

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Seafarer US Pipeline System, Inc.

Docket No. CP05-25-000

SUPPLEMENTAL NOTICE OF PREPARATION OF AN
ENVIRONMENTAL IMPACT STATEMENT FOR THE
PROPOSED SEAFARER US PIPELINE SYSTEM PROJECT
AND REQUEST FOR COMMENTS ON ENVIRONMENTAL ISSUES

December 13, 2004

The staff of the Federal Energy Regulatory Commission (FERC or Commission) are preparing an environmental impact statement (EIS) that will discuss the environmental impacts of the Seafarer US Pipeline System Project (project or Seafarer Project) proposed by Seafarer US Pipeline System, Inc. (hereafter referred to as Seafarer).¹ The FERC will be the lead federal agency in the preparation of the EIS, but will prepare the EIS in coordination with its cooperating agencies: the Minerals Management Service, the U.S. Army Corps of Engineers, the National Oceanic and Atmospheric Administration-National Marine Fisheries Service, the U.S. Fish and Wildlife Service, and the U.S. Environmental Protection Agency. The document will satisfy the requirements of the National Environmental Policy Act.

This notice supplements the informational letter issued by the FERC on June 4, 2004, which announced FERC's initiation of a pre-filing environmental review for the Seafarer Project, and the Notice of Intent (NOI) to Prepare an EIS issued on June 30, 2004. Those previous transmittals provided information about the proposed project and the FERC's environmental review process and requested comments on the scope of issues to address in the EIS. The comment period for the NOI closed on August 16, 2004.

As initially proposed in the pre-filing documentation submitted to the FERC and described in the two previous transmittals issued by the FERC, the nearshore pipeline alignment would have included an initial landfall in the Town of Palm Beach Shores, on

¹Seafarer's application was filed with the Commission in Docket No. CP05-25-000 on November 16, 2004, under section 7(c) of the Natural Gas Act and Part 157 and Part 284 of the FERC's regulations. Prior to that date, Seafarer began working with FERC staff under FERC's pre-filing environmental review process and started filing portions of its application under Docket No. PF04-8-000 on April 23, 2004. All documents filed under Docket No. PF04-8-000 are part of the record for Docket No. CP05-25-000.

the southern end of Singer Island. From that point, the pipeline route would have crossed Peanut Island in route to a mainland landfall adjacent to the Florida Power & Light (FPL) Riviera Beach Power Plant. The Town of Palm Beach Shores and numerous commentors expressed concerns that the initially proposed alignment and landfall point could interfere with recreational use and residential and commercial land uses on Singer Island. Resource agencies consulted during the route selection and pre-filing process also expressed concerns that the initially proposed nearshore construction procedures, which included a series of horizontal directional drills (HDDs) and direct lay of the pipeline with rock cover, would not adequately avoid and minimize potential direct impacts to marine hardbottom and coral reef resources.

To address the comments and concerns identified during the pre-filing and EIS scoping periods, Seafarer developed a modified route alignment and nearshore installation methodology, which were identified in the application that Seafarer filed with the FERC on November 16, 2004. The currently proposed project alignment would avoid landfall on, and a pipeline route beneath, Singer and Peanut Islands (see Appendix 1). Additionally, Seafarer indicates that the currently proposed nearshore project installation methodology, which reflects the incorporation of tunnel construction methodology, would reduce potential direct impacts to marine hardbottom and coral reef resources, relative to the initially proposed construction methods. The majority of the proposed off- and onshore project route and aboveground facilities would not be affected by the modified proposal.

As currently proposed, a hydroshield tunnel boring machine (TBM) would be used to construct a watertight, approximately 3-mile-long, 10.5-foot-inner-diameter, concrete-lined tunnel. The tunnel would extend from an initial project landfall on FPL Riviera Beach Power Plant property (milepost [MP] 34.6) to an exit point approximately 1.4 miles offshore Singer Island in approximately 80 FSW (MP 31.6). Over 90 percent of the length of the tunnel would be constructed at depths greater than 40 feet beneath the seafloor. Once completed, the tunnel would provide a conduit for installation of the nearshore portion of the pipeline. Beyond the tunnel exit point, the pipeline would rest on the seafloor and rejoin the initially proposed project alignment. A tunnel reception pit would be excavated at the transition point between the tunnel and the direct lay portion of the pipeline, and would facilitate retrieval of the TBM, pipeline installation within the tunnel, and construction of an offshore mainline valve.

