

May 3, 2019

Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

Attention: Ms. Kimberly D. Bose, Secretary

Re: Colorado Interstate Gas Company, L.L.C.  
Docket No. CP19-56-000  
CIG High Plains Kiowa Lateral Expansion Project  
Request for Variance Approval

Commissioners:

Colorado Interstate Gas Company, L.L.C. ("CIG") is hereby submitting a request with the Federal Energy Regulatory Commission ("Commission") in Docket No. CP19-56-000 seeking variance approval consistent with the Alternative Measures provided in Section IV.A.1 of the Commission's Upland Erosion Control, Revegetation, and Maintenance Plan. Specifically, CIG seeks authorization to widen a temporary access road associated with its CIG High Plains Kiowa Lateral Expansion Project, as described below.

### **Description of Proceeding**

On January 24, 2019, CIG filed a prior notice request to Sections 157.205(b), 157.208(b), and 157.210 of the Commission's Regulations under the Natural Gas Act for authorization to construct and operate two laterals and metering facilities located in Weld County, Colorado. The project is referred to as the "CIG High Plains Kiowa Lateral Expansion Project".

### **Request for Variance**

After evaluating construction traffic using the approved temporary access road from County Road 22 to the High Five Meter Station, CIG's construction contractor has requested to widen this road from the currently approved 30 feet to 50 feet.<sup>1</sup> The temporary access road is not wide enough to permit the safe entrance and exit of larger construction trucks and equipment accessing the High Five Meter Station site. For this

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<sup>1</sup> This temporary access road extends approximately 257 feet from County Road 22 to the High Five Meter Station construction site. See the attached aerial figure depicting the access road under Tab A.

reason, CIG is seeking approval to widen this temporary access road by an additional 20 feet.

In support of this request, CIG notes that the original survey corridor undertaken for this temporary access road covers the wider access road parameters. As such the requested additional temporary workspace has been reviewed for biological and cultural resources.<sup>2</sup> Therefore, no additional surveys or agency consultations are required. There are two landowners who would be affected by the proposed temporary access road widening: Weld County and the Cannon Land Company. No other landowners will be affected by this request. CIG has obtained approval from both landowners to widen the temporary access road. Recognizing the safety considerations of this request, CIG respectfully requests approval of the variance described herein by no later than May 6, 2019.

### **Filing Information**

CIG is e-Filing this request for Alternative Measure with the Commission's Secretary in accordance with the Commission's Order No. 703, *Filing Via the Internet*, guidelines issued on November 15, 2007 in Docket No. RM07-16-000.

Respectfully submitted,  
COLORADO INTERSTATE GAS COMPANY,  
L.L.C.

By                     /s/                      
Francisco Tarin  
Director, Regulatory

Attachments

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<sup>2</sup> As noted in CIG's Environmental Reports, CIG consulted with the United States Fish & Wildlife Service ("USFWS") and received a concurrence of "No Effect" by letter on December 3, 2018. Similarly, CIG consulted with the Colorado State Historic Preservation Office ("SHPO") and received a determination on January 2, 2019 of "No Effect on Historic Properties" for its project. Copies of the USFWS and the Colorado SHPO letter are being provided under Tab B.



CIG HIGH PLAINS KIOWA LATERAL EXPANSION PROJECT  
DOCKET NO. CP19-56-000

TAB A

AERIAL FIGURE DEPICTING ATWS





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<p><b>Site Location</b></p> 	<p><b>Legend</b></p> <ul style="list-style-type: none"><li>CIG Pipeline</li><li>High Five Meter Station Temporary Road Access</li><li>Survey Corridor</li><li>High Five Lateral Meter Station TWS</li><li>High Five Meter Station</li><li>High Five Meter Station Original Temporary Access Road 30' Width</li><li>High Five Meter Station Temporary Access Road 50' Width</li></ul>	<p><b>NOTICE</b> <b>KINDER MORGAN, INC.</b> <b>PRIVILEGED OR CONFIDENTIAL INFORMATION</b></p> <p>Please find KINDER MORGAN GIS information specific to this project map. This map is intended solely for internal use by your business for that purpose. KINDER MORGAN does not guarantee the accuracy of this map or information delineated thereon. Nor does KINDER MORGAN assume responsibility for any reliance thereon. Recipient agrees not to copy, distribute or digitize this map without express consent from KINDER MORGAN or its affiliates.</p> <div></div> <div>GISMS-4747Date: 5/3/2019</div>	 <p><b>KINDER MORGAN</b></p> <p>Kinder Morgan High Five Meter Station Temporary Access Road Weld County, Colorado</p>
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CIG HIGH PLAINS KIOWA LATERAL EXPANSION PROJECT  
DOCKET NO. CP19-56-000

TAB B

USFWS LETTER and COLORADO SHPO LETTER





# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

Colorado Ecological Services Field Office

P.O. BOX 25486, Denver Federal Center, Mail Stop 65412  
Denver, Colorado 80225-0486

IN REPLY REFER TO

TAILS: 06E24000-2019-I-0108

Mr. Jesse A. Brown  
Senior Project Biologist  
Golder Associates, Inc.  
5170 Peachtree Road  
Building 100, Suite 300  
Atlanta, Georgia 30341

Dear Mr. Brown:

Thank you for your letter of October 26, 2018, and follow up letter with a habitat assessment on November 21, 2018, to the U.S. Fish and Wildlife Service (Service) regarding the proposed Colorado Interstate Gas, LLC (CIG) High Plains Kiowa Lateral project located in Weld County, Colorado. Golder Associates, Inc. is the non-federal designee for the Federal Energy Regulatory Commission (FERC) on behalf of CIG.

