



Snohomish County
Planning and Development Services

Dave Somers
County Executive

Barb Mock, Director
3000 Rockefeller Avenue M/S #604
Everett, WA 98201-4046
(425) 388-3311 FAX (425) 388-3832

DATE OF LETTER: November 30, 2018

PROJECT FILE NO: 18 100915 SHOR

PROJECT NAME: North Seattle Lateral Upgrade Project

COMPLETE APPLICATION DATE: Jan 25, 2018

APPLICANT:

Toby Schwalbe
Williams/Northwest Pipeline LLC
295 Chipeta Way
Salt Lake City, UT 84108

CONTACT:

Toby Schwalbe
Williams/Northwest Pipeline LLC
295 Chipeta Way
Salt Lake City, UT 84108

Dear Mr. Schwalbe:

This letter will confirm that the "Notice of Determination of Nonsignificance and Type 1 Decisions" issued in the above matter on October 24, 2018, was withdrawn on November 4, 2018, due to procedural defects in the notice which omitted a parcel that had been included for staging work (which resulted in the Notice of Decision not being mailed out to all affected property owners). Concurrent with the withdrawal of the notice, PDS identified several issues that require additional review and analysis before a Notice of Decision can be re-issued. Those issues are detailed below.

A. Need to Revise LDA: Two issues were identified with the existing LDA application:

(1) Upon further review of the staging area parcel that was omitted from the notice, PDS determined that a substantial portion of the identified parcel is located within a Channel Migration Zone (CMZ) which does not allow the intended use. Accordingly, please amend the Land Disturbing Activity (LDA) application to remove this parcel or portions of the parcel within the CMZ, or designate an alternative parcel for staging located outside of the CMZ.

(2) By prior Review Comment Letter dated April 27, 2018, we requested the applicant to provide details on the area of site disturbance and volumes of soils to be excavated or deposited on all Temporary Work Area (TWA) sites. Please provide an itemized response to the above for each TWA identified on the applicable site plans.

B. Issues Raised in Comments to DNS: Comments received in response to the issuance of the DNS raised questions regarding whether the National Environmental Policy Act (NEPA) Environmental Assessment (EA) prepared by the Federal Energy Regulatory Commission (FERC) evaluating the environmental impacts of the proposed project for purposes of the FERC Order Issuing Certificate and Approving Abandonment dated July 19, 2018 (“Certificate Order”) is adequate under the State Environmental Policy Act (SEPA) for the County to issue local permits for the project. The NEPA EA dated February 2018, and accompanying Finding of No Significant Impact contained in FERC’s Certificate Order were adopted by PDS for purposes of issuing the SEPA Determination of Nonsignificance (DNS) for this project. As set forth in the notice, the DNS was subject to comment under WAC 197-11-340(2), which requires the responsible official to reconsider the DNS based upon timely comments received:

The responsible official shall reconsider the DNS based on timely comments and may retain or modify the DNS or, if the responsible official determines that significant adverse impacts are likely, withdraw the DNS or supporting documents. When a DNS is modified, the lead agency shall send the modified DNS to agencies with jurisdiction.

WAC 197-11-340(2)(f).

Based on timely comments received, PDS is reconsidering the DNS with regard to the following potential adverse environmental impacts associated with the project. This reconsideration does not necessarily indicate the County will alter its threshold determination for the project. Rather, consistent with the purpose of SEPA, the County wants to ensure it possesses all of the information necessary to make informed decisions on the permit applications submitted by the project applicant. For that reason, PDS asks the applicant to clarify or provide additional information regarding the issues identified below.

1. Public Safety: The EA states there are 187 residences within 50 feet of construction workspace (which we equate to the pipeline corridor). EA, pg. 52. The discussion of public safety impacts is contained at pages 64-67 of the EA. The EA notes that the U.S. Department of Transportation (DOT) has the exclusive authority to promulgate federal safety standards used in the transportation of natural gas and concludes by stating: “The FERC accepts this certificate and does not impose additional safety standards.” EA, pg. 65.

For purposes of SEPA, RCW 43.21C.240 allows the county to determine that requirements for environmental analysis, protection, and mitigation measures in other applicable local, state, or federal laws and rules provide adequate analysis of and mitigation for specific adverse environmental impacts of the project action to which the requirements apply. However, to make this determination PDS must consider the specific probable adverse environmental impacts of the proposed action (in this case as they relate to public safety), and determine that these specific impacts are adequately addressed by the applicable local, state, or federal rules or laws.

