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March 6, 2014

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission (FERC)  
888 First Street NE, Room 1A  
Washington, DC 20426

Regarding: Erosion Monitoring for the proposed Sierrita Pipeline Project  
Docket Numbers: CP13-73-000 and CP13-74-000

Dear Ms. Bose:

We note that FERC on March 5, 2014 advanced the date of final Environmental Impact Statement distribution for the proposed Sierrita Pipeline to March 28, 2014. Early last week, the Altar Valley Conservation Alliance (AVCA) reviewed the latest monitoring and reclamation plans submitted by Sierrita. We remain extremely concerned that these plans do not contain performance criteria nor monitoring methods that target watershed impacts – more specifically erosion impacts. The plans contain clear criteria with regard to vegetation restoration, but there are no companion elements related to watershed stability. This is a serious flaw. We have commented both in writing and verbally, at formal public meetings with FERC staff and in subsequent meetings with Kinder Morgan staff about these concerns, and nothing has been done to address these legitimate concerns. It appears that monitoring of erosion type impacts would be limited to visual observation during routine overflights, and Kinder Morgan specifically states that this observation is not part of formal monitoring.

Just last week, on Tuesday, February 25, 2014, AVCA board members spoke with Kinder Morgan representatives Allen Fore, Bill Biggs, and Carter Jones. We articulated our concerns, having reviewed the new submissions earlier that day. Mr. Fore and Mr. Biggs suggested that our concerns seemed reasonable, but that they could not answer my questions; rather they should be answered by Nicole Pedigo of Kinder Morgan. Mr. Fore suggested that they have Ms. Pedigo call Mary Miller to discuss to answer my questions about why these concerns were not included, and Bill Biggs stated that he would have Nicole follow up the next day. Neither Mary Miller nor other AVCA board members have heard from anyone from Kinder Morgan since this discussion over a week ago.

It is imperative that FERC raise the bar regarding performance criteria related to watershed stability, and that formal monitoring of watershed stability be included in the monitoring program. Erosion problems are very likely to move upstream or downstream out of the right-of-way, and out of FERC's jurisdiction. FERC and Kinder Morgan have both repeatedly stated that they have nothing to do with issues outside of the right-of-way. Hence, it is absolutely imperative that erosion impacts associated with the proposed pipeline be identified immediately so that they may be treated before they spread, both for the good of the watershed and to assure that FERC has jurisdiction such that Kinder Morgan may be held responsible for impacts.

In addition, AVCA would like to offer a suggestion related to formal monitoring of watershed impacts. Given that observation of the pipeline is already part of Kinder Morgan's routine, we suggest that aerial video and/or photography be performed during these flights. We suggest that an appropriate flight altitude be defined, such that high quality video showing a reasonable level of detail may be recorded during their routine overflights. This video could then be posted on a publicly available website, on a routine schedule, with alerts sent to interested parties at the time of video posting. The videography and public posting should be treated as a formal monitoring requirement. In this manner, the numerous public officials and private parties concerned about pipeline impacts could observe both restoration progress and problems; and concerns could be communicated to Kinder Morgan, FERC and other appropriate regulatory entities immediately.

AVCA would like to thank FERC, in advance, for its thoughtful consideration of AVCA's concerns and suggestions prior to issuance of the final Environmental Impact Statement later this month.

Sincerely,



Patricia King  
President,  
Altar Valley Conservation Alliance



Mary Miller  
Vice-President - Programs  
Altar Valley Conservation Alliance