UNIVERSITY OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Alliance Pipeline L.P. Docket No. PF11-7-000

NOTICE OF INTENT TO PREPARE AN ENVIRONMENTAL ASSESSMENT FOR THE PLANNED TIOGA LATERAL PROJECT, REQUEST FOR COMMENTS ON ENVIRONMENTAL ISSUES, AND NOTICE OF PUBLIC SCOPING MEETING

(August 25, 2011)

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 Tioga Lateral Project involving construction and operation of facilities by Alliance Pipeline L.P. (Alliance) in Williams, Mountrail, Burke, Ward, and Renville Counties, North Dakota. 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.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies on the project. Your input will help the Commission staff determine what issues need to be evaluated in the EA. Please note that the scoping period will close on September 26, 2011.

Comments may be submitted in written form or verbally. Further details on how to submit written comments are provided in the Public Participation section of this notice. In lieu of or in addition to sending written comments, the Commission invites you to attend the public scoping meeting scheduled as follows:

FERC Public Scoping Meeting
Tioga Lateral Project
September 14, 2011 – 6:30PM

Memorial Hall
5 3rd Street NE
Kenmare, North Dakota 58746
This notice is being sent to the Commission’s current environmental mailing list for this project. State and local government representatives are asked to 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, you may be contacted by a pipeline company representative 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 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 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.

**Summary of the Planned Project**

Alliance plans to construct and operate a natural gas pipeline to connect new natural gas production in the Williston Basin with the existing Alliance mainline, which currently delivers high-energy natural gas from production areas in northwestern Canada to the Chicago market area. The project would also involve construction of a new compressor station and other appurtenant facilities. The Tioga Lateral Project would create approximately 120 million cubic feet per day of new transportation capacity.

The Tioga Lateral Project would consist of the following facilities:

- approximately 77.1 miles of 12-inch-diameter natural gas pipeline crossing portions of Williams, Mountrail, Burke, Ward, and Renville Counties, North Dakota;
- a 4,500 horsepower compressor station containing two natural gas-driven engines/compressors in Williams County;
- one meter station within the proposed compressor station site in Williams County;
- one pressure regulating station adjacent to the existing Alliance mainline in Renville County;
The planned pipeline route begins at an existing gas processing facility near Tioga, North Dakota, and terminates at a tie-in along the existing Alliance mainline near Sherwood, North Dakota. The proposed pipeline would cross approximately 1.7 miles of public land, including approximately 0.8 mile of the Des Lacs National Wildlife Refuge and 0.9 mile of state land. The proposed pipeline would also cross approximately 16.0 miles of private lands that are subject to conservation easements held by the U.S. Fish and Wildlife Service (FWS). Alliance is evaluating potential route refinements to reduce the crossing of FWS conservation easements.

The general location of the project facilities is shown in Appendix 1.\(^2\)

**Land Requirements for Construction**

Based on preliminary information, construction of the planned facilities would disturb about 730.6 acres of land. Following construction, about 477.5 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. Due to a lack of existing utility infrastructure between Tioga and Sherwood, the proposed route does not typically parallel existing linear corridor facilities; approximately 1.7 miles of the route parallels existing roads.

**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\(^3\) to discover and address concerns the public may have about proposals. This

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1 A “pig” is a tool that is inserted into and moves through the pipeline, and is used for cleaning the pipeline, internal inspections, or other purposes.

2 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.

3 “We,” “us,” and “our” refer to the environmental staff of the Commission’s Office of Energy Projects.
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. All comments received will be considered 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;
- water resources, fisheries, and wetlands;
- vegetation and wildlife;
- endangered and threatened species;
- cultural resources;
- land use;
- air quality and noise; and
- public safety.

We will also evaluate possible alternatives to the planned 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. A flow chart illustrating the pre-filing process is included with this notice (Appendix 2). The purpose of the pre-filing process is to encourage early involvement of interested stakeholders and to identify and resolve issues before an application is filed with the FERC. 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.

Our independent analysis of the issues will be presented in the EA. The EA will be placed in the public record and, depending on the comments received during the scoping process, may be published and distributed to the public. A comment period will be allotted if the EA is published for review. 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 5.

With this notice, we are asking agencies with jurisdiction and/or special expertise with respect to environmental issues to formally cooperate with us in the preparation of the EA. These agencies may choose to participate once they have evaluated the proposal relative to their responsibilities. 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 North Dakota State Historic Preservation Office (SHPO), and to solicit the views of other government agencies, interested Indian tribes, and the public on the project’s potential effects on historic properties. We will define the project-specific Area of Potential Effects (APE) in consultation with the SHPO as the project is further developed. On natural gas projects, the APE at a minimum encompasses all areas subject to ground disturbance (including the construction right-of-way, contractor/pipe storage yards, compressor stations, and access 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.

**Public Participation**

You can make a difference by providing us with 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. 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 they will be received in Washington, DC on or before **September 26, 2011**.

For your convenience, there are three methods you can use to submit your comments to the Commission. In all instances, please reference the project docket number (PF11-7-000) with your submission. The Commission encourages electronic filing of comments and has expert eFiling staff available to assist you at (202) 502-8258 or efil@ferc.gov.

(1) You may file your comments electronically by using the eComment feature, which is located on the Commission's website at [www.ferc.gov](http://www.ferc.gov) under the link to Documents and Filings. An eComment is an easy method for interested persons to submit brief, text-only comments on a project;

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4 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.
(2) You may file your comments electronically by using the eFiling feature, which is located on the Commission's website at 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 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 may mail a paper copy of your comments to the Commission at 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; Indian 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 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.

If the EA is published for distribution, 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 3).

Becoming an Intervenor

Once Alliance 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 included 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 a formal application for the project is filed with the Commission.

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 (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., PF11-7). 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/esubscribenow.htm.

FERC’s 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.

Finally, Alliance has established an Internet Website on its homepage, http://www.alliance-pipeline.com/, to provide the public with information about the planned Tioga Lateral Pipeline. Alliance’s website will be updated as the project review progresses.

Kimberly D. Bose,
Secretary.
**EA Pre-Filing Environmental Review Process**

**Applicant Process**
- Assesses market need and considers project feasibility
- Requests use of FERC's Pre-Filing Process
- Studies potential site locations
- Identifies Stakeholders

**FERC Process**
- Receives Applicant's request to conduct its review of the project within FERC's NEPA Pre-Filing Process
- Formally Approves Pre-Filing Process and issues PF Docket No. to Applicant

Public Input Opportunities

**Applicant Process**
- Holds open house to discuss project
- Conducts route studies and field surveys. Develops application.
- Files formal application with the FERC

**FERC Process**
- Participates in Applicant's open house
- Issues Notice of Intent for Preparation of an EA opening the scoping period to seek public comments.
- May hold public scoping meeting(s) and site visits in the project area. Consults with interested stakeholders.
- Issues Notice of Application

**Commission Issues Order**
- Responds to comments

Public Input Opportunities

**Applicant Process**
- Submits outstanding information to satisfy conditions of Commission Order

**FERC Process**
- Parties can request FERC to re hear decision
- Issues Notice to Proceed with construction.
INFORMATION REQUEST

Tioga Lateral Project

Name__________________________________________

Agency________________________________________

Address_______________________________________

City_________ State______ Zip Code_______

☐ Please send me a paper copy of the published NEPA document

☐ Please remove my name from the mailing list
ATTN:  OEP - Gas 3, PJ - 11.3  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC  20426  

(Docket No. PF11-7-000, Tioga Lateral Project)