The EA contains a brief summary of the DOT Minimum Federal Safety Standards and area classifications based on population density. Based on that classification, we understand that more populated areas require higher safety factors in pipeline design, testing and operation as summarized at page 65 of the EA. Specifically, pipe wall thickness and pipeline design pressures, hydrostatic test

pressures, maximum allowable operating pressure, inspection and testing of welds and frequency of pipeline patrols and leak surveys must conform to higher standards in more populated areas. The EA states the project will consist of approximately 0.2 miles of Class 1 pipeline and 5.65 miles of Class 3 pipeline.

The EA also states that applicable DOT regulations require an integrity management program that applies to all high consequence areas (HCA), which indicate areas where a gas pipeline accident could do considerable harm to people and their property. An integrity management program is intended to minimize the potential for an accident. EA pg. 66. However, the only discussion in the EA of what an integrity management program provides by way of enhanced safety or mitigation measures is reference to the requirement for inspection of the pipeline every seven years within HCAs. EA pg. 67. Despite the project involving 5.65 miles of Class 3 pipeline, the EA indicates that only 1.27 miles of the project would be classified as an HCA with enhanced pipeline inspection. EA pg. 67.

Request for Additional Information: (a) In a single illustration, identify segments of the proposed pipeline classified as Class 1, segments classified as Class 3, and the overlay of what is identified as HCA; (b) explain why the entirety of the project area located adjacent to Class 3 pipeline is not designated HCA; (c) provide documentation contrasting the applicable DOT pipeline standards for pipe wall thickness, pipeline design pressures, hydrostatic test pressures, maximum allowable operating pressure, inspection and testing of welds, and frequency of pipeline patrols and leak surveys as between Class 1 pipe and Class 3 pipe, and verify design standards intended for the entirety of the proposed pipeline; (d) identify any higher standards applicable to HCAs and what the proposed integrity management plan for the segment of the project identified as an HCA would provide by way of enhanced safety measures; (e) provide analysis from a qualified professional explaining how compliance with the DOT pipeline standards enhance public safety in terms of reducing the potential for an accident and/or mitigating the potential harm resulting from an accident; (f) compare pipeline safety standards for the proposed pipeline with the standards that applied to the existing pipeline.

2. Greenhouse Gas Emissions: The project is a pipeline/transmission facility which will have limited direct air quality emissions other than those temporary emissions associated with construction activity. EA pg. 59. Direct emissions associated with maintenance and operation of the pipeline are estimated to generate approximately 136.1 metric tons of CO₂ per year which is based on a voluntary methane emissions reduction program. EA pg. 60. However, the purpose of the project as set forth in the EA is to increase the capacity of the North Seattle Lateral pipeline to deliver natural gas to a defined geographic area served by Puget Sound Energy (PSE). Comments received question the adequacy of the EA in addressing perceived “cumulative impacts” of the project associated with increased greenhouse gas emissions through the end-use combustion of any increase transmission of natural gas within the pipeline (referred to as “downstream impacts”), as well as indirect emissions associated with increased production of natural gas if needed to serve the expanded capacity of the pipeline (referred to as “upstream impacts”).

(a) Downstream Impacts: The EA quantifies the “maximum” theoretical impact associated with end-use combustion of the full incremental pipeline capacity that could be transported by the Project. EA pg. 61. The EA characterized this calculation as an “upper bound for the amount of end-use combustion that

could result from the gas transported by this project and it is likely that the downstream GHG emissions would be lower than the above estimate.” EA pg. 61.

The increased capacity is stated as being requested by PSE to “avoid service disruptions and accommodate future growth in Snohomish and King Counties.” FERC Certificate Order pg. 3. In discussing the downstream impacts of this future end-use combustion the FERC Order concludes:

[W]ith respect to downstream activities, there is nothing in the record that identifies any reasonably foreseeable specific end use or new incremental load within the geographic area of where the impacts from the North Seattle Project will be felt.

FERC Certificate Order pg. 13. Based on the above, the FERC Order declined to consider the potential adverse environmental impacts associated with downstream end-use combustion.

