

U. S. DEPARTMENT OF ENERGY  
FEDERAL ENERGY REGULATORY COMMISSION

BRADWOOD LANDING LNG PROJECT  
FERC DOCKET NUMBERS CP06-365 and 366

PUBLIC MEETING  
TRANSCRIPT OF PROCEEDINGS

\* \* \*

Wednesday, November 7, 2007

9:00 a.m.

Cowlitz County Expo and Conference Center  
1900 7th Avenue  
Longview, Washington

\* \* \*

BEFORE: Mr. Paul D. Friedman  
Federal Energy Regulatory Commission  
Office of Energy Projects

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## P R O C E E D I N G S

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MR. FRIEDMAN: All right. We have a sound system that works today. A little better than last night.

09:07:00

Thanks for coming this morning. My name is Paul Friedman. I am the environmental project manager for the Federal Energy Regulatory Commission, abbreviated F-E-R-C, or FERC, often just referred to as the Commission, from Washington, D.C. And we are evaluating a project known as the Bradwood Landing Liquefied natural gas terminal, or LNG, in Clatsop County, Oregon, a pipeline that goes from there to Cowlitz County, Washington. We just produced a draft of our Environmental Impact Statement, or EIS, and this is a public meeting to take comments on that DEIS.

09:07:13

09:07:32

09:07:46

09:08:14

On behalf of the FERC, I'd like to welcome you all here today. Let the record show that this meeting was called to order at about 9:05 a.m. on Wednesday, the 7th of November, 2007, at the Cowlitz County Expo and Conference Center, 1900 7th Avenue, Longview, Washington 98632.

1           09:08:18           As you can see, there is a court reporter  
2                               next to me who is transcribing notes. That is  
3                               so that we can have an accurate and complete  
4                               record of this morning's comments to put into  
5           09:08:31           the public record. Within a few weeks that  
6                               transcript will be placed in the public record  
7                               for this proceeding, and it will be available  
8                               through the Internet via the FERC's Web site.

9                               For those of you who may have attended  
10          09:08:48          previous meetings, you're going to find my  
11                               speech this morning a little redundant. It's  
12                               the same speech I give every time so that we  
13                               are consistent between meetings, so that  
14                               everyone who attends the meetings hears the  
15          09:09:00          same thing, and so that there is an accurate  
16                               record in the public record taken by the court  
17                               reporter.

18                               The FERC is an independent agency within  
19                               the U.S. Department of Energy. We regulate the  
20          09:09:13          interstate transportation of electricity,  
21                               hydropower, and natural gas. The Commission is  
22                               directed by five Commissioners who are  
23                               appointed by the President of the United States  
24                               and are approved by the United States Congress.

25          09:09:29          On June 5th, 2006, Bradwood Landing LLC

1 09:09:34 filed an application with the FERC requesting  
2 permission to construct and operate an LNG  
3 import terminal under section 3 of the National  
4 Gas Act, or NGA, under docket CP06-365.

5 09:09:47 NorthernStar Energy LLC filed an application  
6 for an associated natural gas sendout pipeline  
7 under section 7 of the NGA, docket number  
8 CP06-366. Hereafter I will refer to both  
9 Bradwood Landing LLC and NorthernStar Energy

10 09:10:06 LLC collectively as just NorthernStar since, in  
11 reality, they are subsidiaries of the same  
12 company.

13 The FERC is the lead federal agency for  
14 this project, and we took the lead in

15 09:10:20 processing and producing the EIS in order to  
16 comply with the National Environmental Policy  
17 Act of 1969, abbreviated as N-E-P-A. NEPA is  
18 what we call it. Our EIS also summarizes  
19 activities related to compliance with other

20 09:10:36 federal laws such as the Endangered Species  
21 Act, the Magnuson-Stevens Fishery Conservation  
22 and Management Act, the Marine Mammal  
23 Protection Act, and the National Historic  
24 Preservation Act, Clean Water Act, Clean Air

25 09:10:49 Act, and Coastal Zone Management Act.

1           09:10:53           As part of its decision-making process,  
2                           the FERC will consider the environmental  
3                           impacts of this project as disclosed in the  
4                           EIS. The production of the DEIS was a

5           09:11:03           collaborative effort involving the FERC staff  
6                           and a third-party contractor, which is the  
7                           Natural Resources Group -- we abbreviate that  
8                           as NRG -- and cooperating agencies.

