



December 20, 2018

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

Attention: Ms. Kimberly D. Bose, Secretary

Re: Sierrita Gas Pipeline LLC;
Docket No. CP18-37-000;
Implementation Plan and Affirmative Statement

Commissioners:

Sierrita Gas Pipeline LLC ("Sierrita") is hereby filing with the Federal Energy Regulatory Commission ("Commission") in Docket No. CP18-37-000: (1) an Implementation Plan addressing each of the environmental conditions attached to the October 1, 2018 Order Issuing Certificate ("Order")¹; and (2) an environmental affirmative statement for the project.

Description of Proceeding

On December 21, 2017, Sierrita submitted its application, pursuant to Section 7(c) of the Natural Gas Act requesting a certificate of public convenience and necessity for authorization to construct, install, and operate a new compressor ("Sierrita Compressor Station") to be located in Pima County, Arizona. The project is referred to as the "Sierrita Compressor Expansion Project." Concurrently, Sierrita filed an application in Docket No. CP18-38-000, pursuant to Section 3 of the NGA seeking authorization to amend its Presidential Permit issued in Docket No. CP13-74-000 to increase the export capacities of the border crossing served by the Sasabe Meter Station.

Submittal of Implementation Plan and Affirmative Statement

Pursuant to Paragraph (B)(3) of the Order, Sierrita must comply with the environmental conditions in Appendix A and hereby submits the Implementation Plan with responses to each environmental condition. In compliance with Environmental Condition No. 3, Sierrita's Affirmative Statement certified by a senior Sierrita company

¹ See *Sierrita Gas Pipeline LLC*, 165 FERC ¶ 61,001 (2018).

official is attached as Tab 1. As required by Environmental Condition No. 6, Sierrita requests written approval of the Implementation Plan by the Director of the Office of Energy Projects.

Filing Information

Sierrita is e-Filing this letter and response 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,

SIERRITA GAS PIPELINE LLC

By /s/
William D. Wible
Vice President, Regulatory

Attachments

**SIERRITA GAS PIPELINE LLC
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IMPLEMENTATION PLAN**

INTRODUCTION

Sierrita Gas Pipeline LLC (Sierrita) hereby submits for written approval by the Director of the Office of Energy Projects (OEP) its Implementation Plan, in accordance with Environmental Condition No. 6 of the Federal Energy Regulatory Commission's (FERC) October 1, 2018 Order Issuing Certificate in Docket No. CP18-37-000 (Order). The Appendix to the Order contains 14 environmental conditions and mitigation measures that must be incorporated into the construction process and post-construction restoration plan. The following Implementation Plan describes the procedures that Sierrita will use to implement these requirements.

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1. Sierrita shall follow the construction procedures and mitigation measures described in its application and supplements (including responses to staff data requests) and as identified in the EA, unless modified by the order. Sierrita must:
 - a. request any modification to these procedures, measures, or conditions in a filing with the Secretary of the Commission (Secretary);
 - b. justify each modification relative to site-specific conditions;
 - c. explain how that modification provides an equal or greater level of environmental protection than the original measure; and
 - d. receive approval in writing from the Director of the Office of Energy Projects (OEP) **before using that modification.**

Response to Environmental Condition No. 1:

Sierrita will follow the construction procedures and mitigation measures described in its application and supplemental filings and as identified in the Order and this Implementation Plan. These plans and procedures will be provided to contractors, agencies, and personnel working on the Project. In the event that additional modifications to the approved procedures and mitigation measures are determined to be necessary at a later date, Sierrita will submit a request for the modification in a filing to the Commission Secretary with justification relative to site-specific conditions and an explanation of how the proposed modification provides an equal or greater level of environmental protection than the original measure. Sierrita will not use the proposed modification until written approval is received from the Director of OEP. Modifications to the construction plan that are approved will be conveyed to any contractor by changes to drawings, specifications, or other construction documents prior to the implementation of the modified plan.

