



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

MEMORANDUM

DATE: March 18, 2010

TO: Board of Environmental Protection
FROM: Becky Blais, Bureau of Land and Water Quality
SUBJ: Requests for Board Jurisdiction on Site Location of Development Act and NRPA
Applications of Calais LNG, Calais, Maine
• Site Location of Development Act Application #L-24843-26-A-N
• NRPA Application #L-24843-TG-B-N
• NRPA Application #L-24843-IW-C-N
• NRPA Application #L-24843-L6-D-N
• NRPA Application #L-24843-4P-E-N
• Air Emissions Application #A-1029-71-A-N
• Water Discharge Application #W-9056-5O-A-N

STATUTORY AND REGULATORY REFERENCE: The applicable statutory framework for these applications are the Site Location of Development Act, 38 M.R.S.A. §§ 481-490, the Natural Resources Protection Act, 38 M.R.S.A. § 480-A et seq., Title 38: Waters and Navigation, Chapter 3(1) Article 2; §413; Waste discharge licenses, 38 M.R.S.A., §344 Processing of Applications and §590 Protection and Improvement of Air. The criteria for the Board assuming original jurisdiction over an application and for holding public hearings are located in both the law, 38 M.R.S.A. § 341-D(2), and in a regulation, Rules Concerning the Processing of Applications and Other Administrative Matters, Chapter 2 §§7 and 17.

PROJECT LOCATION: The proposed Calais LNG site is located off Route 1 in the City of Calais, approximately six miles southeast of the city's population center. Calais LNG holds a purchase option on two adjoining parcels of privately owned property comprising a total of 337 acres of land. Both of these parcels are currently developed with single family residences. The majority of the proposed 20.7 mile gas send-out pipeline will be located mainly in unpopulated areas and will follow existing energy and transportation right of ways to the extent possible.

DESCRIPTION: Development of the terminal site would create a total of 66.7 acres of developed area on a 135 acre portion of the overall parcel, which is located between Route 1 and the St. Croix River. The terminal site also includes approximately 2,800 feet of frontage along the St. Croix River. The remaining acreage is located across the street, on the opposite side of Route 1.

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Development of the proposed LNG facility would include the construction of the receiving, storage and vaporization facilities, a marine terminal for LNG vessels, administrative buildings, access roads and parking areas. The proposed 20.7 mile natural gas send-out pipeline would connect from the proposed facility to the existing Maritimes and Northeast (M&NE) Pipeline in Princeton, Maine. The project would also include the construction of a 1,131 foot long pier, with the first 64 feet of the pier being located in the upland and the remaining 1,067 feet of the pier extending over the coastal wetland.

The proposed project would impact a number of resources, including freshwater wetlands, coastal wetlands and significant wildlife habitats. Impacts to freshwater wetlands would result in a total of 52 acres of impact, with 2.1 acres of impact occurring on the terminal site and 49.8 acres of impact occurring along the pipeline right-of-way (ROW). Of this total, 13.4 acres of impact would be associated with permanent wetland conversion along the pipeline ROW and 36.5 acres of impact would be temporary. Coastal wetland impacts would occur as a result of the construction of the proposed pier, creating a total of approximately 1.82 acres of impact to this resource. Of this total, approximately 1,895 square feet of direct impact would result from the installation of 96 pilings, and approximately 1.77 acres of indirect impact would result due to shading impacts from the pier. The project would also include the re-routing of a stream on the terminal site, resulting in 230 square feet of direct impact to a brackish marsh area. The proposed project would also result in 1.76 acres of impact to Deer Wintering Area (DWA) and 1.38 acres of impact to Inland Wading and Waterfowl Habitat (IWWH).

BOARD JURISDICTION: Title 38 § 341-D(2) outlines the criteria to determine when the Board should assume jurisdiction of an application. Section 341-D(2) states that, “[T]he board shall decide each application for approval of permits and licenses that in its judgment:

- (A) Involves a policy, rule or law that the board has not previously interpreted;
- (B) Involves important policy questions that the board has not resolved;
- (C) Involves important policy questions or interpretations of a rule or law that require re-examination; or
- (D) Has generated substantial public interest.

Chapter 2 Section 17(C) elaborates on the final criterion by explaining that “An application is of substantial public interest if the project has the potential to affect a broad geographic area or a natural resource of statewide significance, or has generated more than local interest.”

DEPARTMENT RECOMMENDATION: The proposed project is of substantial public interest and does have the potential to affect a broad geographic area. For these reasons, the Department recommends that the Board assume jurisdiction of this application and hold a public meeting.

ESTIMATED TIME OF PRESENTATION: 20 minutes

Calais LNG

- **Excerpts from application – project description**

1. ACTIVITY DESCRIPTION

1.0 PROJECT DESCRIPTION

The Calais LNG Project Company LLC (Calais LNG) proposes to construct, own, and operate a liquefied natural gas (LNG) receiving, storage and vaporization Terminal and pipeline (Project). The proposed Terminal Site (comprising the Marine Terminal and the Terminal Facilities) will receive LNG from ocean-going vessels at a site near Ford Point on the St. Croix River in the City of Calais, Washington County, Maine (ME). The Project facilities will allow for berthing and off-loading of vessels, storage of LNG, vaporization, and delivery of the natural gas to an interconnection with Maritimes & Northeast LLC (M&NE) interstate pipeline and onwards to markets in New England. The Project will be constructed pursuant to authorizations under Sections 3 and 7 of the Natural Gas Act (NGA).

