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BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION

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In the Matter of: :

KINDER MORGAN LOUISIANA PIPELINE : DOCKET NO. CP06-449-000

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PUBLIC MEETING

FEBRUARY 26, 2007

6:30 P.M.

BEST WESTERN RICHMOND SUITES

2600 MOELING STREET

LAKE CHARLES, LOUISIANA

A P P E A R A N C E S

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BEFORE: MS. MEDHA KOCHHAR  
FERC ENVIRONMENTAL PROJECT  
MANAGER

ALSO APPEARING: MR. STEVE WYNGARDEN  
I.C.F. INTERNATIONAL

MR. JAMES LITTLE  
U.S. ARMY CORP OF ENGINEERS

MR. JOHN PEPPER  
LOUISIANA DEPARTMENT OF  
TRANSPORTATION

REPORTED BY: AVA LUNDQUIST, CVR  
CERTIFIED COURT REPORTER

## 1 PROCEEDINGS

2 MS. KOCHHAR: Good evening everybody. My  
3 name is Medha Kochhar, and I am the FERC project  
4 manager for the Kinder Morgan Louisiana Pipeline  
5 Project. We are all meeting here today to see what  
6 kind of comments you folks have over here.

7 With me today I have Steve Wyngarden. He  
8 is from I.C.F. International; James Little from the  
9 U.S. Corps of Engineers; John Pepper from the  
10 Department of Transportation.

11 We also have two more people outside. One  
12 is Karen Fedely -- she is from I.C.F.; Jenny Slate  
13 is from ENTREX; Dave DeCaro is also from ENTREX.

14 I.C.F. and ENTREX are the team helping us,  
15 assisting us in preparing the Environmental Impact  
16 Statement.

17 Again, the purpose of today's meeting is to  
18 give you an opportunity to give us your comments on  
19 the D.E.I.S., which was mailed out in January of  
20 2007.

21 This meeting is being transcribed by a  
22 court reporter, and the transcripts will be made a  
23 part of the commission's formal record of the  
24 proceedings in this case.

25 Your comments will help us ensure that we

1 do have a thorough environmental analysis of the  
2 proposal. All of your comments, written or oral,  
3 will be taken into consideration as we prepare the  
4 final Environmental Impact Statement for this  
5 project. The more specific your comments, the more  
6 helpful they will be to us.

7 You can give us your comments in writing or  
8 present them here tonight. All comments will be  
9 given equal treatment and will be placed in the  
10 Commission's formal record of the proceeding.

11 After the end of the comment period, which  
12 is March 19, 2007 -- and I emphasize it is  
13 March 19th, 2007 -- we will revise the D.E.I.S. as  
14 necessary or undertake any additional studies if  
15 warranted. All of your comments will be addressed  
16 in the final E.I.S. So, don't expect any responses  
17 to your comment letters individually. They will  
18 all be responded to in the Environmental Impact  
19 Statement. I'm saying this because oftentimes we  
20 get calls from landowners saying, "We sent you  
21 comments, and we never heard anything back from  
22 you." We can't afford to respond to individually  
23 letters. So, we do it in the final Environmental  
24 Impact Statement.

25 We cannot consider any comments made

1 off-the-record by anyone, including the pipeline  
2 company, after March 19.

3 If you wish to provide written comments  
4 instead of or in addition to speaking, you must  
5 file them with the Secretary of the Commission no  
6 later than March 19, 2007. It must be addressed to  
7 the Secretary. If it comes to me, I will have to  
8 submit it individually to the Secretary. So, it is  
9 faster if you submit it to the Secretary of the  
10 Commission.

11 Be sure to include the docket number, which  
12 is CP06-449-000. Again, the number is  
13 CP06-449-000 on your comments. If your comments  
14 concern a specific property, give us a precise  
15 location or description of the property.

16 In order for us to consider your comments,  
17 they must be presented here tonight or provided in  
18 writing on or before the end of the comment period.

19 We are asking you to identify any  
20 environmental concerns you may have. We will  
21 address these concerns in the E.I.S. that will be  
22 prepared. The E.I.S. will be part of the  
23 information that the Commission will use in  
24 examining Kinder Morgan's proposed pipeline project  
25 application.

1           I want to emphasize that there is no  
2           decision made to date. So, the decision will only  
3           be made after we complete the final Environmental  
4           Impact Statement and the Commission looks at it and  
5           then we look into what to do, whether to deny or  
6           issue a certificate to them.

7           Today each speaker will have five minutes  
8           to present his or her comments, although I don't  
9           see very many speakers signed up. But if you need  
10          more time, we can add it at the end of the speakers  
11          list.