9                           Let me introduce some of the people here  
10          09:11:16          tonight -- here this morning, excuse me -- who  
11                           played major roles in writing the DEIS. Next  
12                           to me running the slide show is Patricia  
13                           Terhaar. She is NRG's project manager for this  
14                           project. And in the back, taking everyone's  
15          09:11:31          names, is Janelle Rieland. Janelle is the  
16                           project biologist.

17                           The federal agencies that cooperated in  
18                           our DEIS include the U.S. Army Corps of  
19                           Engineers, the U.S. Coast Guard, and the U.S.  
20          09:11:45          Department of Transportation. A cooperating  
21                           agency has jurisdiction by law or special  
22                           expertise related to the project-specific  
23                           environmental impacts, and those agencies may  
24                           choose to adopt the EIS to meet their own  
25          09:11:59          obligations under the NEPA.

1           09:12:05           We issued a notice of availability, or  
2                           NOA, for the DEIS on August 17th, 2007, which  
3                           gave a closing date for comments as December  
4                           24, 2007. The U.S. Environmental Protection  
5           09:12:16           Agency noticed the issuance of our DEIS in the  
6                           Federal Register on August 24th, 2007.

7                           We mailed almost 1300 copies of the DEIS  
8                           to various elected officials, federal, state,  
9                           and local government agencies, landowners, and  
10          09:12:35           interested members of the public. In addition,  
11                           copies were sent to local newspapers and to  
12                           local libraries. Copies of the DEIS are  
13                           available in the public reference room at the  
14                           FERC in Washington, D.C. It may be viewed  
15          09:12:49           electronically on the FERC Internet Web site  
16                           under our eLibrary link. And NRG is holding  
17                           additional hard copies, and if you want one you  
18                           can give Janelle your name and address, and NRG  
19                           will mail you a copy.

20          09:13:07           The DEIS described the proposed action as  
21                           given by NorthernStar. The purpose of the  
22                           project is to provide a new source of natural  
23                           gas to the Pacific Northwest by importing LNG.  
24                           LNG is natural gas that has been cooled to  
25          09:13:22           about minus 260 degrees Fahrenheit for shipment

1           09:13:27    and storage as a liquid. It can be transported  
2                            in specially designed ships across oceans from  
3                            its point of origin.

4                            This is a liquefaction facility. It's a  
5           09:13:40    place where they take natural gas and cool it  
6                            down and make it into a liquid and export it.  
7                            This is in Alaska. So the United States is an  
8                            LNG exporting nation as well as an LNG  
9                            importing nation.

10          09:13:53           And that is an LNG ship that transports  
11                            the liquid to import terminals.

12                            In summary, the Bradwood Landing LNG  
13                            import terminal would consist of the following  
14                            elements: An LNG import storage vaporization  
15          09:14:09    and sendout facility located at Bradwood  
16                            Landing in Clatsop County, Oregon, about 38  
17                            miles up the Columbia River from its mouth.  
18                            The terminal would include a dredged 58-acre  
19                            maneuvering area adjacent to the existing  
20          09:14:24    Columbia River navigational channel and a  
21                            single berth capable of handling ships up to  
22                            200,000 cubic meters in capacity.

23                            The waterway for LNG marine traffic would  
24                            extend from 12 nautical miles off the Oregon  
25          09:14:39    coast up the Columbia River to Bradwood

1           09: 14: 41     Landing. The upland portion of the terminal  
2                            would include two full-containment LNG storage  
3                            tanks, each with a capacity of 160,000 cubic  
4                            meters.

5           09: 14: 53           A nonjurisdictional, 1.5-mile-long,  
6                            115-kilovolt power line is to be built, owned,  
7                            and maintained by PacifiCorp and would go from  
8                            the existing Bonneville Power Administration  
9                            system to the Bradwood Landing LNG terminal.

10          09: 15: 09     The LNG terminal would have a maximum sendout  
11                            capacity of 1.3 billion cubic feet per day of  
12                            natural gas.

13                            A 36.3-mile-long natural gas sendout  
14                            pipeline would extend from the Bradwood Landing  
15          09: 15: 26     LNG terminal to an interconnection with the  
16                            existing Williams Northwest Pipeline  
17                            Corporation interstate natural gas pipeline  
18                            system near Kelso, Washington. This would  
19                            include 18.9 miles of 36-inch diameter pipeline  
20          09: 15: 40     across portions of Clatsop and Columbia  
21                            counties and 17.4 miles of 30-inch diameter  
22                            pipeline, mostly in Cowlitz County, Washington.