The Terminal Site will be located within the city limits of Calais, on a site approximately six miles southeast of the city's population center and approximately 20.7 miles from the M&NE pipeline. The Site area comprises approximately 337 acres of land, consisting of two adjoining properties, including intertidal land, with approximately 2,800 feet (ft) of frontage on the St. Croix River, and adjacent submerged lands. The Terminal Site itself will be developed on the portion of the two properties that lies between U.S. Route 1 and the St. Croix River (Figure 1-1). This parcel comprises approximately 135 acres.

The Terminal Site will include berthing and unloading marine facilities that, based on the proposed maximum normal throughput of the Facility of 1.0 billion standard cubic ft per day (bscfd), will receive one to two LNG vessels per week ranging in size from 120,000 to 170,000 cubic meters (m³).

LNG will be transported up the St. Croix River on vessels that will be escorted by tugs as they enter the Head Harbor Passage near East Quoddy, sail around the southern end of Deer Island, and turn north into the Western Passage. The vessels will enter the proposed approach channel in the St. Croix River near Mill Cove, and proceed 7.3 nautical miles (NM) to the Calais LNG Marine Terminal. The transit from the pilot boarding station located about 1.5 NM east of East Quoddy Head to the Calais LNG berth is approximately 23 NM.

Vessels will be moored at a single berth comprising an unloading platform, breasting dolphins, mooring dolphins, and interconnecting walkways. Arrival draft is expected to be less than 40 ft. The river is wide enough and deep enough in the vicinity of the Marine Terminal to provide sufficient maneuvering area for the vessels. The unloading platform will be designed to accommodate both port and starboard unloading. The unloading platform will be equipped with four LNG unloading arms. The unloading platform will also support LNG liquid and vapor piping, utility connections, vehicle access for support and emergency evacuation, fire detection and firefighting equipment, and walkways. Bathymetric information indicates that a Pier terminating less than 1,000 ft from mean low water will provide the necessary depth for vessels at the berth.

The project comprises three 160,000 m³ insulated tanks designed to store LNG at a temperature of -260 degrees Fahrenheit (°F). Two tanks will be included in the initial construction phase. Timing of construction of the third tank of the same size will be based on considerations such as expanded market requirements and inventory management in support of supply reliability. The tanks will be of full containment design, whereby the LNG is stored in a primary inner container surrounded by a secondary outer container, each independently capable of containing the LNG. The Terminal vaporization equipment will be designed to deliver 1.0 bscfd (1.2 bscfd peak) of natural gas at a send-out pressure of 1850 pounds per square inch (psi) to the gas distribution network via a 36-inch diameter Send-out Pipeline.

Natural Resources Protection Act Application Attachment 1

The proposed Send-out Pipeline will extend approximately 20.7 miles from the proposed Terminal property boundary to an interconnection with the existing M&NE pipeline in Princeton, ME. The Send-out Pipeline route was selected to follow existing energy and transportation rights of way (ROW) to the extent possible, while also minimizing the number of landowners and natural resources affected by the construction and operation of the Send-out Pipeline. The Send-out Pipeline will be a 36-inch continuously welded steel pipe, which will be installed using appropriate engineering and construction techniques to minimize temporary and permanent disturbance within the 30 to 50-foot wide permanent Send-out Pipeline corridor and the 75 to 125-ft-wide construction corridor.

For the purposes of this application, the discussion of the Send-out Pipeline is presented in two segments: Segment One is that portion of the Send-out Pipeline located on the Terminal Site and as such is considered along with the Terminal Site when evaluating environmental effects. Segment Two of the Send-out Pipeline is that portion of the Send-out Pipeline beginning at the Terminal property boundary and terminating at the meter station located at the Send-out Pipeline interconnect with the M&NE pipeline.

¹ See New England Council, The Economic Imperatives for Additional LNG Supplies in New England 9 (2005) ("New England Council Report").

² Even though imported LNG represents only 2.7 percent of domestic supply, LNG supplies approximately 20 percent of New England's annual gas supply. ISO New England, CIGRE 2008 Case Study: Electric & Natural Gas Market Interdependencies within New England n.4 (2008); ISO New England, Power Generation and Fuel Diversity in New England 1 (2005).

³ New England Council Report at 5.

1.2.2 Pipeline Route

The Preferred Pipeline Route will extend approximately 20.7 miles from the Terminal Site in Calais, ME to the Interconnect Facility in Princeton, ME. The route is illustrated on Figure 1-1. Beginning from the east, the first seven miles of the corridor run northeast through an unpopulated area with extensive patches of recently logged spruce-fir forest interspersed with evergreen forested swamps. From there, the Preferred Pipeline Route turns to the southwest and runs approximately 3.5 miles through predominantly floodplain vegetation associated with the St. Croix River and sparsely developed forested uplands. The Preferred Pipeline Route then turns back to the northeast and the western half of the Preferred Pipeline Route runs mostly along existing powerline right-of-ways (ROWs) and adjacent to U.S. Route 1. In addition to logging, vegetation in the western half of the Route has been heavily influenced by clearing along powerline ROWs.

