

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. CP03-84-000]

**Transcontinental Gas Pipe Line Corporation; Notice of Intent To Prepare an Environmental Assessment for the Proposed Mobile Bay Replacement Project and Request for Comments on Environmental Issues**

April 25, 2003.

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 Mobile Bay Replacement Project involving construction and operation of facilities by Transcontinental Gas Pipe Line Corporation (Transco) in Mobile County, Alabama.<sup>1</sup> These facilities would consist of an offset replacement of about 1.45 miles of 30-inch-diameter pipeline. This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

If you are a landowner receiving this notice, you may be contacted by a pipeline company representative about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The pipeline company would seek to negotiate a mutually acceptable agreement. However, if the project is approved by the Commission, 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 in accordance with state law.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" was attached to the project notice Transco provided to landowners. 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 available for viewing on the FERC Internet Web site (<http://www.ferc.gov>).

**Summary of the Proposed Project**

Transco intends to install the 1.45 miles of 30-inch-diameter pipeline in order to ensure compliance with U.S. Department of Transportation pipeline

safety regulations. Transco would construct the new replacement pipeline parallel to the existing pipeline and within its existing right-of-way. Once construction of the new offset pipeline has been completed, the old pipeline would be removed and restoration and revegetation activities would be completed.

The location of the project facilities is shown in appendix 1.<sup>2</sup>

**Land Requirements for Construction**

Construction of the proposed facilities would require about 26.2 acres of land. Following construction, the entire work area would be restored and allowed to revert to its former use.

**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 of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

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

- public safety land use
- water resources, fisheries, and wetlands cultural resources
- vegetation and wildlife endangered and threatened species
- geology and soils

We will also evaluate possible alternatives to the proposed project or portions of the project, and make

<sup>2</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available on the Commission's Web site at the "FERRIS" link or from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, NE., Washington, DC 20426, or call (202) 502-8371. For instructions on connecting to FERRIS refer to the last page of this notice. Copies of the appendices were sent to all those receiving this notice in the mail.

<sup>3</sup> "We", "us", and "our" refer to the environmental staff of the Office of Energy Projects (OEP).

recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

To ensure your comments are considered, please carefully follow the instructions in the public participation section beginning on page 4.

**Currently Identified Environmental Issues**

We have already identified several issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by Transco. This preliminary list of issues may be changed based on your comments and our analysis.

- Two federally listed endangered or threatened species may occur in the proposed project area.
- A total of 1.6 acres of palustrine emergent or scrub-shrub wetlands and 1.4 acres of forested wetlands would be temporarily disturbed.
- One waterbody, the Island Branch, would be crossed.
- There would be seven residences located within 50 feet of the proposed construction work area, five of which would be within 25 feet.

**Public Participation**

You can make a difference by providing us with your specific comments or concerns about the project. By becoming a commentor, your concerns will be addressed in the EA and considered by the Commission. You should focus on the potential environmental effects of the proposal, alternatives to the proposal (including alternative routes), and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send an original and two copies of your letter to: Magalie R. Salas, Secretary, Federal Energy Regulatory Commission, 888 First St., NE., Room 1A, Washington, DC 20426.

<sup>1</sup> Transco's application was filed with the Commission under Section 7 of the Natural Gas Act and part 157 of the Commission's regulations.