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2. The Director of OEP, or the Director's designee, has delegated authority to address any requests for approvals or authorizations necessary to carry out the conditions of the order, and take whatever steps are necessary to ensure the protection of environmental resources during construction and operation of the project. This authority shall allow:
 - a. the modification of conditions of the order;
 - b. stop-work authority; and
 - c. the imposition of any additional measures deemed necessary to ensure continued compliance with the intent of the conditions of the order as well as the avoidance or mitigation of unforeseen adverse environmental impact resulting from project construction and operation.

Response to Environmental Condition No. 2:

Sierrita recognizes that the Director of OEP has delegation authority to take whatever steps are necessary to ensure the protection of all environmental resources during the construction of this Project. Sierrita further acknowledges that the Director's authority shall allow for the design and implementation of additional measures deemed necessary (including stop work authority) to assure continued compliance with the intent of the environmental conditions as well as the avoidance or mitigation of adverse environmental impact resulting from project construction.

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3. **Prior to any construction**, Sierrita shall file an affirmative statement with the Secretary, certified by a senior company official, that all company personnel, environmental inspectors (EIs), and contractor personnel will be informed of the EI's authority and have been or will be trained on the implementation of the environmental mitigation measures appropriate to their jobs **before** becoming involved with construction and restoration activities.

Response to Environmental Condition No. 3:

Sierrita agrees to this condition and is submitting its Affirmative Statement under Tab 1.

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4. The authorized facility locations shall be as shown in the EA, as supplemented by filed alignment sheets. **As soon as they are available, and before the start of construction**, Sierrita shall file with the Secretary any revised detailed survey alignment maps/sheets at a scale not smaller than 1:6,000 with station positions for all facilities approved by the order. All requests for modifications of environmental conditions of the order or site-specific clearances must be written and must reference locations designated on these alignment maps/sheets.

Sierrita's exercise of eminent domain authority granted under Natural Gas Act (NGA) section 7(h) in any condemnation proceedings related to the order must be consistent with these authorized facilities and locations. Sierrita's right of eminent domain granted under NGA section 7(h) does not authorize it to increase the size of its natural gas facilities to accommodate future needs or to acquire a right-of-way for a pipeline to transport a commodity other than natural gas.

Response to Environmental Condition No. 4:

Sierrita notes that the current survey alignment maps/sheets on file are the most up-to-date version. Should Sierrita revise its project survey alignment maps/sheets, Sierrita will submit the updated survey alignment maps/sheets as soon as they are available, and before the start of construction.

With regard to the exercise of eminent domain authority granted under NGA section 7(h), Sierrita agrees to this condition and will implement it as written.

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5. Sierrita shall file with the Secretary detailed alignment maps/sheets and aerial photographs at a scale not smaller than 1:6,000 identifying all route realignments or facility relocations, and staging areas, pipe storage yards, new access roads, and other areas that would be used or disturbed and have not been previously identified in filings with the Secretary. Approval for each of these areas must be explicitly requested in writing. For each area, the request must include a description of the existing land use/cover type, documentation of landowner approval, whether any cultural resources or federally listed threatened or endangered species would be affected, and whether any other environmentally sensitive areas are within or abutting the area. All areas shall be clearly identified on the maps/sheets/aerial photographs. Each area must be approved in writing by the Director of OEP **before construction in or near that area.**

This requirement does not apply to extra workspace allowed by the Commission's *Upland Erosion Control, Revegetation, and Maintenance Plan* and/or minor field realignments per landowner needs and requirements which do not affect other landowners or sensitive environmental areas such as wetlands.

Examples of alterations requiring approval include all route realignments and facility location changes resulting from:

- a. implementation of cultural resources mitigation measures;
- b. implementation of endangered, threatened, or special concern species mitigation measures;
- c. recommendations by state regulatory authorities; and
- d. agreements with individual landowners that affect other landowners or could affect sensitive environmental areas.

Response to Environmental Condition No. 5:

Sierrita agrees to this condition and will implement it as written.