The majority of the Pipeline will be located within both the City of Calais (approximately 8.2 miles) and the Town of Baileyville (approximately 8.5 miles). Portions of the Pipeline will also be located in the Towns of Baring Plantation (2.7 miles) and Princeton (1.1 miles).

Calais LNG

- **Regional Maps**
 - **Proposed Calais Facility Location map**
 - **Project Area Map**

CALAIS, MAINE

LOCATION OF PROPOSED
CALAIS LNG TERMINAL RELATIVE
TO OTHER AREA LNG PROJECTS

Date: November 2007

Drawn By: DWVP



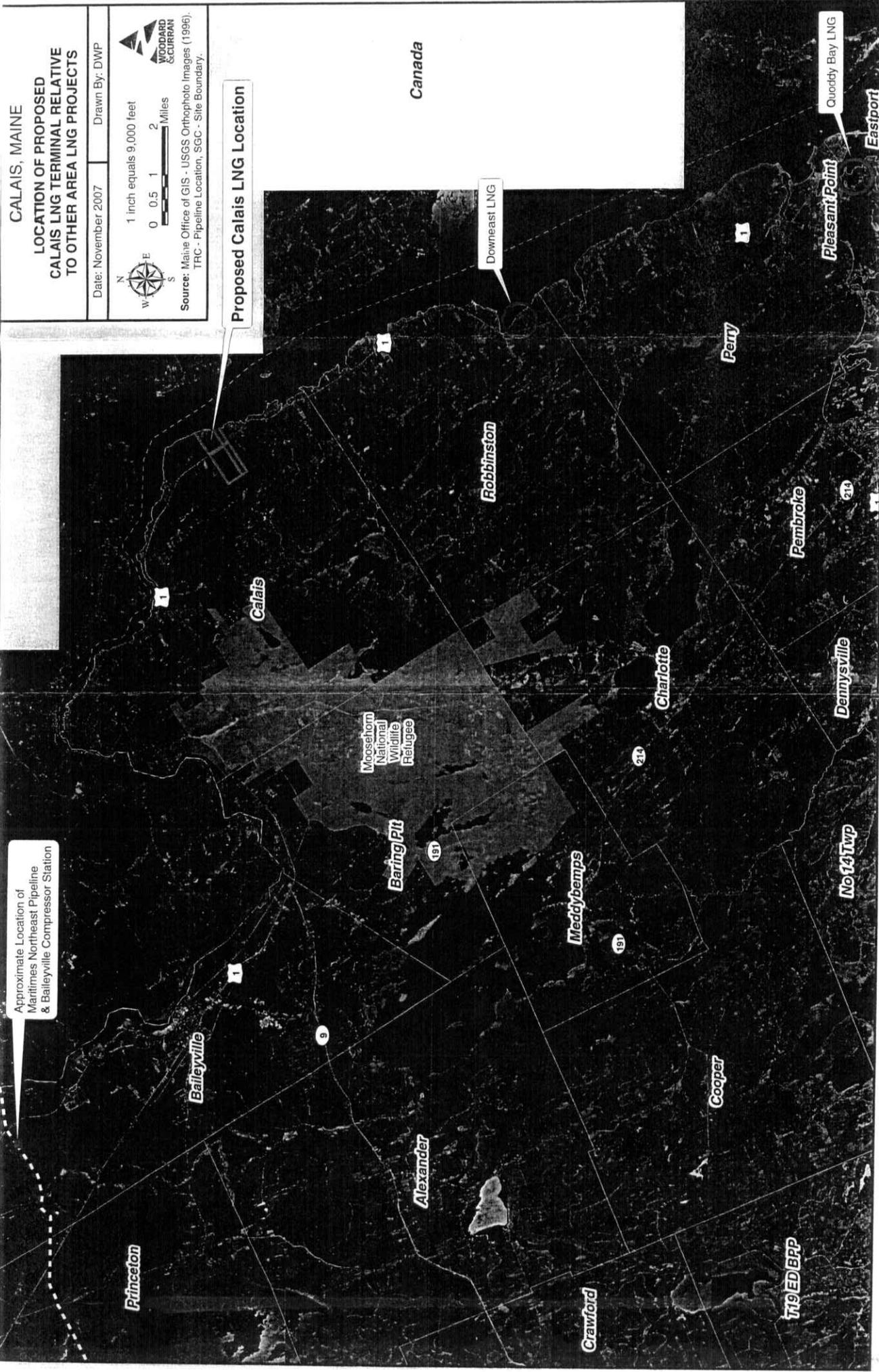
1 inch equals 9,000 feet
0 0.5 1 2 Miles



