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FEDERAL ENERGY REGULATORY COMMISSION

PUBLIC COMMENT MEETING

FOR THE

CAPACITY REPLACEMENT PROJECT

NORTHWEST PIPELINE CORPORATION

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Docket Nos. CP05-32-000, -001

FERC/EIS - 0178D

APRIL 11, 2005

The Public Comment Meeting was taken before JoAnn Bowen, #2695, a Certified Shorthand Reporter and Registered Professional Reporter, and a Notary Public for the State of Washington, on April 11, 2005, commencing at the hour of 7:00 p.m., the proceedings being reported at Hawthorne Inn & Suites, 16710 Smokey Point Boulevard, Arlington, Washington 98223.

1 APPEARANCES

2

3 DOUGLAS SIPE

4 Federal Energy Regulatory Commission

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1                   ARLINGTON, WASHINGTON; MONDAY, APRIL 11, 2005

2   7:07 P.M.

3   MR. SIPE: Good evening. On behalf  
4 of the Federal Energy Regulatory Commission, referred to  
5 as the FERC, I would like to welcome you all tonight.  
6 This is a Public Comment Meeting on the Draft  
7 Environmental Impact Statement, DEIS, for the Northwest  
8 Pipeline Corporation's proposed Capacity Replacement  
9 Project. Let the record show that the Public Comment  
10 Meeting began at 7:07 on April 11, 2005.

11    My name is Doug Sipe. I am the FERC  
12 project manager for the project. Amy Davis, in the rear  
13 of the room, is with the Natural Resource Group. NRG is  
14 the consulting firm that assisted us in the preparation  
15 of the DEIS. The FERC was the lead federal agency for  
16 the National Environmental Policy Act, NEPA, review of  
17 the project, and the lead agency for the preparation of  
18 the EIS.

19    The Washington Department of Ecology is  
20 the lead state agency with the responsibility for  
21 complying with the State Environmental Policy Act, SEPA,  
22 and participated as a cooperating agency in the  
23 preparation of the EIS. Tiffany Yelton from the  
24 Department of Ecology is here tonight and will expand on  
25 her role in the process in a few minutes.



1 period on the Draft EIS. A notice of availability of the  
2 Draft EIS was issued for this project on March 11, 2005.  
3 The comment period will end on April 25, 2005. It's  
4 during this period that we receive comments on the Draft  
5 EIS. All written comments received during this time  
6 period or verbally tonight will be addressed in the FEIS,  
7 which is the final. We ask that you provide comments as  
8 soon as possible in order to give us time to analyze and  
9 research the issues.

10 I would like to add that FERC strongly  
11 encourages electronic filing of any comments. The  
12 instructions for this can be located on our website at  
13 [www.FERC.gov](http://www.FERC.gov) under the e-filing link. The green handouts  
14 at the sign-in table also tell you how to file. The  
15 green handouts have basically everything you want to  
16 know.

17 If you received a copy of the Draft EIS,  
18 and I hope you all read it before you came here tonight,  
19 you automatically receive a copy of the Final EIS. If  
20 you did not get a copy of the draft and would like to get  
21 a copy of the final, please sign the attendance list in  
22 the back of the room and provide your name and address  
23 and we will make sure you get a copy of the final.

24 During our review of the project, we  
25 assembled information from a variety of sources,

1 including Northwest, you the public, other state, local  
2 and federal agencies, and our own independent analysis  
3 and field work. We analyzed this information and  
4 prepared a Draft EIS that was distributed to the public  
5 for comment.

6                   Once we have addressed the public comments  
7 on the Draft EIS and completed the Final EIS and mailed  
8 it out, we will forward that on to our commissioners.  
9 The commissioners at FERC will use the Final EIS as one  
10 of the tools to determine whether to approve or deny a  
11 certificate which would be the FERC's authorization for  
12 the project.

13                   The Department of Ecology and the U.S.  
14 Army Corps of Engineers will use the Final EIS in support  
15 of their permitting efforts. Tiffany will say a few  
16 words now for the Department of Ecology's role in the  
17 process.