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6. **Within 60 days of the acceptance of the authorization and before construction** begins, Sierrita shall file an Implementation Plan with the Secretary for review and written approval by the Director of OEP. Sierrita must file revisions to the plan as schedules change. The plan shall identify:
- a. how Sierrita will implement the construction procedures and mitigation measures described in its application and supplements (including responses to staff data requests), identified in the EA, and required by the order;
 - b. how Sierrita will incorporate these requirements into the contract bid documents, construction contracts (especially penalty clauses and specifications), and construction drawings so that the mitigation required at each site is clear to onsite construction and inspection personnel;
 - c. the number of EIs assigned, and how the company will ensure that sufficient personnel are available to implement the environmental mitigation;
 - d. company personnel, including EIs and contractors, who will receive copies of the appropriate material;
 - e. the location and dates of the environmental compliance training and instructions Sierrita will give to all personnel involved with construction and restoration (initial and refresher training as the project progresses and personnel change);
 - f. the company personnel (if known) and specific portion of Sierrita's organization having responsibility for compliance;
 - g. the procedures (including use of contract penalties) Sierrita will follow if noncompliance occurs; and
 - h. for each discrete facility, a Gantt or PERT chart (or similar project scheduling diagram), and dates for:
 - (1) the completion of all required surveys and reports;
 - (2) the environmental compliance training of onsite personnel;
 - (3) the start of construction; and
 - (4) the start and completion of restoration.

Response to Environmental Condition No. 6:

Sierrita agrees to this condition and is accordingly filing this Implementation Plan required by the Commission's Order Issuing Certificate.

Response to Environmental Condition No. 6a:

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Sierrita will ensure that construction procedures and mitigation measures described in the application, identified in the EA, and required in the Commission's Certificate Order are incorporated into the relevant construction documents and that these requirements are clear to both the construction and inspection personnel. Source documents for the requirements include Sierrita's environmental resource reports, supplements, and responses to staff data requests.

For mitigation measures, Sierrita's engineers and environmental staff will provide the pertinent instructions and documentation to contractors during final restoration of the Project. This information will include copies of relevant environmental permits that specifically address restoration requirements.

The construction contractor will be required to comply with applicable environmental requirements. Sierrita's inspection team will diligently supervise compliance with these requirements. Daily reports will be prepared by Sierrita's Environmental Inspectors; non-compliance issues will be handled appropriately by the Lead Environmental Inspector, Environmental Inspector, and contractor representative. Willful or repeated violations will result in removal of the violators from the Project or removal of the contractor, if necessary. Violations resulting from miscommunication or misunderstanding will be corrected by the Environmental Inspector who will issue written notices and warnings to the contractor. If required by Project conditions, a stop-work order will be issued as necessary for an individual activity or the construction spread.

Response to Environmental Condition No. 6b:

Sierrita will provide the construction procedures and mitigation measures, together with the necessary drawings, to each contractor to identify the necessary mitigation required for the Project prior to construction. The contractor, Sierrita personnel, and environmental inspection personnel will jointly serve to enforce compliance with both the construction procedures and the mitigation measures outlined by the Certificate Order and the Conditions to the Order. Any penalty clauses and specifications will be clearly communicated during the Project orientation.

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Response to Environmental Condition No. 6c:

Sierrita will assign one Environmental Inspector for the Project. The Environmental Inspector shall be empowered to direct construction related activities in the event of a potential conflict with any environmental law, regulation or permit.

All Sierrita inspection personnel will be responsible for ensuring implementation of environmental mitigation measures.

If Sierrita determines that additional Environmental Inspectors or environmental crew laborers are required to ensure that environmental mitigation measures are diligently implemented, Sierrita will increase the number of Environmental Inspectors and/or contractor crew as needed during the course of construction. Sierrita intends to anticipate staffing needs and increase staff proactively rather than reactively. However, at this time, the proposed staffing is anticipated to be sufficient.

Response to Environmental Condition No. 6d:

Copies of the Implementation Plan, a General Environmental Handbook containing the pertinent Project-related environmental documents, and the contract/construction line list shall be distributed to the Project Managers, the Environmental Inspector, and the contractor's Construction Superintendent and craft foreman. All construction personnel as well as the Sierrita personnel associated with the construction of this Project will receive environmental training.