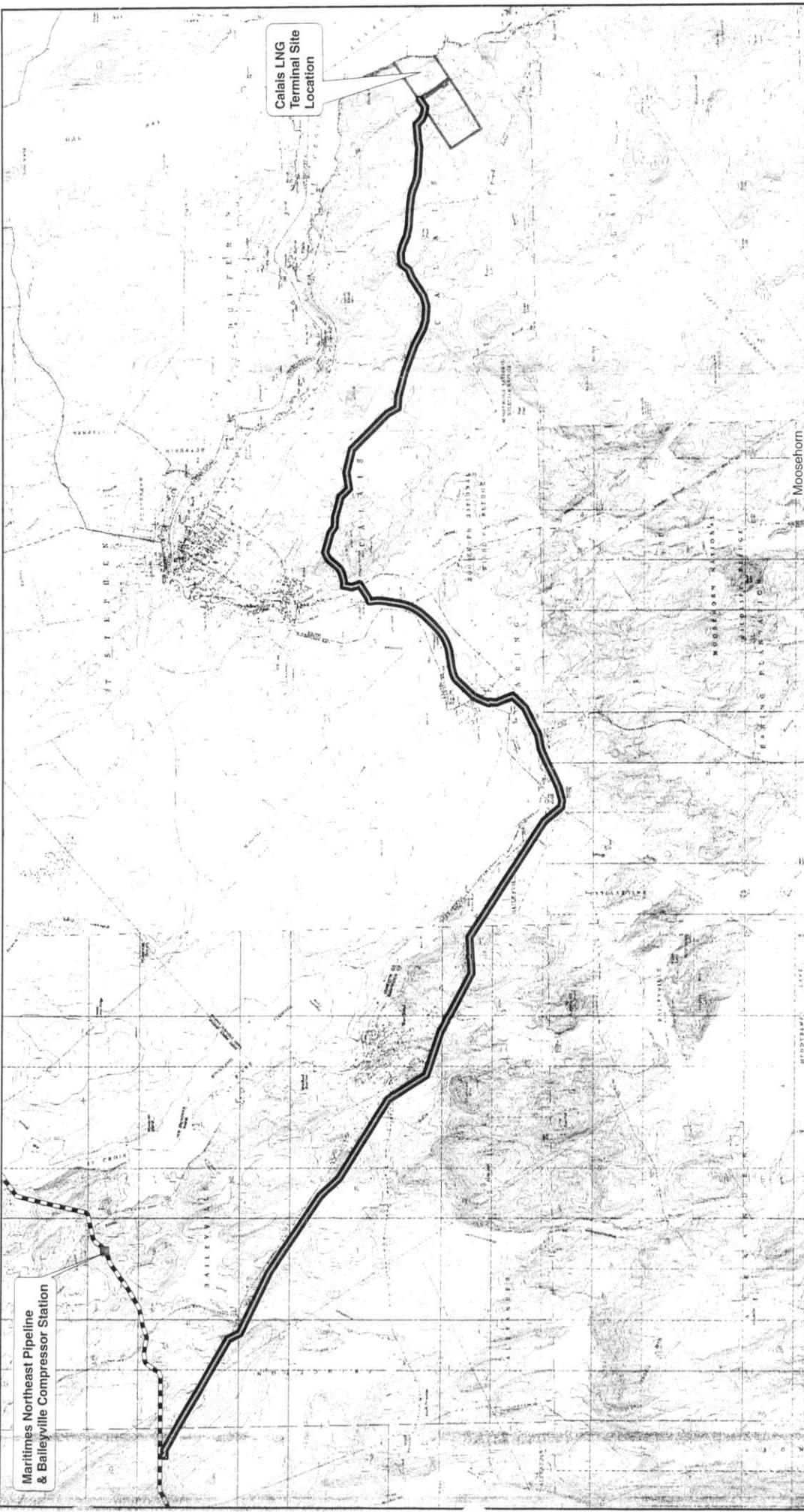
Source: Maine Office of GIS - USGS Orthophoto Images (1996),
TRC - Pipeline Location, SGC - Site Boundary.

Proposed Calais LNG Location

Approximate Location of
Maritimes Northeast Pipeline
& Baileyville Compressor Station



Canada



Calais LNG Terminal Site Location

Maritimes Northeast Pipeline & Baileyville Compressor Station

CALAIS LNG

NRPA Figure 1-1

Project Area Map

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COMMITMENT & INTEGRITY DRIVE RESULTS

Data Sources: USGS Topographic Quadrangles; Maine Office of GIS, USGS

SCALE: T = 6,000'

DATE: January 2010

NAME:

Legend

- Preferred Pipeline Route
- Site Boundary
- Maritimes Northeast Pipeline
- compressor_station

