

proceeding. Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.214).

Anyone may intervene in this proceeding based on this DEIS. You must file your request to intervene as specified above. You do not need intervenor status to have your comments considered.

The DEIS has been placed in the public files of the FERC and is available for public inspection at: Federal Energy Regulatory Commission, Public Reference and Files Maintenance Branch, 888 First Street, NE, Room 2A, Washington, DC 20426, (202) 208-1371.

A limited number of copies are available from the Public Reference and Files Maintenance Branch identified above. In addition, copies of the DEIS have been mailed to Federal, state, and local agencies, public interest groups, individuals who have requested the DEIS, newspapers, and parties to this proceeding.

Additional information about the proposed project is available from Paul McKee in the Commission's Office of External Affairs, at (202) 208-1088 or on the FERC Internet website ([www.ferc.fed.us](http://www.ferc.fed.us)) using the "RIMS" link to information in this docket number. Click on the "RIMS" link, select "Docket #" from the RIMS Menu, and follow the instructions. For assistance with access to RIMS, the RIMS helpline can be reached at (202) 208-2222.

Similarly, the "CIPS" link on the FERC Internet website provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rulemakings. From the FERC Internet website, click on the "CIPS" link, select "Docket #" from the CIPS menu, and follow the instructions. For assistance with access to CIPS, the CIPS helpline can be reached at (202) 208-2474.

**David P. Boergers,**  
Secretary.

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## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Docket No. CP99-599-000]

#### Paiute Pipeline Company; Notice of Intent To Prepare an Environmental Assessment for the Proposed Carson Lateral Project, Request for Comments on Environmental Issues, and Notice of Site Visit

September 17, 1999.

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 Carson Lateral Project, involving the abandonment, construction, and operation of facilities by Paiute Pipeline Company (Paiute) in Storey, Lyon, and Douglas Counties, Nevada.<sup>1</sup> The facilities proposed for construction would consist of a total of about 9.7 miles of various diameter pipeline. The 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 addressing a number of typically asked questions, including the use of eminent domain, is attached to this notice as appendix 1.<sup>2</sup>

#### Summary of the Proposed Project

Paiute wants to increase system reliability by replacing a deteriorating segment of pipeline along its Carson Lateral, and to expand the capacity of its facilities by looping<sup>3</sup> portions of its

<sup>1</sup> Paiute's application was filed with the Commission on August 11, 1999, under section 7 of the Natural Gas Act and part 157 of the Commission's regulations.

<sup>2</sup> The appendices referenced in this notice are not being printed in the **Federal Register**. Copies are available from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, NE., Washington, DC 20426, or call (202) 208-1371. Copies of the appendices were sent to all those receiving this notice in the mail.

<sup>3</sup> A loop is a segment of pipeline that is installed adjacent to an existing pipeline and connected to

Carson Lateral and South Tahoe Lateral. The project would allow Paiute to transport an additional 10,800 decatherms per day of natural gas to meet future growth demands of its shippers. Paiute seeks authority to:

- Abandon in place 5.5 miles of existing 10.75-inch-diameter pipeline between milepost (MP) 31.85 and MP 37.34 on its Carson Lateral in Lyon County, Nevada;
- construct and operate 5.5 miles of 20-inch-diameter replacement pipeline between MP 31.85 and MP 37.34 on its Carson Lateral, adjacent to U.S. Highway 50, in Lyon County, Nevada (Highway 50 Replacement);
- construct and operate 2.3 miles of 20-inch-diameter loop between MP 2.95 and MP 5.25 on its Carson Lateral near Fernley, in Storey and Lyon Counties, Nevada (Fernley Loop); and
- construct and operate 1.9 miles of 12.75-inch-diameter loop between MP 14.28 and MP 16.18 on its South Tahoe Lateral, adjacent to U.S. Highway 395, in Douglas County, Nevada (Highway 395 Loop).

The locations of these proposed facilities are shown in appendix 2.

#### Land Requirements for Construction

Construction of the proposed facilities would require about 117.5 acres of land. Following construction, about 61.0 acres would be retained as permanent right-of-way. The remaining 56.5 acres of temporary work space 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>4</sup> to discover and address concerns the public may have about proposals. We call this "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 (NOI), 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

it on both ends. The loop allows more gas to be moved through the pipeline system.

<sup>4</sup> "Us," "we," and "our" refer to the environmental staff of the FERC's Office of Pipeline Regulation.

on their areas of concern. Additionally, with this NOI we are asking Federal agencies with jurisdiction and/or special expertise with respect to environmental issues to cooperate with us in the preparation of the EA. These agencies may choose to participate in the NEPA process once they have evaluated Paiute's proposal relative to their agencies' responsibilities.

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

- Geology and soils
- Water resources, fisheries, and wetlands
- Vegetation and wildlife
- Endangered and threatened species
- Land use
- Cultural resources
- Air quality and noise
- Public safety

We will also evaluate possible 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.

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 below.

### 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 Paiute. This preliminary list of issues may be changed based on your comments and our analysis.

- About 2 miles of land along the Highway 50 Replacement and Fernley Loop, combined, is administered by the U.S. Department of the Interior, Bureau of Land Management, most of which is open range.
- Nine residences and 11 commercial structure are within 50 feet of the construction right-of-way along the Highway 50 Replacement.

- Fourteen wells are within 150 feet of the construction rights-of-way for the Highway 50 Replacement and Highway 395 Loop, combined.

- There is the potential for shallow groundwater and soil liquefaction as a result of an earthquake along the Highway 395 Loop.

- About 0.9 mile of soils along the Highway 50 Replacement may contain elevated levels of mercury contamination as a result of historic mining activities in Sixmile Canyon.

### 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 locations or 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 two copies of your letter to: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First St., NE, Room 1A, Washington, DC 20426;
- Label one copy of the comments for the attention of the Environmental Review and Compliance Branch, PR-11.1;
- Reference Docket No. CP99-599-000; and
- Mail your comments so that they will be received in Washington, DC on or before October 18, 1999.

If you do not want to send comments at this time but still want to remain on our mailing list, please return the Information Request (appendix 4). If you do not return the Information Request, you may be removed from the environmental mailing list.

### Notice of Site Visit

On October 21, 1999, we will be conducting a site visit to the project area. Anyone interested in participating in the site visit may contact the Commission's Office of External Affairs identified at the end of this NOI for more details, and must provide their own transportation.

### Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding known as an "intervenor."

Intervenors play a more formal role in the process. Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide 14 copies of its filings to the Secretary of the Commission and must send a copy of its filings to all other parties on the Commission's service list for this proceeding. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 3). Only intervenors have the right to seek rehearing of the Commission's decision.

The date for filing timely motions to intervene in this proceeding passed on September 9, 1999. Therefore, parties now seeking to file late interventions must show good cause, as required by § 385.214(b)(3), why this time limitation should be waived. Environmental issues have been viewed as good cause for late intervention.

You do not need intervenor status to have your environmental comments considered. Additional information about the proposed project is available from Mr. Paul McKee of the Commission's Office of External Affairs at (202) 208-1088 or on the FERC website ([www.ferc.fed.us](http://www.ferc.fed.us)) using the "RIMS" link to information in this docket number. Click on the "RIMS" link, select "Docket #" from the RIMS Menu, and follow the instructions. For assistance with access to RIMS, the RIMS helpline can be reached at (202) 208-2222.

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**David P. Boergers,**  
Secretary.

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