No onshore alignment changes would be required in association with the currently proposed modifications, except that required to connect the tunnel entry point with the previously proposed onshore alignment in the vicinity of the FPL Riviera Beach Power Plant. The pressure reduction facilities previously proposed for construction near the FPL power plant would be incorporated into the previously proposed FGT West Riviera Meter Station. A contractor yard comprising 10.2 acres would be sited on FPL Riviera Beach Power Plant property adjacent to the tunnel entry point to facilitate tunnel construction.

This area would house tunnel support facilities and provide equipment and material storage. No other aboveground facilities or workspace areas would be affected by the currently proposed modifications.

We² consider the modified nearshore project route and installation methodology as the proposed action, and will evaluate the potential environmental impacts of that action in our EIS. The environmental impacts associated with the initially proposed nearshore project alignment and installation methodology will be addressed as alternatives to the proposed action in our EIS.

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 EIS and considered by the Commission. You should focus on the potential environmental effects of the proposal 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 **an original and two** copies of your letter to:

Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First St., N.E., Room 1A
Washington, DC 20426

- Label one copy of the comments for the attention of Gas Branch 3.
- Reference Docket No. CP05-25-000.
- **Mail your comments so that they will be received in Washington, DC on or before January 20, 2004.**

We will include all comments that we receive within a reasonable time frame in our environmental analysis of this project. **To expedite our receipt and consideration of your comments, the Commission strongly encourages electronic submission of any comments on this project.** See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at <http://www.ferc.gov> under the "e-Filing" link and the link to the

²“We”, “us,” and “our” refer to the environmental staff of the Office of Energy Projects.

User's Guide. Before you can file comments you will need to create a free account which can be created on-line.

In lieu of sending written comments, we invite you to attend the public scoping meeting we have scheduled as follows:

Wednesday, January 19, 2005, 7:00 PM
Seafarer US Pipeline System Project
Town of Palm Beach Shores Town Hall
247 Edwards Lane
Palm Beach Shores, FL 33404
Telephone: (561) 844-3457

The public scoping meeting is designed to provide another opportunity to offer comments on the proposed project. Interested groups and individuals are encouraged to attend the meeting and to present comments on the environmental issues they believe should be addressed in the EIS. A transcript of the meeting will be generated so that your comments will be accurately recorded.

Everyone who responds to this notice or submits comments throughout the EIS process will be retained on our mailing list. If you do not want to send comments at this time but still want to remain on our mailing list, please return the attached Information Request (see Appendix 2). If you do not return the Information Request, you will be removed from the project mailing list.

Becoming an Intervenor

In addition to involvement in the EIS 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 send one electronic copy (using the Commission’s eFiling system) or 14 paper 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).³ Only intervenors have the right to seek rehearing of the Commission's decision.

³Interventions may also be filed electronically via the Internet in lieu of paper. See the previous discussion on filing comments electronically.

Affected landowners and parties with environmental concerns may be granted intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which would not be adequately represented by any other parties. **You do not need intervenor status to have your environmental comments considered.**

Environmental Mailing List

This notice is being sent to affected landowners; federal, state, and local government agencies; elected officials; environmental and public interest groups; Native American tribes; local libraries and newspapers; and other interested parties that expressed an interest in the project during the pre-filing and EIS scoping periods. We encourage government representatives to notify their constituents of this planned project and encourage them to comment on their areas of concern.

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at **1-866-208-FERC** or on the FERC Internet 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 (i.e., CP05-25) in the Docket Number field. Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676, 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 now 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.