Washington County, Maine

Washington County, Maine
NEW BRUNSWICK CANADA

Maine, USA

Calais LNG

- **Site Development Plan**

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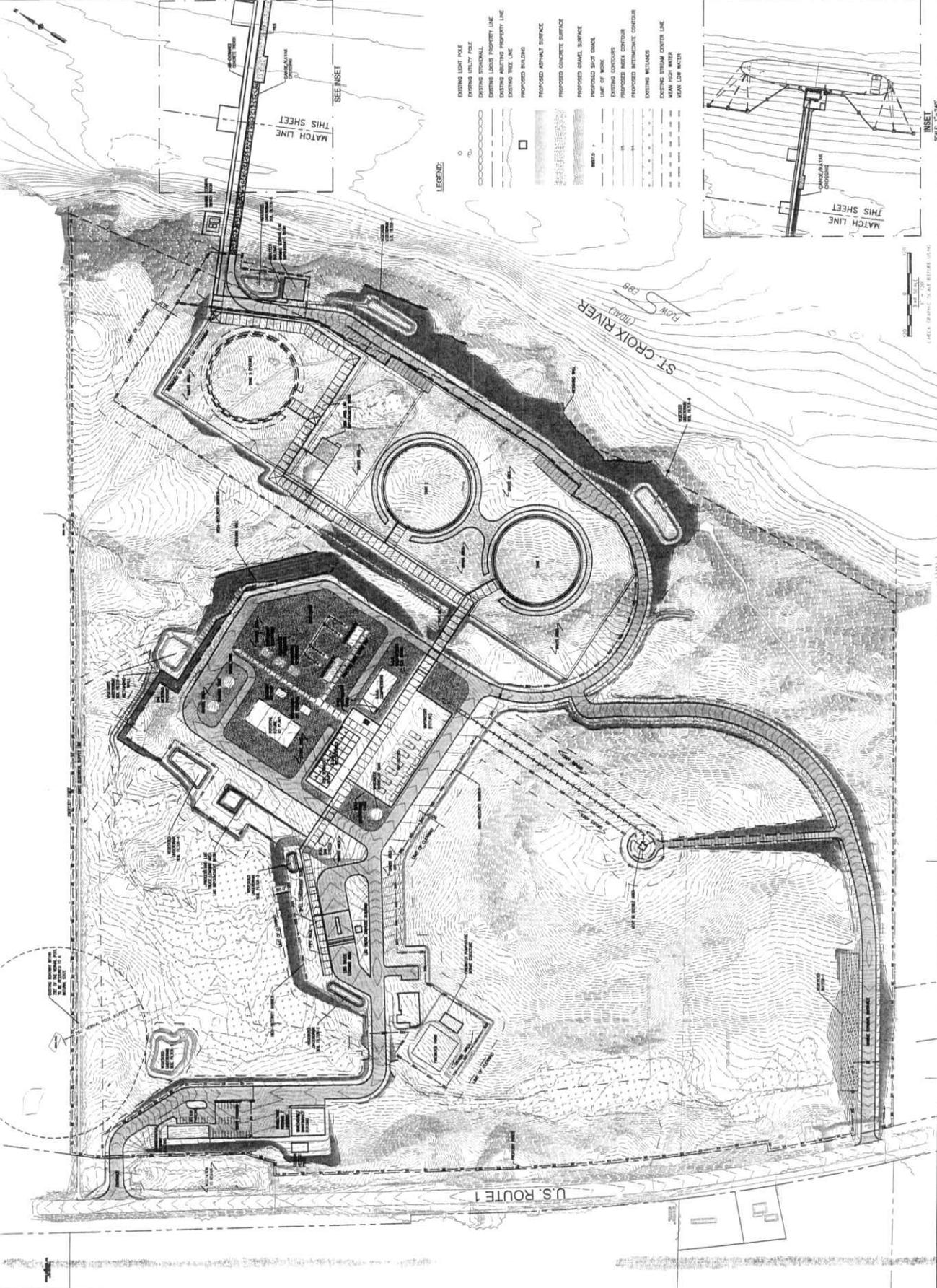


