Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

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[Docket Nos. CP96–178–000, CP96–178–002, CP96–248–000, CP96–248–003, CP96–249–000, CP96–249–003 and CP97–238–000]

Maritimes & Northeast Pipeline, L.L.C., Portland Natural Gas Transmission System, and Portland Natural Gas Transmission System and Maritimes & Northeast Pipeline, L.L.C.; Notice of Technical Conference

February 27, 1997.

On March 6, 1997, the Commission staff will convene a technical conference with Maritimes & Northeast Pipeline, L.L.C. (Maritimes) and Portland Natural Gas Transmission System (PNGTS) in response to PNGTS's February 24, 1997 request. The purpose of this technical conference is to discuss the filing of the revised environmental report in Docket No. CP97–238–000 scheduled to be made by PNGTS and Maritimes on March 17, 1997 and the amendment to be filed by PNGTS in Docket Nos. CP96–249–000, *et al.* In addition, procedures will be discussed to make the subject filings suitable for analysis by the Commission staff. Further, PNGTS and Maritimes should be prepared to discuss the attached questions from staff and should answer them in writing as part of the proposed March 17, 1997 filing. The meeting will begin at 9:30 am, in a room to be designated at the Commission's headquarters, 888 First Street NE, Washington, DC.

When adequate information is filed in the joint application to permit it to be publicly noticed and when all related amendments in the PNGTS and Maritimes proceedings are filed and considered complete, the Commission staff will issue a notice to convene a technical conference to be held at a location near the proposed joint project area. The exact time and location will be provided in that notice.

Lois D. Cashell,

Secretary.

Appendix

Maritimes & Northeast Pipeline L.L.C (M&NP); Portland Natural Gas Transmission System (PNGTS); Docket No. CP96–178–000 et al.

Environmental Information Request

1. The following facilities are listed in only the application or table 1–2 of resource report 1 (not both), filed on February 10, 1997. Please clarify if they are proposed for the Joint Facilities Project:

a. The 0.6-mile-long, 20-inch-diameter Haverhill Lateral and associated meter station for the interconnection with Tennessee Gas Pipe Line Company (Tennessee) (application page 14);

b. the Granite State Meter Station on the Newington Lateral for the interconnection with Granite State (application page 13);

c. the interconnection with Public Service of New Hampshire (PSNH) from the acquired Northern Utilities Meter Station (application page 14); and

d. the S.D. Warren Meter Station on the Westbrook Lateral (resource report table 1–2, page 7).

2. If the Haverhill Lateral is part of the Joint Facilities Project, update the resource tables to include all relevant environmental information.

3. if the Northern Utilities meter station is acquired for the interconnection with PSNH, what modifications would be required and how much land would be disturbed?

4. Provide a listing by milepost (MP) of all areas along the Joint Facilities mainline and laterals that have not been surveyed.

5. M&NP and PNGTS indicate that the following information will be filed when they become available:

a. Original U.S. Geological (USGS) 7.5-minute-series topographic maps with mileposts showing the proposed route and meter stations;

b. alignment sheets (scale not smaller than 1:6,000) showing the exact location of all meter stations, pig launchers/receivers, block values and any other aboveground facilities, staging areas and extra work spaces, pipe storage yards, and temporary and permanent access roads needed during construction and operation (scheduled for March 17, 1997);

c. acreage of each wetland disturbed during construction and acreage of forested wetlands that would be permanently converted to other cover types;

d. volume, discharge rate, and source and discharge locations of hydrostatic test water;

e. residences within 50 feet of the construction work area by milepost and site-specific plans for residences closer than 25 feet to the construction work area; and

f. Soil Erosion and Sediment Control Guidelines (Guidelines) for the Joint Facilities Project. When filing these Guidelines, clearly indicate whether all of the provisions contained in our *Erosion Control, Revegetation, and Maintenance Plan and Wetland and Waterbody Construction and Mitigation Procedures* (Procedures) are incorporated. For any individual provision that M&NP and PNGTS consider unnecessary, technically infeasible, or unsuitable due to local conditions, please provide alternative measures that M&NP and PNGTS would use to ensure an equal or greater level of protection. Be specific and definitive in describing these alternative measures.

