



This document is scheduled to be published in the Federal Register on 05/20/2016 and available online at <http://federalregister.gov/a/2016-11908>, and on FDsys.gov

Billing Code 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. PF16-3-000]

Millennium Pipeline Company, LLC; Notice of Intent to Prepare an Environmental Assessment for the Planned **Eastern System 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 Eastern System Upgrade Project (ESU Project) involving construction and operation of facilities by Millennium Pipeline Company, LLC (Millennium) in Sullivan, Delaware, Orange, and Rockland Counties, New York. The Commission will use this EA in its decision-making process to determine whether the ESU 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 on the ESU Project. You can make a difference by providing us with your specific comments or concerns about the ESU 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. 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 June 10, 2016.**

If you sent comments on the ESU Project to the Commission **before** the opening of this docket on January 19, 2016, you will need to file those comments in Docket No. PF16-3-000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for the ESU Project. State and local government representatives should notify their constituents of this planned 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 planned facilities. The company would seek to negotiate a mutually acceptable agreement. However, if the Commission approves the ESU Project, 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.

A fact sheet prepared by the FERC entitled "An Interstate Natural Gas Facility On My Land? What Do I Need To Know?" is available for viewing on the FERC website (www.ferc.gov). 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.

Public Participation

For your convenience, there are three methods you can use to submit your comments to the Commission. The Commission will provide equal consideration to all comments received, whether filed in written form or provided verbally. The Commission encourages electronic filing of comments and has expert staff available to assist you at (202) 502-8258 or efiling@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 on the Commission's website (www.ferc.gov) under the link to [Documents and Filings](#). This 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 on the Commission's website (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](#).” If you are filing a comment on a particular project, please select “Comment on a Filing” as the filing type; or

- 3) You can file a paper copy of your comments by mailing them to the following address. Be sure to reference the ESU Project docket number (PF16-3-000) with your submission:

Kimberly D. Bose, Secretary

Federal Energy Regulatory Commission

888 First Street NE, Room 1A

Washington, DC 20426

Summary of the Planned Project

Millennium plans to construct and operate about 7.8 miles of 30- and 36-inch-diameter pipeline loop¹ in Orange County, New York. The planned pipeline loop would transport natural gas from Millennium's existing Corning Compressor Station to an existing interconnect with Algonquin Gas Transmission, LLC in Ramapo, New York. Millennium would also construct a new compressor station in Sullivan County, New York; install additional compression at the Hancock Compressor Station in Delaware County, New York; and modify the Westtown Meter Station in Orange County, New York and the Ramapo Meter Station in Rockland County, New York. According to Millennium, the ESU Project would be designed to transport approximately 200,000

¹ A pipeline loop is a segment of pipe constructed parallel to an existing pipeline to increase capacity.

dekatherms per day of additional natural gas service. The general location of the ESU Project facilities is shown in appendix 1.²

The ESU Project would consist of the following facilities in New York:

- approximately 7.8 miles of new 30- and 36-inch-diameter pipeline loop to be located generally adjacent to Millennium's existing mainline in Orange County;
- a new 22,400-horsepower compressor station in Sullivan County;
- an additional 22,400 horsepower of compression at the existing Hancock Compressor Station in Delaware County;
- modifications at the existing Ramapo Meter Station in Rockland County;
- modifications at the existing Huguenot and Westtown Meter Stations in Orange County; and
- construction of an interconnect to Millennium's proposed Valley Lateral Pipeline.

² The appendices referenced in this notice will not appear in the Federal Register. Copies of the appendices were sent to all of those receiving this notice in the mail and are available at 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.

Land Requirements for Construction

Construction of the planned facilities would disturb about 199.6 acres of land for the aboveground facilities and the pipeline loop. Millennium would maintain about 51.0 acres for permanent operation of the ESU Project's facilities following construction; the remaining acreage would be restored and revert to former uses. Most of the pipeline loop would be located within Millennium's existing easements, offset about 25 feet from Millennium's existing pipeline.

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 us³ 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 be addressed 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 planned project under these general headings:

- geology and soils;

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

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

We will also evaluate possible alternatives to the planned ESU Project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Although no formal application has been filed, we have already initiated our NEPA review under the Commission's pre-filing process. The purpose of the pre-filing process is to encourage early involvement of interested stakeholders and to identify and resolve issues before the FERC receives an application. As part of our pre-filing review, we have begun to contact some federal and state agencies to discuss their involvement in the scoping process and the preparation of the EA.

The EA will present our independent analysis of the issues and 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 2.

With this notice, we are asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues related to this project to formally cooperate with us in the preparation of the EA.⁴ 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 the New York State Historic Preservation Office (SHPO), and to solicit their views and those of other government agencies, interested Indian tribes, and the public on the ESU Project's potential effects on historic properties.⁵

We will define the project-specific Area of Potential Effects (APE) in consultation with the SHPO as the ESU Project develops. For 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

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

⁵ The Advisory Council on Historic Preservation 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

roads). Our EA for this project will document our 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 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 ESU Project. 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 planned project.

Copies of the EA 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 (see appendix 2).**

inclusion in the National Register of Historic Places.

Becoming an Intervenor

Once Millennium files its application with the Commission, 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 in the User’s Guide under the “e-filing” link on the Commission’s website. Please note that the Commission will not accept requests for intervenor status at this time. You must wait until the Commission receives a formal application for the ESU Project.

Additional Information

Additional information about the ESU Project is available from the Commission's Office of External Affairs, at **(866) 208-FERC**, or on the FERC website (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., PF16-3). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at 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 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.

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

Kimberly D. Bose,

Secretary.

[FR Doc. 2016-11908 Filed: 5/19/2016 8:45 am; Publication Date: 5/20/2016]