12          The final E.I.S., along with other  
13          environmental analyses prepared by the FERC staff,  
14          will be used by the Commission in making its  
15          decision on whether to certificate this project.  
16          The other things are like market issues, race  
17          issues, and things like that. I want you to know  
18          that no decision has been made to date so far.

19          As you may have noticed, we have a court  
20          reporter here to record the meeting, and a  
21          transcript will be made a part of this record on  
22          this proceeding. If you wish to purchase copies of  
23          the transcript, please speak to the court reporter  
24          after the meeting concludes. Also, if you have any  
25          written material that you would like to include as

1 part of your public record, please give it to the  
2 court reporter. It will be attached as an exhibit  
3 to the transcript.

4 Again, our purpose here tonight is to  
5 receive your comments and questions on the record.  
6 We understand the company will be available here to  
7 speak with you at the end of the meeting so that  
8 they can address your individual questions, if  
9 possible.

10 Again, your input is very important to us.  
11 Your site-specific comments are appreciated, not  
12 just general. Site specific helps us focus a  
13 little bit better.

14 I want to thank you all for taking time to  
15 come over here today.

16 Now, I will request Mr. Red Iler from  
17 Kinder Morgan come and give us a brief description  
18 of the project, and he will be followed by James  
19 Little from the U.S. Army Corps of Engineers. The  
20 U.S. Army Corps of Engineers is a cooperating  
21 agency on this project, and James would like to  
22 make a presentation. After that, we will have  
23 Mr. John Pepper. He is from the Department of  
24 Transportation. He would like to talk about  
25 pipeline safety issues.

1                   So, we can start with Red Iler.

2                   Thank you.

3                   MR. ILER: Good evening, ladies and  
4 gentlemen. My name is Red Iler. I'm the Senior  
5 Project Manager for Kinder Morgan Louisiana  
6 Pipeline. We are here with FERC and State and  
7 Federal agencies seeking certification to build  
8 approximately 140 miles of 42-inch pipeline. This  
9 will be a natural gas pipeline extending from the  
10 Sabine Pass area, north by northeast, to the  
11 Chataignier/Blue-point area.

12                   The current construction schedule could be  
13 as early as December of this year -- 2008 time  
14 frame -- with an in-service date of 2008.

15                   I have with me tonight a representative  
16 from Kinder Morgan's Land, Environmental, and  
17 Operations groups. Also here are our engineering  
18 counterpart, AMEX-Paragon, and our liaison,  
19 Mr. Neil Crider. So, any questions you have that  
20 these individuals can address, we will be glad to  
21 meet with you to discuss those issues, whatever  
22 comes up.

23                   Thank you for coming.

24                   MS. KOCHHAR: Thank you, Red.

25                   James?

1                   MR. LITTLE: Good evening. I'm James W.  
2 Little, Jr., U.S. Army Corps of Engineers, New  
3 Orleans District. On behalf of Colonel Richard  
4 Wagenaar, District Engineer of the New Orleans  
5 District, I join with the Federal Energy Regulatory  
6 Commission in welcoming you to this public comment  
7 meeting for the construction of 132 miles of  
8 42-inch pipeline; 1.22 miles of 36-inch pipeline;  
9 and 2.3 miles of 24-inch diameter pipeline; all for  
10 the delivery and sale of natural gas to various  
11 domestic markets.

12                   The Corps of Engineers has been granted  
13 permitting authority under Section 10 of the Rivers  
14 and Harbors Act of 1899, which prohibits the  
15 unauthorized obstruction or alteration of any  
16 navigable water of the United States, and Section  
17 404 of the Clean Water Act of 1972, which regulates  
18 the discharge of dredged or fill material into  
19 waters of the United States.

20                   To date, the New Orleans District has not  
21 received a permit application requesting Department  
22 of the Army authorization to construct the Kinder  
23 Morgan Louisiana Pipeline Project. However,  
24 several pre-application meetings have been  
25 conducted with representatives from Kinder Morgan

1 Louisiana Pipeline, L.L.C., concerning submittal of  
2 a permit application for the proposed pipeline  
3 facilities.

4           Upon receipt of a complete application  
5 form, the New Orleans District will solicit  
6 comments from the public via a 30-day public notice  
7 advertisement. The Corps will evaluate the  
8 proposed work in accordance with our regulations  
9 and guidelines and in cooperation with the Federal  
10 Energy Regulatory Commission and other Federal and  
11 State resource and regulatory agencies.