23                            Associated with the pipeline would be a  
24                            sendout metered terminal station located within  
25          09: 15: 57     the LNG terminal tract, four delivery meter

1 09:16:00 stations, and interconnections with the  
2 Georgia-Pacific Wauna mill at pipeline  
3 milepost, or MP, 3.7, with Northwest Natural's  
4 existing pipeline system at MP 11.4 with the  
5 09:16:13 existing PGE Beaver power plant at MP 18.9, and  
6 with the existing Williams Northwest Pipeline  
7 at MP 36.3. There would be six main line block  
8 valves along the pipeline, pig launchers at the  
9 terminal meter station, at the Beaver station,  
10 09:16:32 and pig receivers at Beaver and Williams  
11 Northwest.

12 Short, nonjurisdictional pipeline laterals  
13 would be built, operated, and maintained by the  
14 local distribution gas customers to  
15 09:16:46 interconnect with NorthernStar's pipeline at  
16 Wauna mill, Northwest Natural pipeline, PGE  
17 Beaver power plant.

18 I want to clarify that the FERC is not a  
19 sponsor of this project. This is a project  
20 09:17:01 proposed by NorthernStar. The FERC is a  
21 licensing and regulatory agency, and we take no  
22 position on this project until after we have  
23 completed the full review of NorthernStar's  
24 applications. Before the FERC makes a decision  
25 09:17:21 about the project, there are several steps that

1 09:17:23 must be completed, including public input.

2 First, we will consider the comments of the  
3 public on the DEIS.

4 Because the Commission has the

5 09:17:34 responsibility to treat all parties to a  
6 proceeding equally, we must make sure that our  
7 process is open and public. For this reason,  
8 we are constrained by our own internal ex parte  
9 rules. This means that there can be no

10 09:17:47 off-the-record discussions or correspondence  
11 between the FERC staff and parties to the  
12 proceeding on the merits of this case.

13 Therefore, I urge you to either speak tonight  
14 on the record -- or today, this morning, or to  
15 09:18:01 send us your comments in writing.

16 You can use the Internet through the FERC  
17 Web page at [www.ferc.gov](http://www.ferc.gov) to have access to  
18 public records in this proceeding. You may --  
19 and to post your comments. You may follow the

20 09:18:21 filings in this proceeding through the FERC's  
21 eSubscription service. You may view all filed  
22 documents in the public record through our  
23 eLibrary link. And you may send comments in  
24 electronically via eFiling, or you can send us

25 09:18:37 written comments the old-fashioned way through

1       09:18:39    the U.S. mail. Written comments should be  
2                    addressed to:  
3                    Kimberly D. Bose, secretary  
4                    Federal Energy Regulatory Commission  
5       09:18:47       888 First Street, Northeast, Room 1A.  
6                    Washington, D.C. 20426.  
7                    You must reference docket CP06-365 and/or  
8                    CP06-366. You send in one original and two  
9                    copies of written comments, label one copy to  
10      09:19:11    the attention of the FERC Office of Energy  
11                    Projects, Division of Gas-Environment and  
12                    Engineering, Gas Branch 3, PJ-11.3, which is  
13                    our internal mail stop number. The FERC will  
14                    address all comments on the DEIS in a final  
15      09:19:24    EIS, or FEIS. Copies of the FEIS will be sent  
16                    to parties on our mailing list. After we have  
17                    issued the FEIS, the FERC staff will analyze  
18                    both the environmental impacts of the proposed  
19                    project and the nonenvironmental issues,  
20      09:19:41    including markets and rates. The FERC staff  
21                    would then make a recommendation about the  
22                    project to the five Commissioners, who are our  
23                    decision-makers. It is those five  
24                    Commissioners who head our Commission who will  
25      09:19:52    make the final decision about whether or not to

1 09:19:54 authorize this project.

2 If the FERC decides to approve the  
3 project, the Commissioners would issue an order  
4 to NorthernStar. If the Commission commissions

5 09:20:06 a Certificate of Public Convenience and  
6 Necessity for the pipeline under Section 7h of  
7 the NGA, that certificate would convey to  
8 NorthernStar the power of eminent domain for  
9 nonfederal and nontribal lands along the

10 09:20:20 pipeline route.

11 If NorthernStar is unable to negotiate an  
12 easement agreement with property owners, it may  
13 acquire its easement through the local courts.