With regard to the reasonably foreseeable end use consumption of the increased natural gas transmission capacity resulting from the Project, the FERC Order notes that PSE stated the intended use of the additional capacity was to “meet increasing peak hour loads on its distribution system.” FERC Certificate of Order, pg. 14, and footnote 45 (citing PSE Comment Letter dated May 24, 2018). Based on the County’s understanding of the current utilization of the capacity within the existing North Seattle Lateral pipeline, the line sizing is dictated by the maximum size needed to accommodate the instantaneous flow during peak load periods. These periods are cyclical coinciding with the colder seasonal periods and tapering off during the warmer summer months. Accordingly, the County understands the actual annual total consumptive use from the existing North Seattle Lateral pipeline is substantially less than the full transmission capacity of the pipeline as that full capacity is only utilized during peak load periods.

The Final EIS for the Snohomish County 2015 Comprehensive Plan Update addressed environmental impacts upon the natural and built environment resulting from projected population growth for the planning period 2015-2035 consistent with the state Office of Financial Management (OFM)’s medium population growth forecast. Specifically, OFM projections anticipate a projected growth of 241,946 residents in Snohomish County between 2010 and 2035. This represents a 33.9% increase over the then existing 2010 population base of 713,311 residents (or approximate 1.2% per year average annual growth). (General Policy Plan, pg. IN-7). Based on the projected population growth, the Final EIS for the 2015 Comprehensive Plan Update evaluated potential impacts relating to Climate Change and Greenhouse Gas (GHG) Emissions attributable to increased end-use combustion associated with projected growth. (Final EIS dated June 2015, pg. 3-21 to 3-27).

The Final EIS identified baseline GHG emissions for Snohomish County as of 2000 (equal to 5.5 million metric tons of GHG), and forecasted future emissions by applying projected growth rates in population, employment, and number of households multiplied by then current 2005 energy consumption rates to forecast 2020 countywide 2020 emissions (estimated at 6.4 million metric tons). (Final EIS dated June 2015, pg. 3-22). Of the GHG emissions generating sectors, residential, commercial and industrial users were noted as having a greater than 30% **decrease** in emissions, while the transportation sector was noted as the only generating sector that showed an increase in emissions (and accounting for 50% of the total GHG emissions in the Central Puget Sound Region). The Final EIS concluded that with the current

regulatory framework requiring new emission sources to have air pollution control devices, implementation of mitigation measures (based on Comprehensive Plan goals and applicable regulations); and advancement in technologies, regional air quality impacts associated with population growth (including GHG emissions) would not have significant unavoidable air quality impacts. (Final EIS dated June 2015, pg. 3-27, Section 3.1.2.4).

Request for Additional Information: (1) Based on the stated purpose of the project to enable PSE to serve projected population growth within the geographic service area of the pipeline, please provide an analysis of the actual reasonably foreseeable increase in end-use combustion of natural gas associated with project; (2) confirm whether there are any new or proposed incremental loads within the geographic service area served by the North Seattle Lateral pipeline, other than increased residential and associated commercial consumptive use attributable to population growth, which would be facilitated by the project; (3) describe PSE's conservation strategy related to natural gas consumption in the pipeline service area.

(b) Upstream Impacts: The consideration of upstream impacts is predicated on the argument that the project will result in an expansion or need for increased natural gas production or extraction, which may result in associated GHG emissions relating to such expanded production. FERC Certificate Order pg. 14. In addressing this issue the FERC noted that the project is merely intended to enlarge the capacity of a lateral pipeline that is part of a larger 3,900 mile interstate pipeline system with access to multiple natural gas sources and supply areas and that the project does not create any additional mainline capacity on the Northwest system. FERC Certificate Order pg. 14.

Request for Additional Information: (1) Identify whether the project is dependent upon or will require the introduction of additional natural gas into the mainline of the larger interstate pipeline system to serve the increased capacity of the North Seattle Lateral pipeline, or whether the project primarily will allow re-distribution of existing natural gas flow within the mainline; (2) identify whether the project will require additional production or extraction of natural gas to serve the increased capacity of the North Seattle Lateral pipeline and, if so, identify whether there are existing sources of natural gas currently in production serving the mainline which have the capacity to meet this increased demand; (3) identify whether the project will require new sources of natural gas to meet the enhanced capacity created by the project and, if new sources will be required, the reasonably foreseeable sources to be developed for this purpose.



Following receipt of the information requested in this letter, PDS will decide whether to retain, modify or withdraw the current DNS for purposes of proceeding with issuance of a decision in this matter.

Sincerely,

Randy Middaugh | *Principal Planner*
[Snohomish County Planning and Development Services](#)
3000 Rockefeller Ave M/S 604, Everett, Wa. 98201
425-262-2306 | Randy.Middaugh@snoco.org