Please provide the above items or a schedule indicating when they will be filed.

6. Provide right-of-way cross section diagrams for segments of the mainline and laterals that would parallel existing rights-of-way. Clearly indicate the amount of existing right-of-way that is presently maintained clear of forest vegetation.

7. These project plan/reports previously filed by M&NP and PNGTS contain differing data and mitigation techniques. Please provide the following to resolve these inconsistencies:

a. A wetland delineation report for the Joint Facilities Project.

b. A spill prevention and containment plan detailing specific measures that would be taken to cleanup and dispose of any accidental discharge within a municipal watershed, or within 100 feet of wetlands or waterbodies. Indicate what portions of our Procedures (version 12/2/94) M&NP and PNGTS will incorporative into its plan, and for those it will not, indicate why and what alternative measures would be used.

c. A plan prepared in consultation with the Massachusetts, New Hampshire, and Maine State Historic Preservation Officers (SHPO) identifying the procedures M&NP and PNGTS will follow if human remains are discovered during cultural resources investigations or construction, or if unanticipated historic properties are discovered during construction.

d. A directional drill contingency plan that what describes what methods M&NP and PNGTS would use to contain and manage drilling muds during construction.

e. Resource Report 11, Reliability and Safety.

8. Provide copies or the current status of all required Federal, state, and local government approvals.

9. Provide a detailed description of the construction techniques to be used for the Squamscott River (MP 34.2), Piscataqua River (MP 47.9), Mousam River (MP 73.1), Saco River (MP 81.8), and Presumpscot River (MP 97.6) crossings. The descriptions should include:

a. Crossing method to be used (open cut or directional drill);

b. if open cut, the method to be used to excavate the trench underwater;

c. if open cut, the techniques to be used to minimize turbidity and sedimentation impacts associated with trenching in the river;

d. if open cut, the location of spoil storage areas and the mitigative measures that would be used to control and store the spoil;

e. if open cut, the method to be used to pull the pipeline across the river, including the amount of time required for the pull;

f. if open cut, the material and method to be used to backfill the trench underwater;

g. an explanation of the location and size requirements of the extra workspaces on each bank (such as trench size and work to be done in each workspace); and

h. an estimate of the total length of time required for each phase of construction (such as river crossings and restoration).

Please indicate if either M&NP's or PNGTS's previously filed river crossing plans for any of these waterbodies are still accurate for the Joint Facilities Project. There is no need to re-file river crossing plans that are still current.

10. In its February 24, 1997 data response, PNGTS stated that due to favorable geotechnical conditions, it intends to directionally drill the crossing of the Piscataqua River. The Joint Facilities Project environmental report shows M&NP's proposed crossing as the preferred location. If an open-cut crossing of the Piscataqua River is still proposed, please provide a summary of discussions with the U.S. Army Corps of Engineers and state (New Hampshire and Maine) agencies concerning the feasibility and impact of an open-cut. If no discussions have taken place, provide a schedule for future discussions with those agencies.

11. In its February 24, 1997 data response, PNGTS stated that due to unfavorable geotechnical conditions, directional drilling of the crossings of the Powwow River, Great Brook, their associated wetlands, and New Hampshire State Route 107A (approximate MPs 26.5 to 26.9) is inappropriate. PNGTS proposes a combined open-cut/push-pull technique. Provide responses to items b through h in question 10, as well as any additional measures PNGTS will take to mitigate impacts on these waterbodies and wetlands.

12. Provide a site-specific crossing plan for the Exeter River (MP 29.7) that addresses:

a. Protection of the downstream drinking water supply;

b. avoidance of riparian vegetation removal or active restoration of the riparian zone with woody vegetation;

c. minimization of sedimentation; and

d. avoidance of interference with migratory fisheries.

13. Discuss the feasibility of crossing Branch Brook (MP 71.2) using a dry crossing technique (*e.g.*, flume, dam and pump, horizontal bore, directional drill). Provide a site-specific crossing plan that addresses protection of the downstream drinking water supply. Indicate the downstream distance to all drinking water intakes. Provide copies of all correspondence and describe communications with appropriate agencies and/or water supply authorities regarding the crossing of Branch Brook.