14 We urge NorthernStar to negotiate in good faith

15 09:20:36 with all landowners to reach agreements. The  
16 LNG terminals would be authorized under Section  
17 3 of the NGA, which does not include the power  
18 of eminent domain.

19 It is likely that a Commission order

20 09:20:49 authorizing the project would include our  
21 recommended environmental conditions as

22 outlined in the EIS. One of those conditions  
23 that you can find in the DEIS is that we want

24 NorthernStar to develop and fund a third-party

25 09:21:04 environmental monitoring program to be

1 09:21:07 implemented during construction.

2 In addition, the FERC staff will monitor  
3 the project through construction and  
4 restoration, performing on-site inspections for  
5 09:21:15 compliance with the environmental conditions of  
6 the order, and the U.S. DOT would also monitor  
7 project design and construction.

8 Other agencies must also issue various  
9 permits before the project could go forward to  
10 09:21:31 construction. The U.S. Coast Guard would issue  
11 a letter of recommendation indicating whether  
12 or not the waterway is suitable for LNG marine  
13 traffic. The Corps of Engineers would issue a  
14 permit under the Rivers and Harbors Act and  
15 09:21:46 Section 404 of the Clean Water Act. The  
16 Washington Department of Ecology, the Oregon  
17 Department of State Lands, Oregon Department of  
18 Environmental Quality would each issue  
19 federally delegated permits under Section 401  
20 09:21:58 of the Clean Water Act.

21 The Oregon Department of Environmental  
22 Quality would also issue a federally delegated  
23 permit under the Clean Air Act, and the Oregon  
24 Department of Land Conservation and Development  
25 09:22:09 would make a determination whether or not the

1           09: 22: 11   project is consistent with the Coastal Zone  
2                           Management Act.

3                           Let me emphasize that this meeting is not  
4                           a hearing on the merits of NorthernStar's

5           09: 22: 20   proposal. As I said earlier, the purpose of  
6                           this meeting is to give you, the public, an  
7                           opportunity to comment on the DEIS. While you  
8                           may want to declare that you are for or against  
9                           the project, those kinds of subjective

10          09: 22: 36   statements are not particularly useful to the  
11                           FERC staff in focusing our environmental  
12                           analysis in the writing of the final

13                           environmental impact statement. The type of  
14                           comments that we do find constructive and

15          09: 22: 47   useful are those that address data gaps in the  
16                           DEIS or point out factual errors that need to  
17                           be corrected.

18                           Before we take public comments, let's run  
19                           through some general rules of decorum.

20          09: 23: 01   Basically, we'd like you all to treat each  
21                           other with respect and to not interrupt people  
22                           as they are speaking. We will call out the  
23                           speakers in the order that they have signed in,  
24                           and we will take people who have not spoken

25          09: 23: 18   first, and people who have spoken at earlier

1 09:23:21 meetings will go last. And we expect that you  
2 remain civil to each other.

3 We are going to limit your comments to  
4 three minutes. That's to be consistent between  
5 09:23:35 all of the meetings. If you have deep-down  
6 comments that cannot be summarized in those  
7 three minutes, we urge you to send in detailed  
8 written comments to the Commission.

9 This is a meeting for you, the public, to  
10 09:23:51 comment on the DEIS. It is not a question-and-  
11 answer forum. Because many of our concerns are  
12 complex, the FERC staff would need to do  
13 additional research before addressing those  
14 issues in the FEIS. Therefore, I probably will  
15 09:24:04 not be able to give accurate and complete  
16 responses tonight to many of your questions. I  
17 will answer those questions if I know the  
18 answer to them, and I will address any  
19 questions having to do with administrative or  
20 09:24:15 process issues.

21 Before we start hearing from speakers, I  
22 suggest we take a short, one-minute break in  
23 case any of you have not signed up with the  
24 speakers' list and wish to do so. Please go  
25 09:24:27 see Janelle, and we'll start again in about a

1 09:24:30 minute with you giving your comments. Thanks.

2 (Recess at 9:24 a.m.)

3 MR. FRIEDMAN: All right. Thanks for

4 indulging me. We have a few that want to

5 09:30:27 speak. Now I'm going to open the floor to

6 individual comments. I ask that each speaker

7 come up to the microphone that's right there.

8 Hopefully it's working. We haven't tested it

9 yet, but mine's working, so I assume that's

10 09:30:40 going to work as well.