12           The Federal Energy Regulatory Commission  
13 will be the lead agency in preparation of the  
14 Environmental Impact Statement required by the  
15 National Environmental Policy Act of 1969. The  
16 Corps will be a cooperating agency in the  
17 preparation of this E.I.S.

18           The Corps is neither a proponent nor  
19 opponent of the proposed action. A decision  
20 whether to issue a permit will be based on an  
21 evaluation of the probable impact, including  
22 cumulative impacts of the proposed activity on the  
23 public interest. That decision will reflect the  
24 national concern for both protection and  
25 utilization of important resources. All factors

1       which may be relevant to the proposal will be  
2       considered, such as conservation, economics,  
3       aesthetics, wetlands, historic properties, fish and  
4       wildlife values, flood hazards, and the needs and  
5       welfare of the people, just to name a few. The  
6       E.I.S. process will be used to identify the impacts  
7       of the project, both beneficial as well as  
8       detrimental.

9               As stated earlier, the purpose of this  
10       meeting is to gather information from you, the  
11       public, as to what issues you feel are important  
12       and should be addressed in the E.I.S.

13              Your input is important to the evaluation  
14       of the proposed action and its's potential impact  
15       on human and biological communities. So, please  
16       feel free to comment, and we look forward to  
17       hearing from you tonight. If you don't feel like  
18       voicing your concerns this evening, you can submit  
19       written comments. Please do not hesitate to  
20       contact my staff or I for any assistance during the  
21       permit evaluation process.

22              Thank you.

23              MS. KOCHHAR: We will now hear from John  
24       Pepper.

25              MR. PEPPER: Good evening. My name is John

1 Pepper, and I'm with the Pipeline and Hazardous  
2 Material Safety Administration, which is a part of  
3 the Department of Transportation. Although we are  
4 not exactly a cooperating agency with either the  
5 Corps or FERC, our job is to make sure that the  
6 pipeline is built according to our regulations, and  
7 once it is built, we, basically, take over from  
8 there. We make sure that it is operated and  
9 maintained according to our regulations.

10 The Office of Pipeline Safety is the actual  
11 office, and our mission statement is, to ensure the  
12 safe, reliable, and environmentally sound operation  
13 of the nation's pipeline transportation system.

14 This was a power point, but we're not doing  
15 power point. I do have a website that you can  
16 reach us at, and I have business cards up here.  
17 So, if any of you would like one of my business  
18 cards, it has our website on it, and it is  
19 <http://ops.dot.gov>, but it's easier to just get  
20 that off of my card.

21 Once you go to that website, you will be  
22 able to see the regions. There are several regions  
23 around the country, and I am from the southwest  
24 region, which is headquartered in Houston, Texas,  
25 and we cover five states, one of which is

1 Louisiana. So, you can go there and see the states  
2 that we cover and get to Louisiana.

3 We also have pipeline statistics on that  
4 website. So, you can get some information about  
5 the safety of pipelines across the nation.

6 We also have regulations there. If you  
7 have a specific question regarding any of the  
8 regulations on operating or building a pipeline,  
9 what standards we require, you can go there and  
10 pull up the regulations.

11 We also have an index of waivers. Kinder  
12 Morgan has applied for a waiver, and I will get to  
13 that in just a minute.

14 Basically, I want to show you something.  
15 We have a set of regulations known as "Part 192."  
16 These are our regulations for natural gas  
17 pipelines. This is what you can get off of the  
18 website. Basically, these are the minimum, Federal  
19 standards that they have to build and operate a  
20 pipeline by. We have regulations that require what  
21 kind of materials they use, make sure that they are  
22 good quality materials.

23 The pipe design, pipe changes from areas of  
24 low population to high population. We have to have  
25 a stronger pipe in higher populated areas. We

1 specify welding requirements. We specify  
2 construction requirements.

3           Once the pipeline is built, we require that  
4 they test it using water, usually. We also have  
5 corrosion control. This is steel that is put in  
6 the ground. We want to make sure that there is no  
7 corrosion on the pipeline.

8           We also require that once it is put in  
9 service, they have specific operating requirements  
10 and maintenance requirements. We also require that  
11 their personnel know how to operate their pipeline.  
12 So, we have what are known as "operator  
13 qualification" requirements.

14           We have a new rule, which is integrity  
15 management, and it is specifically for areas of  
16 higher population. Much of this pipeline is in  
17 very rural areas, but if it were to come near a  
18 school or a church or a, say, a small subdivision  
19 or something like that, they would have to follow  
20 even more stringent requirements.