14. Provide a report summarizing your January 28, 1997 meeting with the Maine Department of Environmental Protection regarding stream crossing issues, which you stated would be filed with the Commission on or about February 4, 1997.

15. Will M&NP and PNGTS prohibit refueling activities and storage of hazardous liquids within at least a 200-foot-radius of all private wells and at least a 400-foot-radius of all municipal or community water supply wells? If not, how would M&NP and PNGTS minimize the potential for contamination of private and municipal/community water supply wells?

16. M&NP and PNGTS indicate that potentially contaminated sediments may be found in the Great Bay tributaries, Pickering Brook, Piscataqua River, and Saco River tributaries and in soils within the former Pease Airforce Base. Provide copies of all relevant correspondence and provide specific construction and mitigation measures that would be used to contain and avoid spread of contaminants found in sediments or soils.

17. Table 3–3 indicates that one federally listed endangered species, the small whorled pogonia (*Isotria medeoloides*) occurs within the pipeline corridor. Provide:

a. A copy of the 1996 survey report prepared by qualified biologists using U.S. Fish and Wildlife (FWS) approved survey methods. The survey report must include the following information:

(1) Name(s) and qualifications of person(s) conducting the survey;

(2) method(s) used to conduct the survey;

(3) date(s) of survey;

(4) areas surveyed (include mileposts);

(5) potential impacts, both beneficial and negative, that could result from construction of the proposed project; and

(6) proposed mitigation that would substantially minimize or eliminate these potential negative impacts.

b. FWS comments on the survey conducted.

c. A timetable for completion of any surveys for this species that are scheduled for 1997, including all previously unidentified extra work areas, staging areas, and access roads.

18. Provide a copy of the consolidated report on state rare, threatened, and endangered species surveys conducted in 1996 and copies of all relevant recent correspondence with state agencies. Also, provide a timetable for completion of the 1997surveys and filing of the report, and the species to be surveyed.

19. For all staging areas, extra work spaces, pipe storage areas, and other similar areas that would disturb wetlands, provide the following information:

a. MP location;

b. dimensions;

c. type of wetland that would be disturbed;

d. acreage of wetland that would be disturbed; and

e. reasons the wetland cannot be avoided.

20. Table 6–2 identifies 11 active sand and gravel pits where PNGTS and M&NP will coordinate their activities with the owners, and 25 other mineral operations in the project vicinity. Identify any access roads to active sand and gravel pits that would be crossed by the pipeline. Provide the MP location of each road and copies of correspondence and records of communications with the owners/operators of these sand and gravel pits. Discuss plans to minimize disruption of these operations.

21. Provide the locations by MP of all septic systems that would be crossed by

the Joint Facilities Project. What do M&NP and PNGTS intend to do if a septic system is damaged during construction and cannot be repaired to its former capacity?

22. Provide the following information on the proposed developments in Plaistow (MP 19.4), Newton (MPS 21.8 and 23.5), and Greenland (MP 40.1):

a. Development plans filed with the towns;

b. status of permitting; and

c. status of construction.

23. For all public or designated recreation land identified on table 8–3, describe the areas that would be affected and any requested or proposed mitigation to minimize impact on natural resources or recreational activities.

24. If any of the meter stations include pressure reduction/regulation valves and line heaters, provide the expected L_{dn} at the nearest noise sensitive areas (specify direction and distance) near the stations. What measures would be used to limit noise from these meter stations?

25. PNGTS and M&NP have not identified extra work areas, staging areas, or access roads and assessed potential impact on cultural resources from these activities. Please consult with the State Historic Preservation Officers as these locations are identified regarding the need for cultural resources surveys and the appropriate level of intensity of those surveys. If additional surveys are needed, update the schedule provided in your January 27, 1997 filing for when they would be done. Also, update Table 4.5 (areas requiring survey) from the January 27, 1997 filing. Include the following in the updated schedule and Table:

a. Areas where deep testing is required; and

b. areas requiring additional archeological evaluation.