18                   MS. YELTON: Thank you, Doug. My  
19 name is Tiffany Yelton, and I'm one of two coordinators  
20 working on this Department of Ecology project.

21                   MR. CLARK: Can you turn that up a  
22 little bit so we can hear? He has hearing problems.

23                   MS YELTON: Is this working okay? Is  
24 that okay? I'm one of two coordinators on this project.  
25 What that means is that the State of Washington is

1 divided up into regions. This project covers two  
2 Department of Ecology regions. So, I work with all the  
3 technical staff at Department of Ecology to comment on  
4 the Environment Impact Statement for this project.

5 And once the Environmental Impact  
6 Statement has taken into account public comments,  
7 comments from other agencies, and the final is issued,  
8 Department of Ecology will review that final  
9 Environmental Impact Statement and to make a  
10 determination about adopting it as the State  
11 Environmental Policy of the EIS for the project.

12 And then once that's done, Ecology will  
13 finish the review of the permit applications that we will  
14 receive on this project, and we will make permanent  
15 decisions.

16 What I thought I would do today is I will  
17 hang out in the back of the room after the public  
18 comments have been taken. I can talk a little bit  
19 one-on-one with people about the permits that the  
20 Department of Ecology issues for a project like this and  
21 answer any questions you might have about Department of  
22 Ecology's role. So, thank you for your time.

23 MR. SIPE: Thank you, Tiffany. I'd  
24 like to point out that Northwest is here also. So, after  
25 the meeting, if you guys have any questions or concerns

1 or anything you need to address with them, besides the  
2 government agencies, they are here to answer your  
3 questions for you. They are the gentlemen over there in  
4 the back corner of the room.

5 We will now begin the important part of  
6 the meeting with your comments. When your name is  
7 called, please step up to the microphone, which, I can  
8 just hand the person the microphone. I can walk it back  
9 to you if you want to talk. State your name for the  
10 record. And when you speak, when you state your name,  
11 spell your name so the court reporter can get it please.

12 Your comments will be transcribed by the  
13 court reporter to ensure that we get an accurate record  
14 of your comments. A transcript of this meeting will be  
15 placed in the public record at FERC so that everyone has  
16 access to the information collected here tonight.

17 So, now, the first speaker on the list  
18 will be Charles Clark.

19 MR. CLARK: Charles Clark. You got  
20 questions to fire at me or do you want me to talk to you?

21 MR. SIPE: I want you to talk to me.

22 MR. CLARK: Well, first off, what we  
23 got in your paper is one thing or another about whether  
24 you're going down here on the Pilchuck whether you're  
25 going to go ahead and go through with that or you're not

1 going to go through that, put the line through there?

2 MR. SIPE: I'm not going to address  
3 -- I'm not going to answer many questions. I just want  
4 to hear your comments and your concerns. And then after  
5 the meeting concludes, I will answer questions.

6 MR. CLARK: That is a concern on my  
7 piece of property. I want to know. If they claim what  
8 you sent out that you was going to -- or the State wasn't  
9 going to -- one of the properties that they wasn't going  
10 to go through on. I wanted to know if that was the case  
11 or what you had planned on doing on it.

12 MR. SIPE: Okay. That is addressed  
13 in the DEIS. We will talk to Northwest after the meeting  
14 on that.

15 MR. CLARK: All right. That's one of  
16 the things I wanted to know about. And what do you want  
17 to address on? Anything else you wanted to know?

18 MR. SIPE: I want to know everything  
19 you want to tell me.

20 MR. CLARK: There's not much to tell  
21 you. You guys are on through there and whether you are  
22 going to continue to go through there or whether you're  
23 going to shut it down.