21           I would encourage you to look over here at  
22 their drawing that is over here. It shows the  
23 various stages of construction. It's very  
24 accurate, and we, basically, give them requirements  
25 on how they follow each one of those stages.

1                   We also have what are known as "waivers" or  
2 "special permits," and Kinder Morgan has filed a  
3 waiver with us, and it is sixty-some-odd pages.  
4 This waiver is specifically to operate at a higher  
5 pressure than is normally operated at. They have  
6 requested to operate at 80 percent of what we call  
7 "maximum allowable pressure." Usually it is  
8 72 percent of this same value. So, it is roughly  
9 ten percent higher than normal.

10                   Before we grant that waiver, they have to  
11 make an application and they have to follow a list  
12 of requirements that we provide to them. These  
13 include a strong fracture control plan. If the  
14 pipeline were to rupture, the fracture control plan  
15 causes the rupture to be smaller than it would  
16 normally be. So, we add in additional requirements  
17 to minimize any potential effects to the pipeline.

18                   We have stronger pipe control standards.  
19 When they are rolling the pipe and putting on the  
20 coating, we require that they do some specific  
21 things to make sure that the coating is put on even  
22 better than normal. We have specific gas control  
23 -- or gas quality monitoring requirements. We also  
24 have additional corrosion control measures.

25                   Our regular regulations provide a minimum,

1 but since they are asking for a waiver, we ask --  
2 or we require that they do more than the minimum.  
3 We also ask that they do more frequent right-of-way  
4 patrols. These regulations specify a certain  
5 frequency, and with the waiver, they are going to  
6 have to come up to a higher frequency. We also  
7 ask, or require, that they do an in-line inspection  
8 every seven years. Here again, in the back corner  
9 over here, they list many of these things, and  
10 because they have asked for the waiver, they will  
11 have to do many of those things more stringently.

12           Once again, we have not granted that  
13 waiver. They will have to follow -- they will have  
14 to adhere to all the requirements that we place on  
15 them before we grant the waiver. But that is why  
16 they are providing the information that we need.

17           So, in conclusion, our job is to insure  
18 that operators follow government-mandated  
19 regulations for the construction and operation for  
20 regulated pipelines, and these are definitely  
21 regulated pipelines. In Kinder Morgan's case,  
22 since they have applied for a waiver, they have to  
23 adhere to more stringent requirements when waivers  
24 to those regulations are granted.

25           Our job is to ensure the safe operation of

1 the nation's pipelines, and we take that job very  
2 seriously. If you would like to contact me, you  
3 can get my business card. You can also call my at  
4 my office in Houston, and that number is  
5 713-272-2849. That's 713-272-2849.

6 I also function as a community affairs  
7 representative. So, if you have questions about  
8 pipeline safety in our region, in the Southwest  
9 Region, I would be glad to answer your questions.

10 Thank you.

11 MR. WYNGARDEN: Medha started choking a  
12 little bit. So, I'm going to take over. Again, my  
13 name is Steve Wyngarden, and I'm with I.C.F., or  
14 one of the contractors that helped prepare the  
15 draft E.I.S.

16 At this point in the program, we would ask  
17 people who signed up outside to speak, to come  
18 forward and do that, but we don't have any  
19 signed-up speakers. So, let me ask again: Even if  
20 nobody actually officially signed up, would  
21 anybody, at this point, care to come forward and  
22 offer any verbal comments. If so, just step up to  
23 the microphone so we can record it with the court  
24 reporter. I'll give you a couple of minutes.

25 Yes, sir?

1                   MR. GILES: I missed something a while ago.  
2           The waiver --

3                   MR. WYNGARDEN: Could you state your last  
4           name for the court reporter?

5                   MR. GILES: I'm sorry. I'm Timothy Giles.  
6           What I missed was the labor. How many feet,  
7           thousands or miles, what was that waiver for. That  
8           is my only question. I was just curious. I missed  
9           it a while ago.

10                   MR. PEPPER: At this point, Kinder Morgan  
11           has requested a waiver to operate the "Class 1"  
12           pipe, which is probably 90 to 95 percent of the  
13           project, 80 percent S.M.Y.S., where it normally  
14           operates at 72 percent. They did not ask for a  
15           waiver to operate "Class 2" or "Class 3." Any  
16           higher than the normal "Class 2" is 60 percent, and  
17           "Class 3" would be 50 percent.

18                   So, all of the "Class 1" area, which is  
19           predominate classing of the entire pipeline, they  
20           have asked to operate at an 80 percent S.M.Y.S.  
21           waiver value.