Response to Environmental Condition No. 6e:

Sierrita will conduct an environmental training session prior to the start of construction (anticipated to occur as early as June 2019) in the City of Tucson, Arizona for all personnel associated with the Project. During this training session, onsite personnel (e.g., craft inspectors, laborers, operators, welders, etc.) will be informed of the Environmental Inspector's authority and will be trained on the implementation of the environmental mitigation measures appropriate to their job responsibilities and company expectations. The requirements applicable to the construction crew's duties will be presented and discussed for emphasis. In addition, similar training will be held for all newly hired personnel before they may commence work on the Project. Follow-up training will be held throughout the construction of the Project to ensure that the mitigation required for the Project is clear to onsite construction and inspection personnel.

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Response to Condition No. 6f:

Sierrita's Project Management Team will be responsible for ensuring compliance. Sierrita's Construction Management Team, consisting of the Environmental Inspector, and craft/utility inspectors, will be responsible for the day-to-day activities at the Project site.

Sierrita's Project Management Team includes:

Raul Ronquillo
Project Manager
(719) 520-3771

Mike Bonar
Permitting Compliance Specialist Sr II
(719) 520-4817

Response to Environmental Condition No. 6g:

The Environmental Inspector shall have stop-work authority with respect to any single aspect of the Project to correct a noncompliance with environmental conditions contained in the Order or any other approval received for the Project. The shutdown shall extend until the Lead Inspector has reviewed the non-compliance and provision is made for correction.

Response to Environmental Condition No. 6h:

The Gantt chart is attached as Tab 2.

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7. Sierrita shall employ at least one EI. The EI shall be:
- a. responsible for monitoring and ensuring compliance with all mitigation measures required by the order and other grants, permits, certificates, or other authorizing documents;
 - b. responsible for evaluating the construction contractor's implementation of the environmental mitigation measures required in the contract (see condition 6 above) and any other authorizing document;
 - c. empowered to order correction of acts that violate the environmental conditions of the order, and any other authorizing document;
 - d. responsible for documenting compliance with the environmental conditions of the order, as well as any environmental conditions/permit requirements imposed by other federal, state, or local agencies; and
 - e. responsible for maintaining status reports.

Response to Environmental Condition No. 7:

Sierrita agrees to this condition and will implement it as written.

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8. Beginning with the filing of its Implementation Plan, Sierrita shall file updated status reports with the Secretary on a **biweekly** basis until all construction and restoration activities are complete. On request, these status reports will also be provided to other federal and state agencies with permitting responsibilities. Status reports shall include:
- a. an update on Sierrita's efforts to obtain the necessary federal authorizations;
 - b. the construction status of the project, work planned for the following reporting period, and any schedule changes for stream crossings or work in other environmentally-sensitive areas;
 - c. a listing of all problems encountered and each instance of noncompliance observed by the EI during the reporting period (both for the conditions imposed by the Commission and any environmental conditions/permit requirements imposed by other federal, state, or local agencies);
 - d. a description of the corrective actions implemented in response to all instances of noncompliance;
 - e. the effectiveness of all corrective actions implemented;
 - f. a description of any landowner/resident complaints which may relate to compliance with the requirements of the Order, and the measures taken to satisfy their concerns; and
 - g. copies of any correspondence received by Sierrita from other federal, state, or local permitting agencies concerning instances of noncompliance, and Sierrita's response.

Response to Environmental Condition No. 8:

Sierrita agrees to the above condition and will commence filing biweekly status reports once training and construction activities begin. As noted in its Certificate Application, construction is scheduled to begin as early as June of 2019. Sierrita will continue to file biweekly status reports until all construction and restoration activities are complete.

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9. Sierrita must receive written authorization from the Director of OEP **before commencing construction of any project facilities.** To obtain such authorization, Sierrita must file with the Secretary documentation that it has received all applicable authorizations required under federal law (or evidence of waiver thereof).

Response to Environmental Condition No. 9:

Sierrita agrees to this condition and will implement it as written.

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10. Sierrita must receive written authorization from the Director of OEP **before placing the project into service**. Such authorization will only be granted following a determination that rehabilitation and restoration of the right-of-way and other areas affected by the project are proceeding satisfactorily.

Response to Environmental Condition No. 10:

Sierrita agrees to this condition and will implement it as written.