24 MR. SIPE: So, your major concern is  
25 are they going cross your property and go across the

1 Pilchuck Creek?

2 MR. CLARK: Yes.

3 MR. SIPE: The next speaker is Carl  
4 Weimer.

5 MR. WEIMER: Thank you. I'm going to  
6 sit down because it's more relaxing. My name is Carl  
7 Weimer. I'm the executive director of the Pipeline  
8 Safety Trust. Carl with a C. Weimer, W-E-I-M-E-R. 1155  
9 North State Street, Bellingham, Washington. I'm also the  
10 chairman of the governor-appointed Citizens Committee on  
11 Pipeline Safety here in Washington State. And I'm a  
12 member of the Federal Department of Transportation's  
13 Technical Hazardous Liquid Pipeline Safety Standard  
14 Committee. I think I got it all right. But I'm here  
15 tonight speaking on behalf of the Pipeline Safety Trust.

16 We basically support this replacement  
17 project because of the severity of the stress corrosion  
18 cracking in the existing pipeline. This makes sense to  
19 replace that existing pipeline because of all the  
20 cracking. And we appreciate FERC coming out and holding  
21 three meetings to get citizens' input and hopefully  
22 people will show up and give you their input. To us it  
23 makes sense to replace this because of the problems in  
24 the existing pipeline.

25 There are some concerns we have that we

1 would like addressed in the Final EIS. The first one of  
2 those concerns is the difference -- when you read about  
3 the safety of the pipeline in the current EIS, it talks  
4 about how FERC doesn't set safety. That's done by the  
5 Office of Pipeline Safety within the Department of  
6 Transportation. You have a memorandum of agreement that  
7 if something is brought up that's to your knowledge that  
8 there's something unsafe about this pipeline, you direct  
9 it to them. So, I would like to bring something up to  
10 your attention.

11 This pipeline runs through a lot of Class  
12 1 and Class 2 areas that are not required to have any  
13 kind of internal inspection at all at this point because  
14 of a lack of federal regulations doing that. Those areas  
15 run next to people's houses in rural areas. And  
16 basically by not requiring an inspection in those areas,  
17 the Department of Transportation has devalued the rural  
18 people versus the people that live in cities, saying if  
19 they get killed, it's not worth as much as somebody in  
20 the city. So, we would ask that this be changed so the  
21 regulations for high consequence areas along this  
22 pipeline also apply to Class 1 and Class 2.

23 And somewhat in support for that, I don't  
24 know if you've seen it, but there's a study done in 2002,  
25 a "Model For Sizing High Consequence Areas Associated

1 With Natural Gas Pipelines." And if you look at this, I  
2 have a copy of a chart in here that I will leave with  
3 you. It shows that a 36-inch pipeline running at  
4 900-some pounds per square inch has a hazard area of  
5 700-some feet on both sides of the pipeline.

6 There's a lot of houses within 700 feet of  
7 this pipeline. According to this study which was done by  
8 the Gas Research Institute and I think funded by the  
9 Department of Transportation, there's a hazard to those  
10 people. So, that's why we're asking that the regulations  
11 that apply to high consequence areas also apply to this  
12 entire pipeline.

13 We don't think that would be out of the  
14 ordinary costs for Williams to go through with because  
15 for the most part when they put this pipeline in they are  
16 going to smart pig the entire section of pipe anyway and  
17 hydrostatic test it. And because of the way it's  
18 sectioned, it will all be done anyway. The only  
19 difference will be whether they are reporting any of that  
20 information to the government. So, that's one thing that  
21 we would ask happen.

22 The other ones are more minor. We have  
23 severe -- we have quite a concern about some of the wet  
24 open cuts that are proposed. We know they have done  
25 studies but they can't drill under like the Nisqually

1 River. We just want to encourage FERC to make sure they  
2 work with State and local government to make sure that  
3 all concerns are addressed in there.

4 In other parts of the country we  
5 understood that sometimes FERC has trumped state and  
6 local permitting projects. We don't want to see that  
7 happen here because of the salmon that could be impacted,  
8 especially with the Nisqually River open cut.

9 And the other one is we have been  
10 contacted by a number of landowners who seem to have some  
11 confusion because a lot of the pipeline is not being  
12 removed. It's being left in the ground. Williams in  
13 some places has been asking for expansion of their  
14 right-of-way, the width of the right-of-way.