NO.	DESCRIPTION	DATE	BY

TERMINAL SITE DEVELOPMENT PLAN

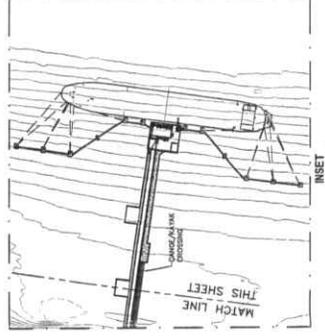
ROUTE 1
 CALAIS, MAINE
 TAX MAP 22, LOT 7 AND 8
 CALAIS LNG

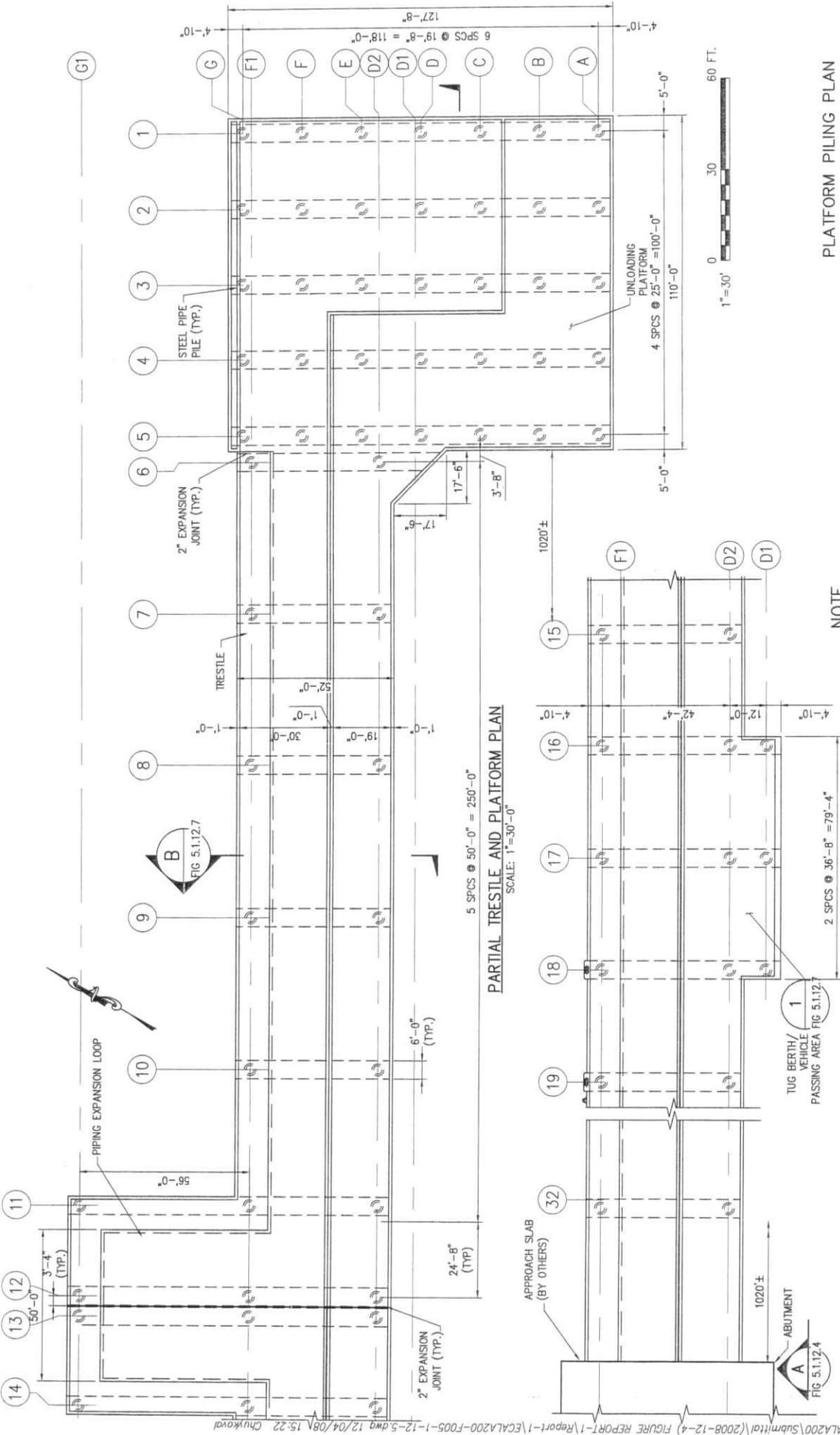
NRPA FIGURE
 9-2



LEGEND:

	EXISTING LIGHT POLE
	EXISTING UTILITY POLE
	EXISTING STATION WALL
	EXISTING LOCAL PROPERTY LINE
	EXISTING BUILDING PROPERTY LINE
	EXISTING TREE LINE
	PROPOSED BUILDING
	PROPOSED ASPHALT SURFACE
	PROPOSED CONCRETE SURFACE
	PROPOSED GRAVEL SURFACE
	PROPOSED SPOT GRAVEL
	LIMIT OF WORK
	EXISTING CONTOUR
	PROPOSED INTERMEDIATE CONTOUR
	EXISTING WETLAND
	EXISTING STREAM CENTER LINE
	MEAN HIGH WATER
	MEAN LOW WATER





PARTIAL TRESTLE AND PLATFORM PLAN
SCALE: 1"=30'-0"

PLATFORM PILING PLAN

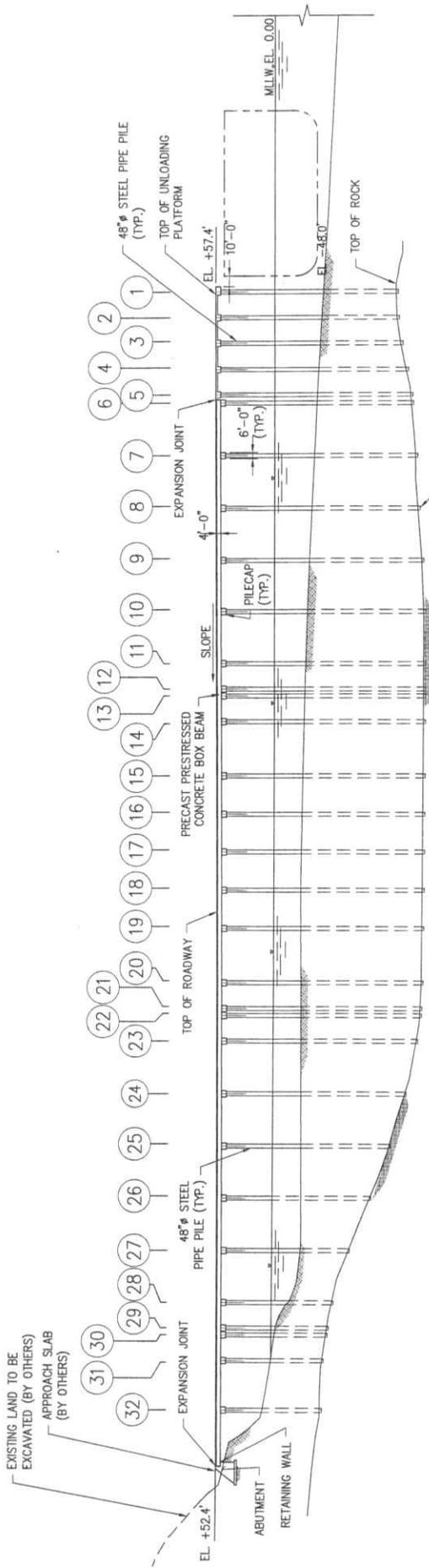
NOTE

TOPSIDE EQUIPMENT, PIPE RACK, GUARD RAIL AND PONTOON NOT SHOWN FOR CLARITY.

