

**EXHIBIT NO. \_\_\_(JPH-4)**  
**DOCKET NO. UG-15\_\_\_**  
**WITNESS: JAMES P. HOGAN**

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**In the Matter of the Petition of**

**PUGET SOUND ENERGY, INC.**

**for (i) Approval of a Special Contract for  
Liquefied Natural Gas Fuel Service with  
Totem Ocean Trailer Express, Inc. and  
(ii) a Declaratory Order Regarding the  
Methodology for Allocating Costs  
Between Regulated and Non-regulated  
Liquefied Natural Gas Services**

**DOCKET NO. UG-15\_\_\_**

**THIRD EXHIBIT (NONCONFIDENTIAL) TO THE  
PREFILED DIRECT TESTIMONY OF JAMES P. HOGAN  
ON BEHALF OF PUGET SOUND ENERGY, INC.**

**AUGUST 11, 2015**

## Preliminary Permitting Assessment

Combined the following tables comprise a preliminary list of the permits and approvals anticipated to be required for the Tacoma LNG Project. The list will be updated further once introductory discussions with each regulatory agency have been completed.

Federal Agency	Permit/Approvals	Agency Action
<b><i>U.S. Department of Transportation (DOT) as Administered by WUTC Office of Pipeline Safety</i></b>	WUTC issues agency approval of design elements consistent with 49 CFR Parts 192 and 193, the federal safety standards	<p>Must demonstrate that new LNG facility meets standards governing siting, design, installation, personnel qualifications and training. Incorporates requirements of NFPA 59A.</p> <p>Through partnership, DOT/PHMSA and WUTC OPS oversee pipelines and LNG facilities in Washington State.</p>
<b><i>U.S. Department of the Army Corps of Engineers, Seattle District (USACE)</i></b>	Section 10 (Rivers and Harbors Act) Likely NEPA Lead	Permit for placement of structures in, or affecting, navigable waters (e.g., LNG loading facility).
	Section 404 (Clean Water Act) Individual Permit or Programmatic Nationwide Permit	In-water work at the pier/LNG loading facility.
	Section 106 NHPA Consultation	<p>The USACE is the federal agency responsible for conducting Section 106 Consultation with DAHP and applicable tribes (Puyallup Tribe of Indians and the Muckleshoot Tribe).</p> <p>In support of this consultation, PSE would prepare a cultural resources report conformant with Section 106 consultation documentation guidelines established by DAHP.</p>

Federal Agency	Permit/Approvals	Agency Action
<b><i>U.S. Coast Guard (USCG)</i></b>	Letter of Intent (33 CFR Part 127)	Captain of the Port issues Letter of Recommendation to operator and develops operation plans (OPLAN) at sea ports.
	Waterway Suitability Analysis (NVIC 01-2011)	Addresses requirements of 33 CFR Part 127: Coast Guard assessment of LNG Marine Operations
	Permission to establish Aids to Navigation required under 33 CFR Part 66	USCG must be notified and give permission to establish any navigational aids (buoys) associated with the LNG loading facility.
<b><i>National Marine Fisheries Service (NOAA Fisheries)</i></b>	Section 7 of Endangered Species Act	Provide biological concurrence on marine species of wildlife that are federally listed as threatened or endangered, and on managed fisheries. Oversight of activities associated with marine facilities construction and essential fish habitat (EFH). Underwater noise could trigger consultation due to potential impacts to listed species of salmon.
	Essential Fish Habitat (EFH), Magnuson-Stevens Fishery Management and Conservation Act	Underwater noise associated with pile driving.
	Marine Mammal Protection Act. Level B harassment authorization	Underwater noise associated with pile driving.

Special Purpose District	Permit/Approvals	Agency Action
<i>Port of Tacoma</i>	Tenant Improvement Procedure	Port of Tacoma review of tenant-proposed improvements at the leased site. The procedure defines the requirements to be adhered to by the tenant and Port staff with the intent to set review and approval standards, clarify decision making, ensure required deliverables are met and allow for a more efficient and cost-effective project completion.

State Agency	Permit/Approvals	Agency Action
<i>Department of Ecology (Ecology)</i>	NPDES <sup>1</sup> – Construction Stormwater General Permit	Permit for all soil-disturbing activities where one or more acres will be disturbed and have a discharge of stormwater to a receiving water and/or storm drains that discharge to a receiving water.
	NPDES Industrial Stormwater General Permit	Permit for public or private operation of an industrial facility with a stormwater discharge to surface waters or a storm sewer.
	NPDES Individual Permit or State Waste Discharge Permit	NPDES Individual Permit - Any discharge of wastewater directly into surface waters through a conveyance system. State Waste Discharge Permit - For a planned discharge of wastewater to the ground or discharge of wastewater to municipal treatment plant.