15 And I'm not real clear on the law. But it  
16 would seem since they already have an existing  
17 right-of-way with a pipe in there that they could remove  
18 and put the old pipeline in, that an expansion of their  
19 right-of-way is an option for the landowner. It  
20 shouldn't be a requirement.

21 Because some landowners think they are  
22 being threatened with imminent domain for the expansion  
23 of the right-of-way. It would seem that there isn't a  
24 need for that expansion since there's already room in the  
25 existing right-of-way. So, that's something a landowner

1 should have the option of joining in with Williams if  
2 they so choose. But imminent domain shouldn't be a  
3 threat to them.

4 Those are our three comments. We may be  
5 submitting more. Thank you.

6 MR. SIPE: Thank you. Are there  
7 anymore speakers?

8 MR. BEACH: Yes. I'm not a great  
9 public speaker. My name is Vernon Beach, V-E-R-N-O-N,  
10 B-E-A-C-H. Address 9111 Tweed Road. And the expansion  
11 of the right-of-way is one of the concerns that I've had  
12 as well because the EIS as I have read it says that they  
13 may expand to the 75 feet where it isn't 75. But they're  
14 asking to expand to 95 feet on my property. And I don't  
15 see that it's absolutely necessary that they do so. It's  
16 a desire that they have. I appreciate their desire.

17 And it is obvious to me that if the --  
18 unless technology changes, that in approximately 10 years  
19 Williams is going to be coming back again for the  
20 replacement of the other pipeline, unless, of course, we  
21 have some nice technology improvements, which I hope we  
22 do get.

23 The other one is involving a portion of my  
24 property in which when there were pipelines put in  
25 before, the subsurface drainage was cut and as a

1 consequence created a wetland on my property.

2 I would like, and I've asked Williams and  
3 so far have not gotten any positive or negative response,  
4 just no response so far, about replacing the -- or  
5 placing piping across the pipes so that I can re-hook up  
6 subsurface drainage without ever having to be concerned  
7 about crossing their pipelines to do so. I think that's  
8 a reasonable request, and I haven't received a positive  
9 or negative response as yet. Otherwise, I'm going to ask  
10 them to replace all the drainage. Those are my two  
11 concerns.

12 MR. SIPE: Great. Thanks. Are there  
13 any other speakers? This is a comment session for  
14 everyone here to comment on the EIS. It would help if  
15 someone would like -- you don't have to be afraid of  
16 public speaking. No one likes it. I don't mind it. If  
17 anyone wants to speak, please.

18 So, this meeting here isn't near as  
19 informational as the scoping meetings. This is a comment  
20 meeting on the Draft Environmental Impact Statement. The  
21 scoping meeting was a little bit more informational where  
22 I opened it up to a question and answer session, but not  
23 during this meeting here.

24 MR. BLAKE: Yes. I'm going to sit.  
25 Bill Blake, City of Arlington. B-I-L-L, B-L-A-K-E. 238

1 North Olympic. Just in reviewing the EIS, halfway  
2 through. To Arlington, one of the things, there is a  
3 main drinking water well for the City just downstream of  
4 where the cuts will be made under the north and south  
5 fork. So, to make sure that if there was any effect on  
6 our drinking water supply, that that would be mitigated  
7 for afterward. We hope by this effort it won't happen.  
8 But if it does, it is a large percentage of drinking  
9 water for a number of -- for a public municipal drinking  
10 water source. So, we need to make sure that that would  
11 be taken care of in case it somehow geologically impacted  
12 us if it broke some arsenic loose or something.

13 I just want to comment on mitigation  
14 sites. We have a lot of active restoration. Also I sit  
15 as chair of our watershed council for the Stillaguamish.  
16 We have what's called the SERC, and it has all the  
17 agencies and groups that work on watershed restoration  
18 that sit there. So if it comes to help you prioritize  
19 mitigation sites anyplace on the Stilliguamish, I'd offer  
20 that up as help to make sure that we helped you pick a  
21 prioritized list that was most beneficial, technically  
22 speaking.