22                   MR. GILES: I missed a bunch then. Thank  
23           you.

24                   COURT REPORTER: Sir, the initials you used  
25           were S.N.Y.S.?

1                   MR. PEPPER: S.M.Y.S., Specified Maximum  
2                   Yield Strength.

3                   MR. WYNGARDEN: This is exciting. We  
4                   actually have a signed-up speaker.

5                   Mr. Earl Horn?

6                   MR. HORN: Thank you. I have one general  
7                   question. I see from the papers that I have  
8                   received that this pipeline is almost entirely in  
9                   Louisiana. I see in the resumes that the people  
10                  that did the studies are from some very impressive  
11                  colleges, but I don't see one person that ever went  
12                  to school in Louisiana. I'm a little curious about  
13                  that, why there would have been no one from the  
14                  state of Louisiana that did any of this study.

15                  MR. WYNGARDEN: Well, I'm not too sure what  
16                  the exact answer to that question is, but we -- the  
17                  contractors supporting FERC -- FERC was based in  
18                  the Washington, D.C., area, and we felt like it was  
19                  an advantage to be close to the FERC staff so that  
20                  we could be close by and be very responsive and  
21                  work on a day-to-day basis with them in the  
22                  writing.

23                  However, I can say that the majority -- the  
24                  vast majority of information that we used for  
25                  preparing the document was submitted by Kinder

1 Morgan, a lot of the background information that  
2 was necessary. That came from Kinder Morgan staff  
3 based in Texas and their contractor, AMEC-Paragon,  
4 and I know a lot of those staff have -- were from  
5 this region.

6 Dan, I don't know if you say if anybody  
7 from your staff or on the Kinder Morgan staff were  
8 actually from colleges in Louisiana, but I know  
9 they've got to live in Houston and in the Gulf  
10 Coast Region.

11 Is there anything more that Kinder Morgan  
12 might be involved with that --

13 MR. HORN: I have another question or  
14 comment. You talked about this waiver to operate  
15 at 80 percent of some maximum allowable pressure,  
16 where you are saying the normal would be  
17 72 percent. I believe the gentleman here mentioned  
18 that that was with regard to a different class of  
19 pipeline. Is that something like a "Class 1" or a  
20 "Class 2" or a "Class 3."

21 MR. PEPPER: Our regulations require that  
22 operators build pipelines according to the class  
23 that we designate it. "Class 1" pipeline is less  
24 than 11 buildings for human occupancy within a  
25 mile. So, a mile length of the pipeline, if there

1       are 11 or less houses for human occupancy within  
2       that mile, it is a "Class 1." When it is 11 to  
3       45 structures intended for human occupancy, it's a  
4       "Class 2." Over 45, it is a "Class 3." So, you  
5       have a higher level of population in a "Class 3"  
6       than either "Class 2" or "Class 1." In a "Class  
7       1," the normal operating pressure is 72 percent.  
8       In a "Class 2," it's 60 percent. In a "Class 3,"  
9       it's 50 percent. So, for instance, if an operator  
10      wants to operate at a thousand pounds of pressure  
11      the whole length of the pipeline, as it goes to a  
12      Class 2" location, he has to increase the grade and  
13      the thickness of the pipe to maintain the thousand  
14      pounds. When it goes to a "Class 3," you would  
15      have to increase the grade and the thickness of the  
16      pipeline to maintain the thousand pounds. So, in  
17      Kinder Morgan's case, in "Class 1" areas, they have  
18      requested that it go to, instead of 72 percent,  
19      80 percent.

20                    As I understand it, the M.A.O.P. they are  
21      looking at is a 1200 value, and the potential for  
22      an 80 percent would put it up at 1333 pounds per  
23      square inch.

24                    MR. HORN: I'm sorry. I guess I missed  
25      that. You said --

1                   MR. PEPPER: The regular rules -- they want  
2 to operate the pipeline in 1200 pounds per square  
3 inch, and if they get the eight percent extra, from  
4 72 to 80, they could operate at 1333 pounds per  
5 square inch.

6                   MR. ILER: No.

7                   MR. PEPPER: Yeah.

8                   MR. ILER: Our MAOP would be 1440.

9                   MR. PEPPER: See, they are saying their  
10 maximum allowable operating pressure, he said MAOP,  
11 that stands for Maximum Allowable Operating  
12 Pressure, they are wanting 1440. So, they get  
13 that, I guess, through the waiver.

14                   MR. ILER: No, it's always been the intent  
15 to have 1440 MAOP regardless of the waiver --

16                   COURT REPORTER: Mr. Iler is going to have  
17 to come to a microphone so I can hear him. I  
18 cannot hear him.