PARTIAL TRESTLE PLAN
SCALE: 1"=30'-0"

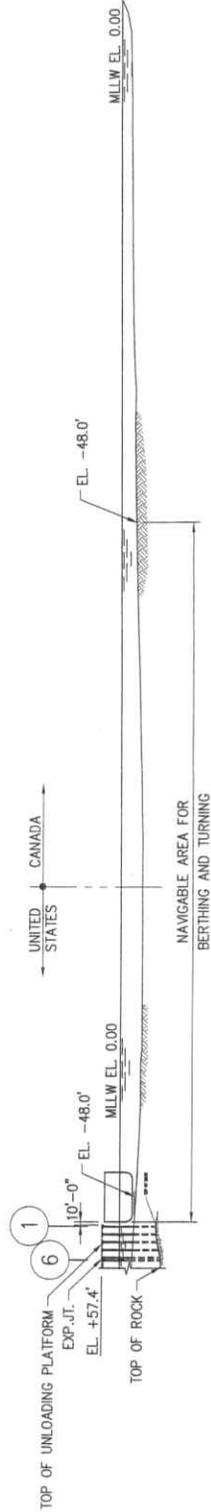


NRPA Figure 6-5

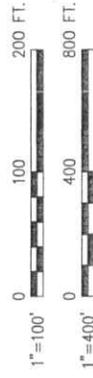


NOTE: TOPSIDE EQUIPMENT, PIPE RACK, GUARD RAIL, AND CURB NOT SHOWN FOR CLARITY.

A SECTION
FIG 5.1.12.5 SCALE 1"=100'



SECTION -- ALONG CENTER OF TRESTLE
SCALE 1"=400'



