

## **EXECUTIVE SUMMARY**

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### **INTRODUCTION**

This final Environmental Impact Statement (EIS) has been prepared by the staff of the Federal Energy Regulatory Commission (FERC or Commission) to fulfill the Commission's requirements as outlined in the National Environmental Policy Act of 1969 (NEPA).

The purpose of this document is to make public our assessment of the environmental impacts that would likely occur as a result of the construction and operation of the proposed Guardian Expansion and Extension Project (G-II Project or Project).

The vertical line in the margin identifies text that has been modified in this final EIS and differs substantially from the corresponding text in the draft EIS.

This document has been prepared in coordination with two federal agencies and one state agency including the U.S. Army Corps of Engineers (COE), the Bureau of Indian Affairs, and the Wisconsin Department of Natural Resources (WDNR).

### **PROJECT BACKGROUND**

On April 7, 2006, we<sup>1</sup> approved the Guardian Pipeline, L.L.C.'s (Guardian's) request to use the Commission's Pre-Filing Review Process for the proposed G-II Project. The purpose of our pre-filing review is to work in partnership with the Project sponsor, other federal and state agencies, as well as concerned citizens and non-governmental organizations, to identify and address Project-related issues prior to the filing of an application with the Commission for a Certificate of Public Convenience and Necessity (Certificate).

On October 13, 2006 Guardian filed an application with the Commission pursuant to Section 7 (c) of the Natural Gas Act and Part 157 of the Commission's regulations for a Certificate to construct, operate, and maintain an interstate natural gas pipeline and associated ancillary and aboveground facilities, collectively known as the G-II Project. Amendments to the proposed Project were filed on April 25 and July 2, 2007. We have prepared our analysis based on this application, as amended, and subsequent filings by Guardian including responses to environmental information requests.

### **PROPOSED ACTION**

In response to a request for proposal developed by three Wisconsin local distribution companies including We Energies, Wisconsin Power and Light Company, and Wisconsin Public Service Corporation (WPS), Guardian proposes to establish infrastructure necessary to provide additional firm natural gas pipeline capacity that would allow for the delivery of natural gas to various points in Wisconsin by an in-service date of by November 1, 2008. The proposed Project would add additional compression along Guardian's existing pipeline system in the states of Illinois and Wisconsin and extend its existing pipeline facilities from its current terminus in the Town of Ixonia in Jefferson County, Wisconsin northward to a new terminus west of Green Bay in the

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<sup>1</sup> "We," "us" and "our" refer to the environmental staff of the Federal Energy Regulatory Commission's Office of Energy Projects.

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Town of Oneida in Outagamie County, Wisconsin. The expansion of this system would provide approximately 537.2 million cubic feet per day (MMcfd) of natural gas transportation capacity to both eastern Wisconsin and northeastern Illinois. Of this amount, 100 MMcfd would be delivered to points along Guardian's existing pipeline system with the remaining 437.2 MMcfd to be delivered to new delivery points along Guardian's proposed pipeline route to be owned and operated by WPS and We Energies. The proposed G-II Project would consist of:

- 83.9 miles of 30-inch-diameter natural gas pipeline in Jefferson, Dodge, Fond du Lac, Calumet, Brown, and Outagamie Counties, Wisconsin;
- 31.3 miles of 20-inch-diameter natural gas pipeline in Brown and Outagamie Counties, Wisconsin;
- 1.4 miles of 16-inch-diameter natural gas branch line referred to as the Denmark Branch Line in Brown County, Wisconsin;
- two 20-inch-diameter natural gas branch lines including the 1.8-mile Southwest Green Bay Branch Line in Brown County and a 0.8-mile West Green Bay Branch Line in Outagamie County, Wisconsin;
- two new 39,000 horsepower electric-motor-driven compressor stations including the Sycamore Compressor Station located in the Sycamore Township in DeKalb County, Illinois and the Bluff Creek Compressor Station located in the Town of La Grange in Walworth County, Wisconsin;
- modifications to the existing Ixonia Meter Station in Jefferson County, Wisconsin and the construction of seven new meter stations in the Counties of Dodge, Fond du Lac, Calumet, Brown, and Outagamie Counties, Wisconsin;
- new pig launcher/receiver facilities within Guardian's existing Ixonia Meter Station in Jefferson County, Wisconsin, within the proposed Fox Valley Meter Station in Calumet County, Wisconsin, and West Green Bay Meter Station in Outagamie County, Wisconsin; and
- six new mainline valves, four of which would occur along the 30-inch-diameter pipeline in the counties of Dodge, Fond du Lac, and Calumet, Wisconsin, and two which would occur along the 20-inch-diameter pipeline in Brown and Outagamie Counties, Wisconsin.