19                   MR. PEPPER: In any event, whatever  
20 M.A.O.P. they apply for, it's based on the wall  
21 thickness, the grade of the pipe, which simply  
22 means the strength of the pipe, the diameter of the  
23 pipe, and this is a 42-inch. Based on that, they  
24 do a hydrostatic test, and it validates the pipe  
25 for that pressure, and if they get the waiver, they

1 can operate it, basically, at eight percent more.

2 MR. HORN: If you build this pipeline  
3 through, essentially, a rural area, which I believe  
4 you said 97 percent would be in, and that's a  
5 "Class 1," and then later some area that was a  
6 "Class 1" has inhabited structures, or whatever the  
7 term would be, that would move it from a "Class 1"  
8 into a "Class 3." Is the pipeline redesigned or  
9 reconstructed?

10 MR. PEPPER: Actually, yes, sir. I told  
11 you in my earlier presentation that we have  
12 on-going maintenance and operation requirements.  
13 Operators are required to look at that  
14 right-of-ways constantly, and every year they are  
15 required to reevaluate the pipeline to make sure  
16 that the classing is still correct. If they  
17 determine that, for instance, there were ten houses  
18 within the mile and somebody built a brand new  
19 subdivision and now there are 52 houses in that  
20 mile and it goes from "Class 1" to "Class 3," then  
21 they have a period of two years to either lower the  
22 pressure or replace the pipe, but they have some  
23 mechanisms within the regulations. They have to  
24 look at them and make sure that they can follow  
25 them. In the case of the "Class 1" to a "Class 2,"

1 under standard regulations, the rules allow you to  
2 go from "Class 1" to "Class 2" without changing out  
3 the pipe, but it does not allow you to go from  
4 80 percent to a "Class 2" without changing the  
5 pipes. So, because this is a waived pipeline,  
6 when it changes from "Class 1" to "Class 2," they  
7 will have to change out the pipe or lower the  
8 pressure. That's always an option for the pipeline  
9 company; they can just lower the pressure. They  
10 typically don't want to do that, though.

11 MR. HORN: Thank you.

12 MR. WYNGARDEN: Actually, Mr. Horn, I  
13 should have thought to acknowledge the input in the  
14 study of various agencies, state and federal  
15 agencies, that are represented here in the region  
16 and that contributed a lot of the thinking analyses  
17 of wetland and essential fish habitat impact. That  
18 includes James Little, who is with the New Orleans  
19 District of the Corps of Engineers.

20 Where did you go to school, James?

21 MR. LITTLE: Louisiana Tech.

22 MR. WYNGARDEN: There we go.

23 MR. PEPPER: I went to L.S.U.

24 MR. WYNGARDEN: Also, just for the record,  
25 Rick Hartman, with the National Marine and

1 Fisheries Service, or NOAA Fisheries, he is  
2 actually attached to Louisiana State University.  
3 So, there is an additional representative.

4 MS. KOCHHAR: Stationed at.

5 MR. WYNGARDEN: Stationed there.

6 Bridget Furman, the U.S. Fish and Wildlife  
7 Service, whose logo is also on the cover of the  
8 document, she is based in Lafayette.

9 Last but not least, Kyle Baucom, out of the  
10 Louisiana Department of Wildlife and Fisheries, is  
11 in Baton Rouge. So, we made sure that we had some  
12 good, smart people from the -- the affected area  
13 wasn't just people out of the Washington, D.C.,  
14 area. There are other consultants that are based  
15 in Houston and elsewhere.

16 So, any other speakers at this point?

17 Okay, we have a whole two hours to go, not  
18 that everybody needs to stay, but the Kinder Morgan  
19 staff did come out in mass, and so they will be  
20 available to answer questions informally, to look  
21 at some of the displays with you, and that might  
22 also be a better way for you to get some additional  
23 information.

24 Short of any other speakers, we do  
25 encourage you to submit written comments. That is

1 really helpful to us, to make sure we are  
2 reflecting everybody's concerns on a real  
3 site-specific basis. We have some information on  
4 the table outside about how you can do that. It is  
5 also in the document. There is some summary  
6 information in the back that will help you identify  
7 where to send it, or, if you want to email things,  
8 that is also available.

9 Medha, any other closing remarks?

10 MS. KOCHHAR: I would just add, if there  
11 are a few who are here and are not ready to speak  
12 today or to give their comments today, maybe they  
13 can mail their comments to us. As long as we  
14 receive it by the 19th of March, that will be okay  
15 with us.