Section 7(a)(2) of the Endangered Species Act as amended (16 U.S.C. 1531 et seq.) requires Federal agencies to insure that any action they authorize, fund, or carry-out is not likely to jeopardize the continued existence of any endangered or threatened species ("listed species") or result in the destruction or adverse modification of critical habitat. In fulfilling these requirements (50 CFR §402), the action agency must use the best scientific and commercial data available to review their actions and determine whether the action may affect listed species or critical habitat.

When the action agency makes the determination of **No Effect** (the proposed project will not affect listed species or critical habitat), no consultation with the Service is required.

The Service acknowledges your no effect determination and appreciates you informing us of the determination, as well as including Best Management Practices (BMPs) in the project design. We encourage you to contact us again if the scope of the project changes or new information indicates that the project may have an effect to listed species or critical habitat. If you have questions, please contact our office at (303) 236-4773 or at [coloradoes@fws.gov](mailto:coloradoes@fws.gov)

Sincerely,

Drue L. DeBerry  
Colorado and Nebraska Field Offices Supervisor



OFFICE of ARCHAEOLOGY and HISTORIC PRESERVATION

Anne McKibbin  
Senior Staff Archaeologist  
Metcalf Archaeology  
P.O. Box 899  
Eagle, Colorado 81631

JAN 02 2019

Re: Kinder Morgan CIG, High Plains Kiowa Lateral Expansion Project, Weld County (HC#75387)

Dear M. McKibbin:

Thank you for your correspondence dated 20 December 2018 and received by our office on 21 December 2018 regarding the review of the above referenced project under Section 106 of the National Historic Preservation Act.

After review of the documentation provided, we *concur* with the following eligibility determinations (n=6):

- That site 5WL.8837 is *not eligible* for listing on the National Register of Historic Places (NRHP).
- That linear segments 5WL.2182.7, 5WL.2182.15, and 5WL.7915.8 *do not support overall eligibility* of the linear resource for listing on the NRHP.
- That isolates 5WL.8838 and 5WL.8839 are *not eligible* for listing on the NRHP.

In addition to eligibility determinations, your letter requested concurrence on a recommended effect finding. We *concur* that undertaking as a whole will result in *no historic properties affected* [36 CFR 800.5(d)(1)]. As effect can vary among the sites within a project area, we also break down effect findings by site in addition to providing concurrence on an effect finding for the entire undertaking. As a result of this project, there will be *no historic properties affected* at the not eligible and non-supporting sites (n=6).

Should unidentified archaeological resources be discovered in the course of the project, work must be interrupted until the resources have been evaluated in terms of the National Register eligibility criteria (36 CFR 60.4) in consultation with our office pursuant to 36 CFR 800.13. Also, should the consulted-upon scope of the work change, please contact our office for continued consultation under Section 106 of the National Historic Preservation Act.

We request being involved in the consultation process with the local government, which as stipulated in 36 CFR 800.3 is required to be notified of the undertaking, and with other consulting parties. Additional information provided by the local government or consulting parties might cause our office to re-evaluate our eligibility and potential effect findings. Please note that our compliance letter does not end the 30-day review period provided to other consulting parties.

Thank you for the opportunity to comment. If we may be of further assistance, please contact Lindsay Johansson, Section 106 Compliance Manager, at (303) 866-4678 or [lindsay.johansson@state.co.us](mailto:lindsay.johansson@state.co.us).

Sincerely,

Steve Turner, AIA  
State Historic Preservation Officer

OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION

303.866.3392 - Fax: 303.866.2711 - E-mail: [oahp@state.co.us](mailto:oahp@state.co.us) - Website: [www.historycolorado.org](http://www.historycolorado.org)

COLORADO HISTORICAL SOCIETY

1300 BROADWAY, DENVER, COLORADO 80203 TEL 303/866-3395 FAX 303/866-2711 [www.coloradohistory-oahp.org](http://www.coloradohistory-oahp.org)

**Certificate of Service**

I hereby certify that I have this day caused a copy of the foregoing documents to be served upon each person designated on the official service list compiled by the Commission's Secretary in this proceeding in accordance with the requirements of Section 385.2010 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure.

Dated at Colorado Springs, Colorado as of this 3<sup>rd</sup> day of May, 2019.

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/s/

Francisco Tarin

Two North Nevada Avenue  
Colorado Springs, Colorado 80903  
(719) 667-7517