Guardian proposes to complete construction and begin operation of the proposed Project in October 2008.

## **PUBLIC OUTREACH AND COMMENTS**

As described previously, Guardian used the Commission's Pre-Filing Review Process prior to filing an application with the Commission for a Certificate to construct and operate the proposed Project. As part of our pre-filing review we issued a *Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Guardian Expansion/Extension Project, Request for Comments on Environmental Issues, and Notice of Public Scoping Meetings* (NOI) on May 19, 2006.

In response to our NOI and four public scoping meetings held along the proposed Project route, we received numerous written and verbal comments from landowners, concerned citizens, public

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officials, and government agencies representing the public. These comments expressed concerns with impacts on land uses (e.g., farming and organic farming), wetlands and waterbodies; water quality; vegetation and wildlife; threatened and endangered species; air and noise quality; future development; property values; tribal lands and cultural resources; the overall Project purpose and need; environmental justice; safety; and potential alternatives to the proposed route and planned facilities. Transcripts of the meetings and all comments provided in response to the NOI have been entered into the public record for the proposed Project and are available for review by the public.

In addition to comments provided by the general public, we also consulted with several federal and state agencies. Consultations included several interagency meetings that were held to discuss the proposed action, the impacts of constructing and operating the proposed Project, and possible mitigation measures to minimize Project-related impacts.

On April 13, 2007 we issued a draft EIS for the proposed Project. A formal Notice of Availability (NOA) for the draft EIS was also published in the *Federal Register*, and the document was mailed to the environmental mailing list. In accordance with the Council on Environmental Quality regulations implementing NEPA, a 45-day comment period was allotted for public comment. On May 15, 16, and 17, 2007 public meetings to hear comments on the draft EIS were held in Oconomowoc, Fond du Lac, and Green Bay, Wisconsin. Transcripts of the meetings and all written comments provided in response to the draft EIS have been entered into the public record for the proposed Project. All timely submitted comments received on the draft EIS are addressed in this final EIS, either as revisions to the text as appropriate, and/or with a direct response to a comment.

On April 25, 2007 and July 2, 2007 Guardian filed with the FERC two amendments to the proposed pipeline route, which included modifications to the pipeline route in Brown and Outagamie Counties, Wisconsin as well as modifications to proposed above ground facilities in Outagamie, Brown, Calumet, Fond du Lac, and Dodge County, Wisconsin and DeKalb County, Illinois. As a result of these two Project amendments, we issued an amended NOI on July 20, 2007 to affected landowners, stakeholders, and federal state and local agencies. All written comments provided in response to the amended NOI have been entered into the public record for the proposed Project and comments received are addressed in this final EIS, either as revisions to the text as appropriate, and/or as direct responses to each comment. The proposed amendments to the Project were the result of Guardian's inability to reach an agreement with the Sovereign Oneida Nation of Wisconsin for the construction of Project facilities across tribal lands, as well as additional negotiations with landowners and/or stakeholders that took place subsequent to the issuance of the draft EIS. The Project modifications that took place as a result of the proposed amendments are discussed in section 3.0.

A NOA for the final EIS was submitted to the U.S. Environmental Protection Agency (EPA) for publication in the *Federal Register* on November 2, 2007, and the final EIS was mailed to the agencies, individuals, and organizations on the environmental mailing list for the proposed Project.

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## **ENVIRONMENTAL IMPACTS**

Construction and operation of the proposed Project would result in several impacts on the environment. Soils, groundwater, surface water, wetlands, vegetation, wildlife, aquatic resources, threatened and endangered species, cultural resources, and air and noise quality would all be affected by construction and operation of the proposed Project; however, because the proposed construction activities are temporary in nature, most of the resulting impacts on these resources including vegetation removal, disturbed soils, increased erosion potential and associated turbidity in streams, habitat alteration, and wildlife impacts would also be temporary. Additionally, construction activities would result in long-term impacts on upland forests and forested wetlands. Operation of the proposed Project and maintenance of the permanent right-of-way would preclude certain uses of maintained lands for the life of the Project.