16 Now, what we will do is, after the 19th, we  
17 will tell you all the comments that we have  
18 received and see what further analyses are  
19 necessary. If there are any needs for route change  
20 or route alteration variations or to emphasis any  
21 other resources that we have not emphasized enough  
22 to the need of the person, we will try to  
23 reevaluate our analyses and enhance the document as  
24 best as we can, and then we will complete the  
25 document. At the end, we will have a list of

1        comments that we received and list our responses to  
2        those comments. Sometimes we get comments which  
3        are pretty much the same from ten different people.  
4        So, we will have item number one, two, three, four  
5        of this, this, this, and this is the response to  
6        that.

7                    The final Environmental Impact Statement,  
8        when it comes, it has a red line to it, which marks  
9        where the new changes are so you don't have to  
10       review the whole thing.

11                    Anyway, I appreciate you all coming here  
12        tonight, and if you feel like talking to company  
13        folks or to us, feel free. We are going to be here  
14        for some more time.

15                    Thank you very much for coming.

16                    MR. BOREL: I've got some questions, ma'am.

17                    MS. KOCHHAR: Could you state your first  
18        name and last name and spell it so she can record  
19        it?

20                    MR. BOREL: My name is Joe Borel,  
21        B-O-R-E-L. When they put the pipeline in, and they  
22        come in there and offer you so much money for your  
23        property, for the easement and stuff, how do we  
24        know that we are getting a fair share and the guy  
25        next door is not getting a dollar more than we are?

1 How do we know and feel certain that we are not  
2 scraping the bottom and not getting our share?

3 MS. KOCHHAR: That is a question that is  
4 very difficult for me to answer because FERC  
5 doesn't get involved in these negotiations. We  
6 hope the company is offering you a fair market  
7 value, and if they are not, you can discuss that  
8 with them. That is something that you can  
9 negotiate.

10 MR. BOREL: Who is this you are talking  
11 about?

12 MS. KOCHHAR: Pardon?

13 MR. BOREL: Who are you talking about now?

14 MS. KOCHHAR: Kinder Morgan, the proposed  
15 -- the action company.

16 MR. BOREL: When does that --

17 MS. KOCHHAR: Kinder Morgan, the project  
18 sponsor.

19 MR. BOREL: When will this come about?

20 MS. KOCHHAR: Well, any time. They should  
21 have been talking with you folks, all the  
22 landowners involved.

23 Red, do you have any comment to make on  
24 that?

25 MR. ILER: The comment I can make to that:

1 We do research as to what the land is worth for us  
2 to cross it with a pipeline. We don't set out to  
3 low-ball you and try to save a lot of money. We  
4 also don't go out and tell your neighbor what we  
5 gave you. It's a negotiating point between the  
6 company and each landowner. We really don't make  
7 that public, and it's not to say that the guy next  
8 to you is getting a lot more. It's pretty much  
9 across the board, what we pay. We've got a fixed  
10 price that we offer, and we stick to that as best  
11 we can so that everyone gets a --

12 MR. BOREL: We talked to some of the  
13 landowners already, and they said they were way out  
14 of line with what you asked for. They were about  
15 4,000 percent more than what you guys had offered  
16 us. I don't know if they were just pulling our  
17 legs, or what. But, anyway, you've already raised  
18 the price on some of the crossing. The temporary  
19 easement, you've already raised that about  
20 200 percent. We got a call the other night about  
21 that.

22 Another thing I would like to ask is: How  
23 wide is this easement?

24 MR. ILER: Fifty feet.

25 MR. BOREL: That's enough to put two or

1 three pipes in, isn't it?

2 MR. ILER: Well, sir, not with a pipeline  
3 this size. With a 42-inch, we have to maintain  
4 enough width on each side of that pipeline so that  
5 if we have to go in there and do any work, we can  
6 do that safely, especially if there are other lines  
7 in a corridor. Also, that 50 feet of width is the  
8 area we patrol in accordance with the D.O.T. rules.  
9 So, you know, we need this lane, for lack of a  
10 better term, right of way, in order to patrol it,  
11 to see any issues, to keep encroachment off of our  
12 pipeline, and to be able to work on it safely.

13 MR. BOREL: I've got ten acres, and I want  
14 to build a house on it, and you go right through  
15 the middle of my ten acres, how close can I come to  
16 your pipeline with my house?

17 MR. ILER: Twenty-five? I'm trying to --

18 MS. KOCHHAR: I don't believe there is a  
19 set --

20 MR. ILER: I don't think there is a set  
21 number, but, typically, we ask not to get within  
22 25 feet of the pipe. I mean, if I'm centered  
23 within the right-of-way, you know, it would be in  
24 your easement documentation for whatever you  
25 negotiated.

