: August 13, 2020.

**Nathaniel J. Davis, Sr.,**  
*Deputy Secretary.*

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