11 I'd like you to state your name and spell

12 your last name for the court reporter, identify

13 any organization you may be representing. If

14 you are a landowner along the pipeline route,

15 09:30:51 please indicate where your property is

16 according to mile marks. If you don't know

17 what your mile marks -- where your property is

18 by mile mark, there are some NorthernStar staff

19 people in the back. You can ask them, and I'm

20 09:31:03 certain that they know the location of your

21 property.

22 The first speaker we have signed up is

23 John Philbrook.

24 MR. JOHN PHILBROOK: Hi. John Philbrook.

25 09:31:16 Last name is spelled P-H-I-L-B-R-O-O-K.

1 09:31:22 I represent the ILWU, International  
2 Longshore and Warehouse Union. I am the  
3 president here locally, Local 21, and also the  
4 area chairman of the Columbia River area. So I  
5 09:31:34 represent those longshoremen that work in the  
6 Columbia River. Roughly, a little bit less  
7 than a thousand people, longshoremen I should  
8 say. And our comments today are basically  
9 along these lines.

10 09:31:45 After reviewing the EIS amongst ourselves,  
11 after observing the two things that are most  
12 important for us, for our livelihood, which are  
13 the commerce of the river, specifically, and  
14 navigation and also the safety of the river,  
15 09:31:59 after reviewing these things we don't see a  
16 reason why FERC should not grant NorthernStar  
17 the opportunity for the LNG.

18 Those things alone are enough for us to  
19 make sure that, as long as these things aren't  
20 09:32:15 compromised, then to us, we don't have an issue  
21 with that, and we would recommend that FERC  
22 grant the project, to be able to go ahead and  
23 move forward. Thank you.

24 MR. FRIEDMAN: Thank you for your  
25 09:32:27 comments.

1 09: 32: 27 Also, if I mispronounce your name, please  
2 correct me.

3 Next is Kevin Smith.

4 MR. KEVIN SMITH: Good morning. I live by  
5 09: 32: 44 milepost 38 there. I'm right next to a pump  
6 station before it goes up to the Williams. I  
7 am a union laborer. I worked on -- worked for  
8 Rockford putting in the last one. I do have  
9 one question before I do any comments. Is that  
10 09: 33: 04 gas line going on the north side of the Beaver  
11 line or the south side?

12 MR. FRIEDMAN: NorthernStar, is there  
13 someone back there who knows the answer to  
14 that?

15 09: 33: 17 UNIDENTIFIED SPEAKER: I don't know the  
16 answer, but I'll get that information to you.

17 MR. KEVIN SMITH: Well, I was pleased with  
18 their last job. At the end I was laid off  
19 before they hit my property because I have all  
20 09: 33: 28 the water rights there. I have a 70-year-old  
21 system that the company shrugged me off, and it  
22 took me eight years to get everything back to  
23 order myself. Last summer was the last thing  
24 was done. I finally got my gates put in and my  
25 09: 33: 46 road back.

1           09: 33: 46           But the only comment and the only issue I  
2                            have is my water system, and they dug a 25-foot  
3                            hole and filled it up with stumps above it. Is  
4                            this going to be happening again, or are they  
5           09: 33: 59           going to do a total cleanup like they're  
6                            supposed to, instead of the tail-end and just  
7                            get out of there? That's --

8                            MR. FRIEDMAN: The answer is, they're  
9                            supposed to do a proper job of restoration, and  
10          09: 34: 12          we'll have a third-party monitor checking on  
11                            them.

12                           MR. KEVIN SMITH: This time, because as  
13                            soon as they got it in there, before the pump  
14                            station, they evacuated.

15          09: 34: 21          MR. FRIEDMAN: You're talking about -- for  
16                            those who don't know, I believe you're talking  
17                            about the KB pipeline.

18                           MR. KEVIN SMITH: Beaver pipeline, yeah.

19                           MR. FRIEDMAN: Yes. He's talking about a  
20          09: 34: 29          different company. It's jurisdictional, but a  
21                            different company. We're going to have a  
22                            third-party monitor on site 24/7 to make  
23                            certain those kind of problems don't happen.

24                           MR. KEVIN SMITH: All right. It was a  
25          09: 34: 42          good job until the very last. That's the

1 09:34:44 comments I have. Thank you.

2 MR. FRIEDMAN: Thank you for your  
3 comments.

4 Next is Rob Quoidbach. Please correct me  
5 09:35:00 if I got that wrong.

6 MR. ROB QUOIDBACH: My name is Rob  
7 Quoidbach. It's Q-U-O-I-D-B-A-C-H.

8 (Reporter requests clarification.)