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<sup>1</sup> National Pollutant Discharge Elimination System (NPDES)

State Agency	Permit/Approvals	Agency Action
<b>Department of Ecology (Ecology)</b>	Coastal Zone Consistency Determination	Determination for federal activity and development in coastal counties. Federal – State partnership: Ecology reviews projects to determine that the activities are compliant with six laws: Shoreline Management Act, SEPA, Clean Water Act, Clean Air Act, EFSEC, and Ocean Resource Management Act.
	401 Water Quality Certification	Certification to conduct any activity that requires excavation in or might result in a discharge of dredge or fill material into water or non-isolated wetlands.
	Spill Prevention and Spill Response Plan (CWA, 33 U.S.C.§1321(j))	Plan for responding to spills.
	Hazardous Chemical Inventory Reporting Requirements	Facilities that have hazardous substances on-site are required to provide information on the type, quantities, and storage locations for those substances.
<b>Department of Fish and Wildlife (DFW)</b>	Hydraulic Project Approval	Permit for work that uses, diverts, obstructs, or changes the natural flow or bed of any of the salt or fresh waters of the state.
<b>Washington State Department of Transportation (WSDOT)</b>	State Highway Crossing Permit	Permit for the occupancy of highway rights-of-way.
<b>Department of Archaeology and Historic Preservation (DAHP)</b>	Section 106 Consultation in coordination with lead federal agency	See Section 106 review entry above. The DAHP would consult directly with the USACE.
	Archaeological Excavation Permit	Permit for excavation altering or removing archaeological resources or Native Indian grave sites. At this time PSE does not anticipate that any cultural resources would be disturbed by development of the proposal.

<b>State Agency</b>	<b>Permit/Approvals</b>	<b>Agency Action</b>
<b><i>Department of Archaeology and Historic Preservation (DAHP)</i></b>	SEPA Review	Although not a permit or approval specifically, DAHP is designated as the agency with expertise under SEPA for cultural resource issues.

<b>Tribes</b>	<b>Permit/Approvals</b>	<b>Agency Action</b>
<b><i>Puyallup Tribe of Indians</i></b>	Section 106 Consultation in coordination with lead federal agency	See Section 106 review entry above. The tribes would consult directly with USACE.
<b><i>Muckleshoot Tribe</i></b>	Section 106 Consultation in coordination with lead federal agency	See Section 106 review entry above. The tribes would consult directly with USACE.

<b>Local Government</b>	<b>Permit/Approvals</b>	<b>Agency Action</b>
<b><i>City of Tacoma</i></b>	SEPA Lead Agency	Environmental Impact Statement
	Shoreline Substantial Development Permit	Permit issued by local government for development on shorelines at the Tacoma LNG Facility Site and TOTE Fueling Site.
	FWHCA Permit	Wetlands and Critical Areas Review
	Floodplain Development Permit	Local governments participating in the National Flood Insurance Program are required to review proposed development projects to determine if floodplains are shown on the NFIP maps. If a project is located in a mapped floodplain, the local government must require that a permit be obtained prior to development.
	Clear and Grade Permit/Demolition Permit	Allows for site clearing and demolition of existing structures in compliance with local, state and federal regulations at the Facility.

Local Government	Permit/Approvals	Agency Action
<i>City of Tacoma</i>	Building Permit	Ensure project complies with IBC and Tacoma/ state policies and regulations at the LNG Facility/TOTE Fueling Site. 2.02.010 Adoption of International Building, Residential, and Existing Building Codes (includes Tacoma adoption of federal fire code provisions related to LNG).
	Street Use or Right-of-Way Use Permit	Locating a pipeline or project element in road right-of-way.
<i>Pierce County</i>	Street use or Right-of-Way Use Permit	Allows for site clearing and demolition of existing structures in compliance with local, state and federal regulations.
	Conditional Use Permit	Locating limit station in a zone not outright permitted but allowed as a conditional use in the underlying zone. Required for the new limit station.
	Construction (Clear & Grade) Permit	Allows for site clearing and demolition of existing structures in compliance with local, state and federal regulations at the limit station and modifications at the existing Frederickson Gate Station.
	Building Permit	Ensure project complies with International Building Code (IBC) and Pierce County and state policies and regulations at the proposed limit station and modifications to the Frederickson Gate Station. 17C.20 International Building Code. 17C.60 International Fire Code.
	Critical Areas Review	Conducting activities within a critical area.
<i>City of Fife</i>	Right of Way permit Utility permit	Locating a pipeline or project element in road right-of-way.
	Flood permit	For activities proposed to be conducted within the 100-year floodplain.
	Critical Areas Review	Conducting activities within a critical area.