The most significant impacts resulting from construction and operation of this proposed Project would be the temporary impacts on wetlands and the long-term impacts on forested wetlands and upland forests. Specifically, construction activities would result in temporary impacts on wetlands including the alteration of wetland soil, hydrology, and vegetation. Long-term impacts would occur on forested wetlands because several acres would be cleared during construction, converted to emergent and scrub-shrub wetlands, and maintained in those states on the permanent right-of-way during operation. Upland forests would also be cleared during construction, converted to non-forested uplands, and maintained in that state on the permanent right-of-way during operation.

Detailed descriptions of these impacts, our recommendations to further avoid, minimize, and mitigate these impacts, impacts on other resources, and a description of cumulative impacts are described in section 4.0.

## **MINIMIZATION AND MITIGATION MEASURES**

In order to minimize and mitigate the environmental impacts of constructing and operating the proposed Project, Guardian would implement several measures and plans including, but not limited to the following:

- Upland Erosion Control, Revegetation and Maintenance Plan (Plan);
- Wetland and Waterbody Construction and Mitigation Procedures (Procedures);
- Spill Prevention, Control and Countermeasures Plan;
- Agricultural Impact Mitigation Plan (AMP);
- Plan for the Unanticipated Discovery of Hazardous Wastes or Contaminated Soils;
- Plan for the Containment of Inadvertent Release of Drilling Fluid During Horizontal Directional Drilled Wetland and Waterbody Crossings; and
- Plan for the Unanticipated Discovery of Historic Properties, Human Remains or Potential Paleontological Evidence during Construction.

In addition to the implementation of these measures and plans, we have recommended that Guardian implement certain measures to further reduce impacts on environmental resources. Guardian would also be required to obtain several federal, state, and local permits and

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authorizations that could further reduce environmental impacts resulting from construction and operation of the proposed Project. Specifically, Guardian would comply with the requirements of the COE, U.S. Fish and Wildlife Service, EPA, and WDNR.

A detailed description of Guardian's proposed minimization and mitigation measures, as well as our recommendations for additional mitigation are included in Section 4.0.

## **ALTERNATIVES CONSIDERED**

We have evaluated the no action alternative, the postponed action alternative, alternative energy sources, the potential effects of energy conservation, system alternatives, route alternatives, route variations, and aboveground facility site alternatives to determine whether they would be technically and economically feasible and environmentally preferable to the proposed action. In this analysis, we also considered the potential impacts on environmental resources and land uses and evaluated alternatives that would avoid or minimize impacts on environmental resources such as wetlands, waterbodies, and land use.

## **CONCLUSION**

Based on our review of Guardian's proposal, we conclude that the construction and operation of the proposed Project would result in limited adverse environmental impacts. However, these impacts would be effectively avoided, minimized, and mitigated by Guardian's proposed construction, restoration, and mitigation measures as well as our recommendations. In support of this conclusion we offer the following:

- The proposed Project would be collocated with existing utility rights-of-way for approximately 25.7 miles, or about 21.6 percent of the proposed route, which reduces impacts to both forests and wetlands;
- Guardian would implement site-specific wetland mitigation strategies as required by the COE and WDNR to minimize impacts on sensitive wetland habitats (including forested wetlands);
- Guardian would implement our Plan and Procedures, which would minimize and mitigate impacts on natural resources during construction and operation of the Project;
- Guardian would implement an environmental and agricultural inspection monitoring program that would ensure compliance with all recommended mitigation measures; and
- Guardian would implement an AMP, which would minimize impacts on agricultural lands and ensure implementation of the measures in the AMP. These measures were developed in consultation with the Wisconsin Department of Agriculture, Trade, and Consumer Protection (e.g., minimum 4-foot depth of cover over the pipeline, 110-foot right-of-way for construction of a 30-inch-diameter pipeline and a 95-foot right-of-way for construction of a 20-inch-diameter pipeline in agricultural land, use of third-party agricultural monitors, etc.).

Guardian has completed federally threatened and endangered species consultations; however, they are still undergoing Section 106 consultation with the Wisconsin State Historic Preservation Office. Guardian would not construct the Project until Section 106 consultation is completed.