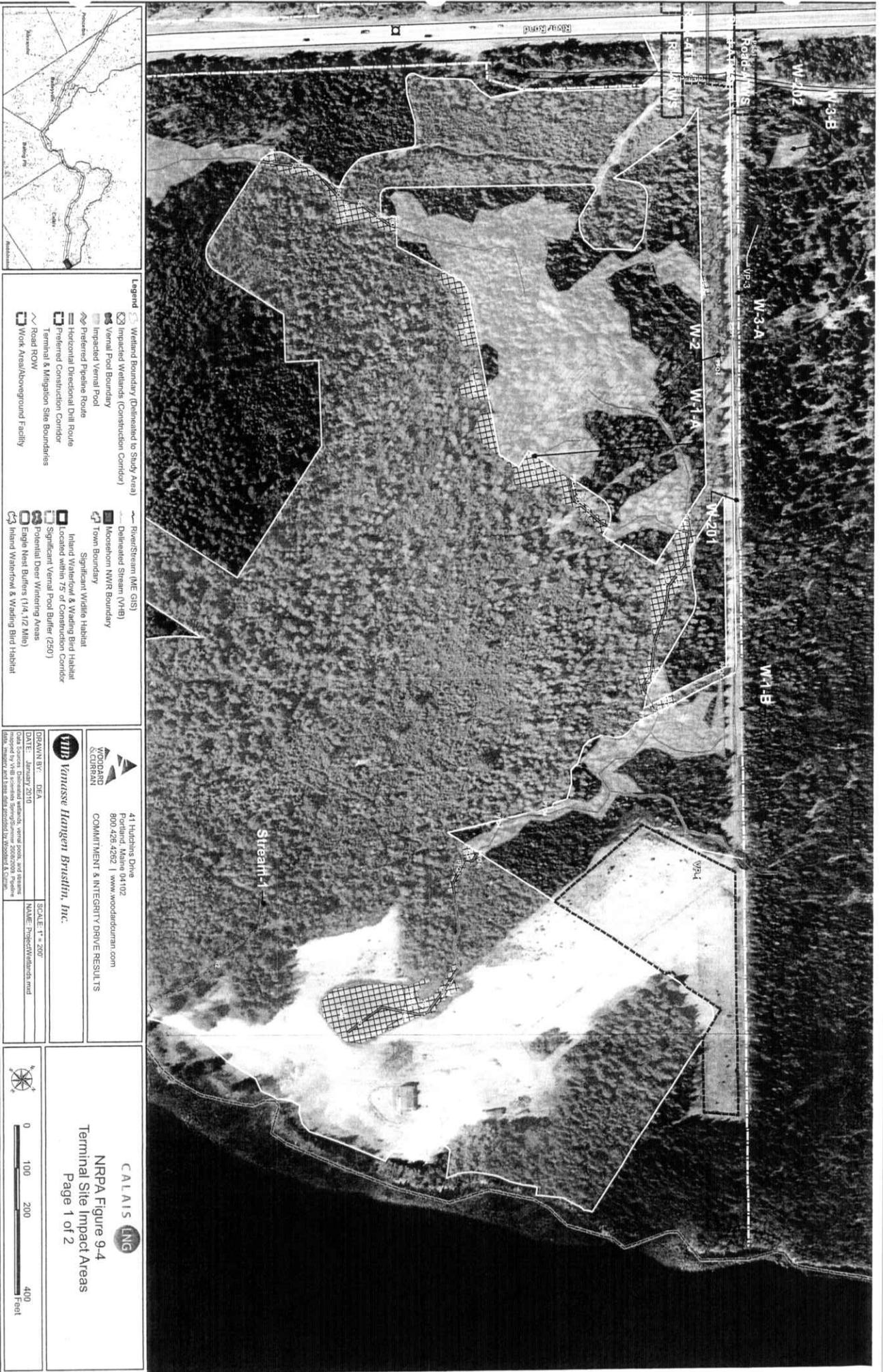
JETTY TO PLATFORM
ELEVATIONS

NRPA Figure 6-4



Calais LNG

- **Natural Resource Protection Act (NRPA) Resources Maps**
 - **Terminal Site Impact Areas**
 - **Preferred Pipeline Route**



- Legend**
- Wetland Boundary (Delineated to Study Area)
 - Impacted Wetlands (Construction Corridor)
 - Vernal Pool Boundary
 - Impacted Vernal Pool
 - Preferred Pipeline Route
 - Horizontal Directional Drill Route
 - Preferred Construction Drill Route
 - Terminal & Mitigation Site Boundaries
 - Road ROW
 - Work Area/Aboveground Facility
 - River/Stream (ME GIS)
 - Delineated Stream (V/HB)
 - Moosehorn NWR Boundary
 - Town Boundary
 - Significant Wildlife Habitat
 - Inland Wetland & Wading Bird Habitat
 - Located within 75' of Construction Corridor
 - Significant Vernal Pool Buffer (250')
 - Potential Deer Wintering Areas
 - Eagle Nest Buffers (1/4, 1/2 Mile)
 - Inland Waterfowl & Wading Bird Habitat

WOODDARD SCORPION

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COMMITMENT & INTEGRITY DRIVE RESULTS

YIP Vanasse Hangen Brustlin, Inc.

PREPARED BY: DEB
DATE: January 2010
SCALE: 1" = 200'
NAME: ProjectWetlands.mxd

CALAIS LNG

NPPA Figure 9-4
Terminal Site Impact Areas
Page 1 of 2

0 100 200 400 Feet



- Legend**
- Wetland Boundary (Delineated to Study Area)
 - Impacted Wetlands (Construction Corridor)
 - Vernal Pool Boundary
 - Impacted Vernal Pool
 - Preferred Pipeline Route
 - Horizontal Directional Drill Route
 - Preferred Construction Corridor
 - Terminal & Migration Site Boundaries
 - Road ROW
 - Work Area/Overground Facility
 - River/Stream (ME GIS)
 - Delineated Stream (VHB)
 - Mosquito MWR Boundary
 - Town Boundary
 - Significant Wildlife Habitat
 - Inland Waterfowl & Wading Bird Habitat located within 75' of Construction Corridor
 - Significant Vernal Pool Buffer (250')
 - Potential Deer Wintering Areas
 - Eagle Nest Buffer (1/4, 1/2 Mile)
 - Inland Waterfowl & Wading Bird Habitat

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**WOODWARD
 CLARK**
 COMMITMENT & INTEGRITY DRIVE RESULTS

Vanasse Hangen Brustlin, Inc.

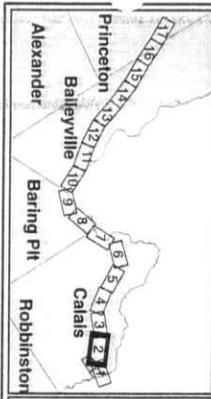
DRAWN BY: DEA
 DATE: January 2010
 SCALE: 1" = 200'

Project Name: NRP A Figure 9-4 Terminal Site
 Project Number: 10-000000-0000
 Scale: 1" = 200'

CALAIS LNG

**NRP A Figure 9-4
 Terminal Site Impact Areas
 Page 2 of 2**

0 100 200 400 Feet



Legend	Permitted	Not Permitted
Water Crossing Measure #1	Water Crossing Measure #1 (10/20/2008)	Water Crossing Measure #1 (10/20/2008)
Water Crossing Measure #2	Water Crossing Measure #2 (10/20/2008)	Water Crossing Measure #2 (10/20/2008)
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Water Crossing Measure #46	Water Crossing Measure #46 (10/20/2008)	Water Crossing Measure #46 (10/20/2008)
Water Crossing Measure #47	Water Crossing Measure #47 (10/20/2008)	Water Crossing Measure #47 (10/20/2008)
Water Crossing Measure #48	Water Crossing Measure #48 (10/20/2008)	Water Crossing Measure #48 (10/20/2008)
Water Crossing Measure #49	Water Crossing Measure #49 (10/20/2008)	Water Crossing Measure #49 (10/20/2008)
Water Crossing Measure #50	Water Crossing Measure #50 (10/20/2008)	Water Crossing Measure #50 (10/20/2008)

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WINDWARD
 SOUTHERN
 COMMITMENT & INTEGRITY DRIVE REALTY

DATE: JANUARY 2010

CALAIS LNG

NRPA Appendix 9-A
Preferred Pipeline Route - Waterbodies and Wetlands
 Sheet 2 of 17

SCALE: 1:6,000

DRAWN BY: ERL/JS

DATE: JANUARY 2010

0 250 500 1,000 Feet