23 I did notice during those horizontal  
24 drilling that they used bentonite in some of the mud  
25 applications and that it could frak out. It only listed

1 the problem as it may plug up the olden fish but it also  
2 seals off spawning beds. It will imbed in the rock and  
3 it can either bury things if it's in there already and/or  
4 cement it so it can't be dug up easily for fish. So,  
5 depending on what they are doing in those streams,  
6 bentonite may not be the best choice because of that  
7 other negative impact that's not listed in the EIS.

8 And then another, as far as restoration,  
9 largely debris. It sounds like there's going to be a lot  
10 of logs. And, again, as far as any of that, it's going  
11 to be available in this area that we could help you find  
12 places to put those large debris pieces to good work.

13 And I will be following up with written  
14 documents in a lot of little details that I can't  
15 remember right now.

16 MR. SIPE: Thank you.

17 MR. BEACH: I'm sorry. I forgot two  
18 minor items. Again, items that have been brought to  
19 Williams' attention is the fact that we are certified  
20 organic, and I've asked that we get a letter from them  
21 certifying that we will be able to maintain our organic  
22 status, for the farm portion of our property.

23 The upper portion is being rezoned and is  
24 in the process of being rezoned residential, moderate  
25 density, four to six units per acre. And in light of

1 what this gentleman pointed out in the report on gas  
2 research, I'm a little bit concerned about the impacts  
3 that may have on development of that property at this  
4 time and what mitigation measures Williams might propose.

5 MR. SIPE: Thank you. Anybody else  
6 like to speak?

7 MR. CLARK: What I want to know is on  
8 this piece of property down there on Machias the dateline  
9 for going through there hasn't been established yet, has  
10 it?

11 MR. SIPE: No, sir.

12 MR. CLARK: Then I am way off in left  
13 field here on that. But I want to know when it's going  
14 to be and what they are going do. With all the pipe and  
15 all the sections that they've got cut up down there.  
16 They were going to tear it out and then they haven't torn  
17 it out. So, now they are going to tear it out if they go  
18 through, if the State lets them go through there. Am I  
19 correct on that?

20 MR. SIPE: If that's part of this  
21 project, you're correct on that. I'm not sure.

22 MR. CLARK: But then you won't know  
23 this until after this meeting or the State gets through  
24 with you guys arguing back and forth with the State  
25 whether you're going to go through over the Pilchuck

1 River?

2 MR. SIPE: This project has not been  
3 approved yet.

4 MR. CLARK: Then this is all  
5 premonition then up until that time. I'm having problems  
6 talking today. Anyways, that's what I wanted to know,  
7 whether they are still going through or whether the State  
8 was going -- to have to go through the State because  
9 that's a wildlife river. And whether they was or wasn't.  
10 So, that's what I wanted to know.

11 MR. SIPE: The Pilchuck is proposed  
12 to be crossed right now.

13 WILLIAMS REPRESENTATIVE: I think  
14 he's talking about the Pilchuck River and not Pilchuck  
15 Creek.

16 MR. CLARK: Well, Pilchuck Creek.  
17 26-incher down there. You've got three lines in there.

18 MR. SIPE: You guys can't have cross.  
19 We'll talk after the meeting. Anybody else like to speak  
20 tonight? Without anymore speakers, the formal part of  
21 this meeting will conclude. On behalf of the Federal  
22 Energy Regulatory Commission, I'd like to thank you all  
23 for coming tonight. Let the record show that the  
24 Northwest Capacity Replacement Project Public Comment  
25 Meeting concluded at 7:30 p.m. Thank you.

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CERTIFICATE

I, JoAnn Bowen, do hereby certify that pursuant to the Rules of Civil Procedure, the witness named herein appeared before me at the time and place set forth in the caption herein; that at the said time and place, I reported in stenotype all testimony adduced and other oral proceedings had in the foregoing matter; and that the foregoing transcript pages constitute a full, true and correct record of such testimony adduced and oral proceeding had and of the whole thereof.

IN WITNESS HEREOF, I have hereunto set my hand this 13th day of April, 2005.

\_\_\_\_\_  
JoAnn Bowen                      Commission Expiration