9 MR. ROB QUOIDBACH: Q-U-O-I-D as in dog, B  
10 09:35:39 as in Boston, A-C-H. Quoidbach, one word. I'm  
11 a property owner on mile 27 of the proposed  
12 pipeline.

13 I have prepared a letter to send to the  
14 County regarding the EIS, and I -- if you don't  
15 09:35:53 mind, it's a very short letter, I will read it  
16 for my comments.

17 MR. FRIEDMAN: Okay.

18 MR. ROB QUOIDBACH: As a property owner  
19 with the KB pipeline running through  
20 09:36:01 three-quarters of a mile of my forest land,  
21 plus my experiences with a BS in civil  
22 engineering, 45 years as an industrial  
23 contractor, ten years as a docking district  
24 supervisor, and ten years on the Washington  
25 09:36:16 State Forest Practices Appeals Board, I feel

1 09:36:19 well-qualified to criticize the pipeline  
2 portion of the DEIS.

3 My tree farm at 230 -- 230 Grasset Poston  
4 Road will be adjacent to the proposed pipeline  
5 09:36:36 for one-half mile and then impacted by it for  
6 one quarter of a mile. Maybe if we listen,  
7 history wouldn't have to repeat itself. I have  
8 experienced the false promises of the KB group  
9 to replant trees, to plant for wildlife, to  
10 09:36:51 maintain property screen, to clear only ten  
11 feet on top of the pipe, none of which happened  
12 because permits are granted and nobody follows  
13 up.

14 The draft DEIS contains pipeline gray  
15 09:37:05 areas that need attention. 4.8, 3.5, that's a  
16 reference, tax revenues, page 4-351 states:  
17 Property taxes on the pipeline would be  
18 assessed by and paid to Cowlitz County in  
19 Washington.

20 09:37:26 Property taxes should be clearly specified  
21 as to real estate and personal property taxes.  
22 Current county policy unfairly charges the  
23 landowner for real estate taxes and the  
24 pipeline companies only for personal property  
25 09:37:41 taxes. In my case, three acres of forest land

1       09: 37: 45    have been converted to an industrial land with  
2                    no back taxes regard, and the KB rides free  
3                    with me paying their land tax. NorthernStar  
4                    should be required to pay for all current  
5       09: 37: 57    real -- personal property and conversion back  
6                    taxes.

7                    Section 4. 4. 2. 3, existing upland  
8                    vegetation, page 4-115 states, quote: In areas  
9                    where timber would be harvested, the trees  
10       09: 38: 17    would be cut and stacked for commercial sale.  
11                    The logs would be hauled to the market and the  
12                    proceeds of the sale collected by the property  
13                    owner.

14                    This is not the way it is done.  
15       09: 38: 27    NorthernStar should conduct a timber cruise,  
16                    pay for the timber rights, take out DNR forest  
17                    practices permits, and pay for the value of any  
18                    reproduction trees that are not yet ready for  
19                    market.

20       09: 38: 41    Section 2. 3. 3, pipeline and associated  
21                    facilities, page 2-35 states: Where the  
22                    Bradwood pipeline would -- where the Bradwood  
23                    pipeline would be adjacent to the existing KB  
24                    pipeline, the temporary construction  
25       09: 38: 58    right-of-way would overlap onto the existing

1 09:39:01 permit right-of-way. The overlap would be up  
2 to ten feet but no closer than 15 feet from the  
3 existing pipeline.

4 Will the property owner be paid for this  
5 09:39:15 encroachment? In other words, they are  
6 encroaching on our existing pipeline with no  
7 mention about who's paying for it or why, why  
8 they get the right to do that.

9 On a large portion of my land, the KB pipe  
10 09:39:30 is 20 feet from the property line. That's only  
11 five feet of spoil could be deposited if 15  
12 feet takes precedent. Finally, there should be  
13 a standard easement with site-specific clauses  
14 plus a liability hold-harmless clause stating  
15 09:39:48 that NorthernStar pays all current real estate  
16 and personal property taxes, plus any  
17 conversion back taxes; and upon the 50-year  
18 life, page 2-63, abandonment of the pipeline,  
19 there shall be a recorded reconveyance and  
20 09:40:04 release of the right-of-way easement.