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11. **Within 30 days of placing the authorized facilities in service**, Sierrita shall file an affirmative statement with the Secretary, certified by a senior company official:
- a. that the facilities have been constructed in compliance with all applicable conditions, and that continuing activities will be consistent with all applicable conditions; or
 - b. identifying which of the conditions in the order Sierrita has complied with or will comply with. This statement shall also identify any areas affected by the project where compliance measures were not properly implemented, if not previously identified in filed status reports, and the reason for noncompliance.

Response to Environmental Condition No. 11:

Sierrita agrees to this condition and will implement it as written.

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12. **Prior to construction**, Sierrita shall file with the Secretary, for the review and approval by the Director of OEP, the descriptions and locations of signage and any additional measures Sierrita will actively employ and maintain to deter unauthorized off-highway vehicle use during construction and operation of project facilities.

Response to Environmental Condition No. 12:

Sierrita agrees to this condition and will submit a plan to deter unauthorized off-highway vehicle use during construction and operation of the project facilities.

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13. **Prior to construction**, Sierrita shall file with the Secretary, for review and approval by the Director of OEP, documentation confirming that Sierrita will offer pre- and post-construction testing to the City of Tucson Water Department for the well identified within 100 feet of the construction work areas to document water quality and flow and to establish a baseline for comparison in the event of inadvertent construction impacts. If testing reveals that impacts on the well occurred as a result of project construction, Sierrita shall repair or replace the well in coordination with the City of Tucson Water Department.

Response to Environmental Condition No. 13:

Sierrita agrees with this condition and will work with the City of Tucson Water Department to perform pre- and post-construction testing of the water well identified within 100 feet of the construction work areas.

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14. Sierrita shall file with the Secretary a noise survey for the Sierrita Compressor Station **no later than 60 days** after placing the station into service. If a full power load condition noise survey is not possible, Sierrita shall file an interim survey at the maximum possible power load **within 60 days** of placing the station into service and file the full power load survey **within 6 months**. If the noise attributable to operation of all equipment at the station under interim or full power load conditions exceeds a day-night sound level of 55 decibels on the A-weighted scale at any nearby noise-sensitive area, Sierrita shall:
- a. file a report with the Secretary, for review and written approval by the Director of OEP, on what changes are needed;
 - b. install additional noise controls to meet that level **within 1 year** of the in-service date; and
 - c. confirm compliance with this requirement by filing a second full power load noise survey with the Secretary for review and written approval by the Director of OEP no later than **60 days** after it installs the additional noise controls.

Response to Environmental Condition No. 14:

Sierrita agrees to this condition and will complete and submit a noise survey no later than 60 days after placing the station into service. Since the ability to operate the compressor station at full power load is dependent on customers downstream of the facility, Sierrita will need to determine if completing a survey under these conditions is feasible within the time period allotted.




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Tab 1

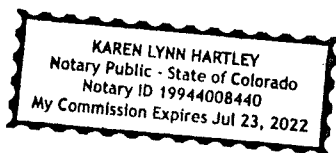
AFFIRMATIVE STATEMENT

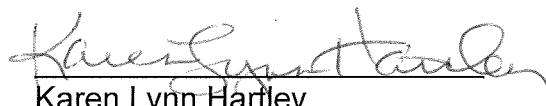
STATE OF COLORADO)
)
COUNTY OF EL PASO)

WILLIAM D. WIBLE, being first duly sworn, on oath, says that he is the Vice President of the Regulatory Department of Sierrita Gas Pipeline LLC; that he has read the foregoing letter containing the Affirmative Statement in compliance with Environmental Condition No. 3 of the order issued October 1, 2018 in Docket No. CP18-37-000, that he is familiar with the contents thereof; that, as such Officer, he has executed the same for and on behalf of said Company with full power and authority to do so; and that the matters and facts set forth therein are true to the best of his information, knowledge and belief.

By 
William D. Wible
Vice President, Regulatory

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this 20th day of December, 2018.