Finally, Seafarer has established an Internet website for this project at <http://www.seafarer.us/>. The website includes a description of the project, a map of the proposed pipeline route, and answers to frequently asked questions. You can also request additional information or provide comments directly to Seafarer at (866) 683-5587.

Magalie R. Salas
Secretary

Appendix 1

INFORMATION REQUEST

Docket No. CP05-25-000

**Please keep my name on the mailing list for the
Seafarer US Pipeline System Project.**

Name _____

Agency _____

Address _____

City _____ **State** _____ **Zip Code** _____

**Please provide detailed maps for the facilities
closest to the following area(s):**

My mailing address.

My property.

**(Requests for more than a single map location may be
expedited by asking the company directly.)**

(Be as specific as you can about the location(s) of your area(s) of interest. Please include any information that would help us accurately locate these area(s). For example: county, town, cross-streets, or landmarks.)

FROM _____

**ATTN: OEP - Gas Branch 3, PJ - 11.3
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426**

(CP05-25-000)

Staple or Tape Here

How to Intervene in Commission Proceedings

There are two alternatives available to those wishing to participate in FERC proceedings involving the interstate sale and transportation of natural gas, hydroelectric dams, wholesale transactions of electric transmissions, and rates for the interstate transportation of petroleum products.

One approach is simply to file a protest or letter of support with the Commission. Such informal comments are made known to the Commission and its staff and are considered by the Commission in determining further appropriate actions. But, protests and letters of support are filed without becoming part of the official record if the case is set for hearing. **The Commission's rules direct protesters to provide copies of their protests to the party or parties against whom their complaints are directed.**

The second approach is to file as an intervenor. An intervenor is an official party to a proceeding and enjoys distinct advantages and responsibilities over those who only file informal comments of protest or support. Intervenors have the right to participate in hearings before an administrative law judge as well as other proceedings in the case. They may file briefs. Intervenors will be placed on a service list to receive copies of case-related Commission documents as well as filings by other intervenors in the proceeding. And they will have the legal standing to be heard by the Court of Appeals if they choose to pursue their opposition to the final order by the Commission in their case.

Filing for intervenor status is not complicated. There is no form to complete. Interested parties must file a motion requesting permission to intervene. The motion must identify the case by name and docket number and must clearly state your position and interest in the case.

For example, intervenors may demonstrate they are directly affected consumers, or they are elected representatives of affected parties, or that they own land near a proposed hydroelectric or pipeline site.

A motion to intervene must be served on the applicant and any other parties on the service list in the proceeding. An original and 14 copies are required to be filed with the Commission.

The Commission's Secretary maintains the service list. The service list may be accessed on the FERC

Internet website (www.ferc.gov). Service lists can be found under the "Documents & Filing" link.

Alternatively, if you are within the city of Washington, D.C. requests for service lists may be directed to the Public Reference Room, (202) 502-8371. If you are outside the city of Washington, D.C. requests should be directed to the Office of the Secretary, (202) 502-6088.

Notices of proposed rate changes, applications for hydro development and proposed natural gas pipelines, and other filings submitted to the Commission are printed daily in the *Federal Register*.

The notices are also available on the FERC website (www.ferc.gov) using the eLibrary link. eLibrary, the Federal Energy Regulatory Records Information System, is a database containing the indexes and images of documents submitted to and issued by the FERC. Applications and subsequent filings may be viewed in eLibrary.

Each notice includes a deadline for filing requests for intervention. If the request to intervene is filed on time and there is no opposition to the request within 15 days of filing, intervenor status is granted automatically.

Disputed requests for intervenor status must be resolved by the Commission.

Anyone filing a motion to intervene out-of-time must show good cause why the motion should be accepted late.

If the intervention is filed after the matter has been set for hearing and is pending before an administrative law judge, the presiding judge has the authority to rule on contested motions to intervene.

Interventions, protests, or comments should be mailed to the Federal Energy Regulatory Commission, Office of the Secretary, 888 First St., N.E., Washington, DC 20426. As noted, these filings must cite the case name and docket number.