21 Thank you.

22 MR. FRIEDMAN: Thank you for your  
23 comments.

24 Next is Phil Dines.

25 09:40:14 MR. PHIL DINES: Good morning. My name's

1       09: 40: 15     Phil Dines, D-I-N-E-S. I'm here to speak in  
2                     favor of this project, according to the DEIS.  
3                     I represent the Longview Kelso Building  
4                     Construction Trades Council.  
5       09: 40: 28             Bradwood Landing, energy or -- excuse  
6                     me -- NorthernStar has provided the necessary  
7                     safety precautions that we've been requiring  
8                     all along. With the commerce along the river  
9                     that's currently taking place, with the  
10       09: 40: 44    location of the proposed project being on an  
11                     existing mill site, we feel that these  
12                     precautionary measures have been met  
13                     satisfactorily. So we are, therefore,  
14                     endorsing the support for this project at this  
15       09: 40: 58    time.  
16                     Also, on an economical standpoint, what --  
17                     the advantages of having natural gas coming to  
18                     the region. Recently we've seen the proposed  
19                     layoffs from Longview Fibre, and a lot of that  
20       09: 41: 13    is just cost of doing business. Natural gas is  
21                     one of the primary sources that the  
22                     manufacturing and industrial plants here  
23                     locally use. If we can keep these costs down,  
24                     hopefully we can keep more of these industries  
25       09: 41: 26    or entice other manufacturing jobs to come to a

1 09:41:30 region instead of just slipping away and  
2 becoming retail industry here locally.

3 Thank you.

4 MR. FRIEDMAN: Thank you for your

5 09:41:38 comments.

6 At this time we're going to go back to  
7 people who have already spoken at other  
8 meetings, unless there's someone from the floor  
9 who wishes to speak who was not signed up, who  
10 09:41:47 has not previously spoken. Is there anyone who  
11 has not previously spoken who would like to  
12 talk at this time?

13 If not, then I'm going to ask Mr. Dragich  
14 to speak again.

15 09:41:58 MR. STEVE DRAGICH: Mr. Dragich,  
16 D-R-A-G-I-C-H. I'll speak specifically about  
17 two items, one in the appendices of the DEIS,  
18 the open-trench method for laying the pipe  
19 through streambeds. I refer to Washington  
20 09:42:21 State Revised Code 76, forest practices,  
21 specifically riparian zones.

22 At present, citizens of the state of  
23 Washington who have forest land, which this  
24 pipeline will cross in this county, are  
25 09:42:40 prohibited from this riparian zone, any and all

1 09:42:46 practices or any disturbance whatsoever, yet  
2 NorthernStar and FERC in their DEIS proposes  
3 for certain streams on the Washington side for  
4 an open-trench method, yet us citizens are  
5 09:43:02 prohibited from this very method.

6 Second one concerns critical areas, mainly  
7 unstable geologic areas. As you know, on the  
8 Washington side there are 21 unstable noted  
9 areas. Cowlitz County has an ordinance known  
10 09:43:21 as the critical areas ordinance, currently  
11 under review by their contractor, Parametrix  
12 from Portland, Oregon. When asked in an open  
13 meeting of this review of the critical areas  
14 ordinance, will this ordinance apply to any  
15 09:43:39 federally sanctioned project, i.e.,  
16 NorthernStar's proposed pipeline, the answer  
17 from the county's -- Cowlitz County's  
18 contractor, Parametrix, was no, yet the  
19 citizens of this county are subject to that  
20 09:43:57 critical areas ordinance.

21 In your DEIS you state that they have to  
22 apply the local land-use ordinances. Obviously  
23 statements that I've just mentioned contradict  
24 this.

25 09:44:13 MR. FRIEDMAN: Thank you for your

1 09:44:13 comments.

2 Next is Robert Kiser.

3 MR. ROBERT KISER: Kiser, K-I-S-E-R,  
4 Robert.

5 09:44:31 The impact statement is supposed to be  
6 driven by the process of scoping. The scoping  
7 process is part -- in part includes public  
8 comments as well as agencies determine issues,  
9 concerns, and opportunities. Although you  
10 09:44:44 mention 1-24 and 25, prefiling public scoping  
11 process and meetings, you have excluded  
12 comments from the public meetings that dealt  
13 with unsuitable soils and socioeconomic effects  
14 of landowners. All issues and concerns and  
15 09:45:00 opportunities identified by the public need to  
16 be addressed in the DEIS.

17 Criteria through the evaluated  
18 alternatives are not adequately addressed.  
19 There is no such advantaged way for the reader  
20 09:45:13 to evaluate alternatives against each other.  
21 This applies to alternative fees for various  
22 planned projects and activities but is  
23 especially important to determine all site and  
24 pipeline locations.