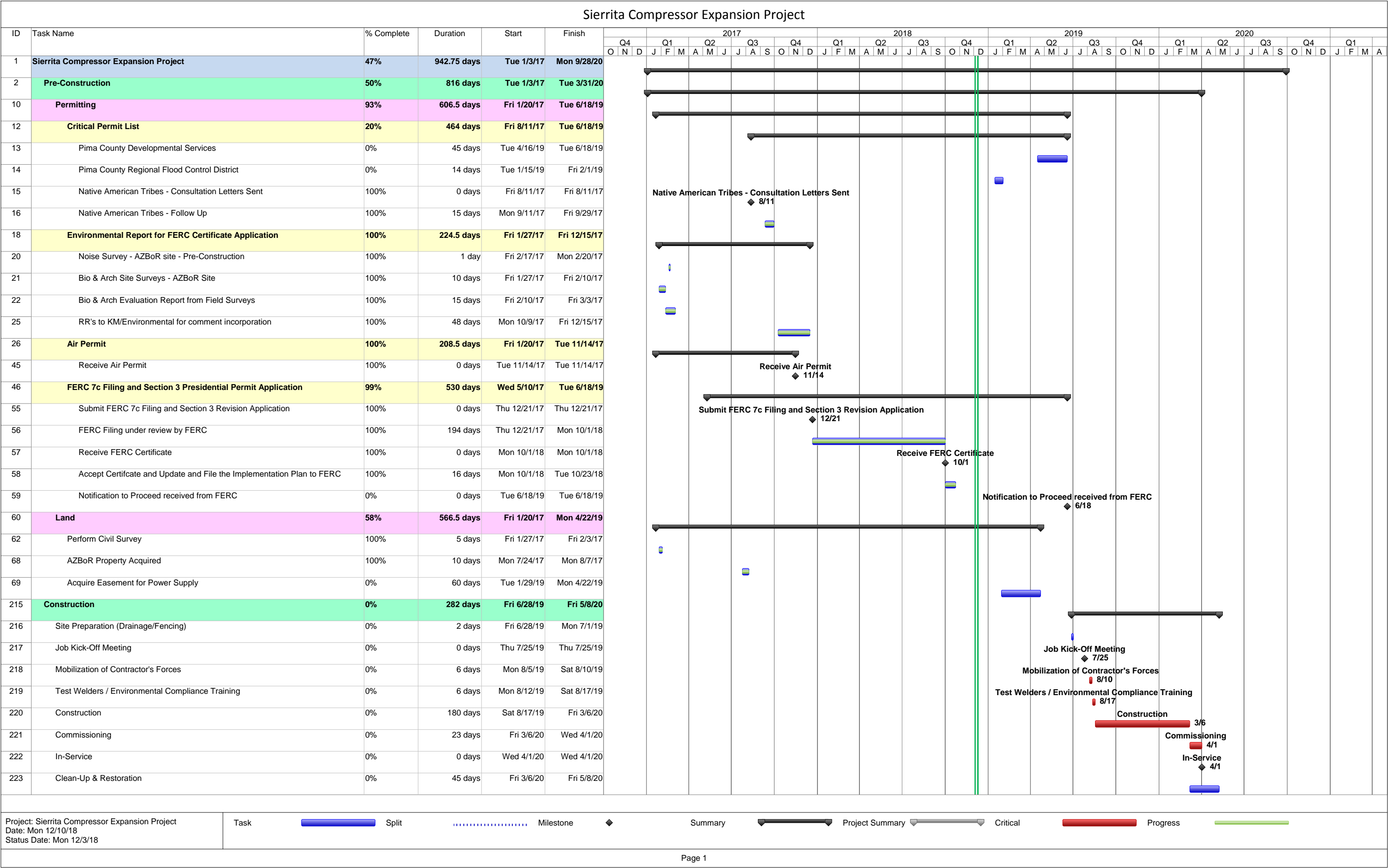

Karen Lynn Hartley
Notary Public, State of Colorado
My Commission Expires: July 23, 2022



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Tab 2

SCHEDULING DIAGRAM



Certificate of Service

I hereby certify that I have this day caused a copy of the foregoing document 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 20th day of December, 2018.

/s/

William D. Wible

Two North Nevada Avenue
Colorado Springs, Colorado 80903
(719) 520-3778