1                   MR. BOREL: But we could put a fence and  
2 yard there and plant trees? Or could we plant  
3 trees?

4                   MR. ILER: Yes, sir, as long as they  
5 weren't over the top of the pipeline or interfered  
6 with our patrol, where we needed to get in there  
7 and see. I mean, the land is still your land. You  
8 can do with it as you wish. You just can't build  
9 anything right on top of that pipeline.

10                  MR. BOREL: I understand.

11                  MS. KOCHHAR: Let me clarify one thing  
12 here. The 50 feet that Red said is a permanent  
13 right-of-way, and for a construction right-of-way,  
14 they have requested 125 feet.

15                  MR. ILER: Yes, ma'am.

16                  MS. KOCHHAR: We have not yet finally  
17 decided what it is going to be. Construction  
18 right-of-way is always wider than the permanent  
19 right-of-way. So, the maintained easement is  
20 50 feet.

21                  Again, the dollar value and stuff, FERC  
22 doesn't get involved. That is totally between the  
23 landowner and the company.

24                  With regard to your question about what can  
25 you do, Red has answered that correctly. The trees

1 and stuff you can plant over the pipeline, but,  
2 otherwise, you can use part of the easement. I've  
3 seen people have swimming pools and stuff, but that  
4 is also not very good to have.

5 Does that answer your question?

6 MR. BOREL: That's good. Thank you.

7 MS. KOCHHAR: Anybody else? No more  
8 comments?

9 MR. DUPLECHIN: I've got a question.

10 MS. KOCHHAR: Okay. Would you come up and  
11 say your name and spell your name so that Ava can  
12 take it?

13 MR. DUPLECHIN: My name is Ernie Duplechin.  
14 I'm not a property owner, but my wife,  
15 brother-in-law, and sister-in-law and them are.  
16 But I'm representing them, just to come to the  
17 meeting.

18 My question is: How wide is the  
19 right-of-way?

20 MS. KOCHHAR: The construction right-of-way  
21 that Kinder Morgan has proposed is 125 feet.

22 MR. DUPLECHIN: Okay.

23 MS. KOCHHAR: And the permanent easement  
24 they have proposed is 50 feet, and 50 feet is  
25 normal. It is a big diameter pipeline. So, they

1 are asking for 125 feet. We haven't given the  
2 final word on that yet.

3 MR. DUPLECHIN: Okay. My next question is:  
4 The permanent easement -- easement or right-of-way,  
5 or whatever it is -- is 50 feet?

6 MR. ILER: Yes, sir, 50 feet.

7 MR. DUPLECHIN: Now, does that mean that I  
8 can't plant rice or soybeans on those 50 feet?

9 MR. ILER: No, sir. You can raise crops on  
10 top of that 50 feet.

11 MR. DUPLECHIN: Okay.

12 MR. ILER: You can raise crops over the top  
13 of that pipeline.

14 MR. DUPLECHIN: Because the pipeline that  
15 we've -- we went to a meeting in Iowa a couple of  
16 months ago.

17 MR. ILER: Yes, sir.

18 MR. DUPLECHIN: You know, it goes right  
19 through our farm, and our concern is -- and I  
20 wasn't too much involved back in those days because  
21 I hadn't married yet. That's been quite a while  
22 ago. But anyhow, my father-in-law and them had  
23 problems with, let's say, getting the land back to  
24 where it was productive in some form or fashion, as  
25 far as the yield is concerned. So, a lot of the

1 farmers around Houma are saying that -- well, what  
2 they would like to see done is kind of like you do,  
3 you know, when you construct a building or  
4 whatever, is to get that topsoil off and then dig  
5 that old clay and stuff up and put your pipeline  
6 and then put this clay back on top of that and then  
7 the topsoil back on top of that. Is that what  
8 y'all do?

9 MS. KOCHHAR: Yes.

10 MR. DUPLECHIN: Good.

11 MS. KOCHHAR: On cultivated lands they are  
12 supposed to do that.

13 MR. DUPLECHIN: We are so green at home  
14 about pipelines that -- that's why we are asking  
15 stupid questions.

16 MR. ILER: They're not stupid.

17 MR. DUPLECHIN: That's what I had to ask.

18 MS. KOCHHAR: Thank you very much. Anybody  
19 else? No? If there are no further comments or  
20 questions, the meeting is officially adjourned.  
21 Thank you for coming. We are here if you want to  
22 talk or have any questions.

23 (The hearing concluded at 7:15 p.m.)

24

25