

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

May 1, 2014

Ms. Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street NE, Room 1A  
Washington, DC 20426

Subject: Final Environmental Impact Statement for the Sierrita Pipeline Project, Pima County, Arizona (CEQ#20140103)

Dear Ms. Bose:

The U.S. Environmental Protection Agency has reviewed the above-referenced document pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The EPA reviewed the Draft Environmental Impact Statement and provided comments to the Federal Energy Regulatory Commission (FERC) on December 16, 2013. We rated the DEIS as Environmental Concerns – Insufficient Information (EC-2) due to concerns about potential impacts to aquatic resources associated with ephemeral wash crossings. We recommended that the Final EIS include a jurisdictional delineation of waters of the U.S., and clarify the applicability of Clean Water Act section 404 permitting requirements to the proposed Project. We also recommended that the FERC include, in the FEIS, additional mitigation measures to reduce construction-related air pollution, a more comprehensive assessment of the Project's projected greenhouse gas emissions, and a discussion of how climate change may affect the Project.

The FEIS addresses most of the concerns raised in our DEIS letter. We appreciate the additional information on potential impacts to ephemeral waters—including the discussion of Sierrita's evaluation of crossing dry washes and other riparian areas using the HDD method, and the description of Sierrita's Scour and Lateral Bank Migration Analysis, completed in coordination with the Pima County Regional Flood Control District. The FEIS does not include a jurisdictional delineation of waters of the U.S.; however, in an April 22<sup>nd</sup> phone conversation, Jason Gerdes, of my staff, was informed by Michael Langley, of the Army Corps of Engineers' Arizona-Nevada Area Office, that Sierrita intends to fulfill its section 404 permit obligations for the proposed Project through a Nationwide Permit 12 (Utility Line Activities). We recommend that this be documented in the Record of Decision, and that the FERC and Sierrita continue to work with the Army Corps of Engineers and Pima County to ensure that impacts to riparian habitat would be minimized to the greatest possible extent.

We thank the FERC for acknowledging, and including in the FEIS, the EPA's recommended measures to reduce emissions of criteria and hazardous air pollutants. We also thank the FERC for including additional information on the state and local requirements Sierrita would meet to limit its construction footprint and reduce sources of fugitive dust. Finally, we acknowledge the expanded discussion of greenhouse gas emissions and climate change in the FEIS, including an estimate of GHG emissions from the operation of the Project.

We appreciate the opportunity to review this FEIS. If you have any questions, please contact me at (415) 972-3521, or contact Jason Gerdes, the lead reviewer for this project. Mr. Gerdes can be reached at (415) 947-4221 or [gerdes.jason@epa.gov](mailto:gerdes.jason@epa.gov).

Sincerely,

/s/

Kathleen Martyn Goforth  
Manager  
Environmental Review Section