All material filed with the Commission containing location, character, and ownership information about cultural resources must have the cover and any relevant pages therein clearly labeled in bold lettering: ''CONTAINS PRIVILEGED INFORMATION—DO NOT RELEASE.''

26. Provide photoalignment sheets or USGS 7.5-minute-series maps of the Joint Facilities pipeline route and mileposts that show the following:

a. Beginning and ending points of all areas where cultural resource identification surveys have been completed;

b. beginning and ending points of all areas where cultural resource identification surveys remain to be completed; and

c. locations (including boundaries where these are known or can be estimated) of all identified cultural resources located on or immediately adjacent to the project's construction right-of-way or extra work areas, including those listed in table 4–1.

27. Please initiate discussions with the SHPOs regarding the acceptability of letter type clearance reports for individual areas as needed, and a final consolidation report for the entire project, as an approach to the numerous small parcel surveys which this project may require. Provide the results of these discussions and the reaction of each SHPO to this approach.

28. Provide copies of the NRHP nomination forms for the William Fogg Library and the Conway Junction Railroad Turntable Site.

29. Please document all correspondence and other consultation with Indian tribes, Native American groups, ethnic groups, and other interested persons concerning cultural resource issues.

30. Please provide a schedule for when treatment plans for effected significant cultural resources would be submitted. See section VIII in OPR's ''Guidelines for Reporting on Cultural Resources Investigations'' (Guidelines).

31. On October 10, 1996, M&NP's Cultural Resources Executive Summary indicated that Native American archaeological sites were located at M&NP's MPs 21.5 and 31.0. Table 4–1 of Resource Report 4 for the Joint Facilities Project identifies four arheological sites at M&NP MPs 20.4, 22.8, 20.1 and 32.5 Please explain this discrepancy.

32. In order to reduce land use impacts, discuss the feasibility of installing the Dracut Meter Station adjacent to the existing Tennessee Meter Station north of Methuen Street.

33. To minimize impacts within the Arrow Woods subdivision (MPs 4.5 to 5.3), discuss the feasibility of installing the pipeline on the edge or within the existing New England Power right-of-way.

34. Provide an explanation for the selection of the proposed joint route in the following areas:

a. Between MPs 17.1 and 18.0, the proposed route would cross North Avenue between two residences and then use an existing residential road which provides access to six residences. M&NP's original route in this area would only affect three residences and would cross diagonally through an empty lot.

b. The Maine Nature Conservancy has indicated a preference for the pipeline to be placed on the east side of the powerline through the Kennebunk Plains (MPs 71.0 to 72.2). The proposed route (PNGTS's) would be on the west side of the powerline. M&NP's route was on the east side.

c. The National Spiritual Assembly of the Baha's indicated concern with a pipeline crossing through Monsalvat (also known Sunset Hill) because of its significant cultural and religious value (MPs 49.0 to 49.5). The proposed route would cross the western portion of this area. M&NP proposed Reroute 2 would entirely avoid this area.

d. The selection of the PNGTS route for the Westbrook Lateral instead of the M&NP route. Provide an environmental comparison of these two routes that includes:

(1) Acreage of both the permanent and construction right-of-way;

(2) the size and location of any non-typical work areas required;

(3) the length in miles that would be adjacent to existing rights-of-way, including any proposed overlap of the construction or permanent right-of-way;

(4) the number of residences, schools, or hospitals within 50 feet of the edge of the construction right-of-way;

(5) the distances to Westbrook Junior High School (MPs 1.74–1.94), and Westbrook Community Hospital (MPs 2.14–2.24), and copies of all correspondence with these facilities regarding the proposed right-of-way.

(6) the number of waterbodies and wetlands crossed and the length of each wetland crossing; and

(7) the acres of forest that would be cleared.

M&NP and PNGTS may supplement its response with other information that may be relevant to the analysis of the alternative and/or with suggestions to the route that would result in fewer environmental impacts.

35. In our December 10, 1996 letter, we identified the M&NP independent route from MPs 35.8 to 36.9 as part of our potential joint pipeline route. However, you state that your route for that segment is ''virtually the same as M&NP's independent route'', and the same segment of ''the FERC route involves a new ROW alignment''. Please explain.

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