25 09:45:25 The criteria, again, should reflect the

1 09: 45: 27 data developed from the scoping process. How  
2 can you select an alternative if you haven't  
3 evaluated all the alternatives in a systematic  
4 manner against issues, concerns, and

5 09: 45: 38 opportunities, identify a preferred, and  
6 documented such?

7 The DEIS only tells you the agency looked  
8 at other alternatives and discarded them. You  
9 can't even tell if you considered a broad range  
10 09: 45: 50 of alternatives, as required by NEPA. The  
11 criteria is subjective, not objective. You  
12 cannot measure it.

13 The cover letter indicates a draft EIS  
14 addresses potential environmental effects  
15 09: 46: 06 associated with the construction and operation  
16 of the following facilities, looked at the  
17 proposed Bradwood Landing terminal. The letter  
18 also states that the DEIS also evaluates  
19 alternatives to the proposal. If the

20 09: 46: 18 alternatives are equally evaluated, including  
21 no action against each other, why weren't other  
22 alternatives addressed with equal weight as the  
23 preferred Bradwood Landing and the pipeline  
24 alternative?

25 09: 46: 31 The DEIS is a draft decision document.

1           09:46:35    This should not -- there should not be any  
2                            questions left unanswered, especially ones  
3                            involving environmental consequences. Several  
4                            places it leaves it up to NorthernStar to do  
5           09:46:46    what they want rather than telling them what  
6                            they must do. The document should leave --  
7                            should leave -- should not leave any  
8                            subjectivity to NorthernStar, FERC, COE, U.S.  
9                            Coast Guard, or DOT, or the Commission,  
10          09:47:01    especially to the discretion of NorthernStar.  
11                            The mitigation plan for T and E species  
12                            did not adequately compensate for loss of  
13                            habitat and taking of species. No reference  
14                            has been found to requiring a take permit of a  
15          09:47:20    T and E species. There is no question that the  
16                            dredging and subsequent valve water intake will  
17                            take T and E fish species. The recovery plan  
18                            for T and E species aggressively enhances  
19                            these.  
20          09:47:34            An enhancement plan specifies marine  
21                            fishery service is needed prior to approval of  
22                            EIS. There is no mention of approval of an  
23                            enhancement plan. The trenching across many of  
24                            the streams reviewed on the maps provided is  
25          09:47:49    not compatible with requirements of the

1 09:47:51 Washington Park and Natural Resources.

2 MR. FRIEDMAN: Mr. Kiser, can you wrap it  
3 up?

4 MR. ROBERT KISER: Okay. The product that  
5 09:47:59 you have here is, in my estimation, very poorly  
6 written. The document will not pass muster.  
7 It's got to be rewritten, reissued, and a  
8 pellet could hit it with a slingshot; he  
9 wouldn't have to hit a shotgun. It's got to  
10 09:48:22 pass muster and get to the final in the form  
11 that it will survive. This won't do it.

12 MR. FRIEDMAN: Thank you for your  
13 comments.

14 I do have one point of clarification on  
15 09:48:35 whether or not the EIS is a decision document.  
16 It is not a decision document. It is a  
17 staff-written document, and therefore uses the  
18 term "recommendation." The Commissioners, the  
19 five Commissioners who make decisions, their  
20 09:48:51 decision document is called a project order,  
21 and the conditions of that order will use words  
22 such as "shall."

23 UNIDENTIFIED SPEAKER: If I may, please,  
24 the NEPA process requires a decision. Is that  
25 09:49:07 going to be the Commission's decision? If so,

1 09:49:10 they have to abide by NEPA. Right?

2 MR. FRIEDMAN: The Commission order will  
3 adopt the EIS.

4 UNIDENTIFIED SPEAKER: Okay. And the  
5 09:49:18 decision of the Commission is appealable?

6 MR. FRIEDMAN: That is correct, by  
7 intervenors who will have standing in the  
8 proceeding.

9 UNIDENTIFIED SPEAKER: Right.

10 09:49:29 MR. FRIEDMAN: Are there any other  
11 questions from the floor?

12 Yes, sir. Would you please -- you have to  
13 come up here, state your name, spell your last  
14 name for the court reporter, and provide us  
15 09:49:39 your comments.

16 MR. ROBERT KEENUM: Yes. My name is  
17 Robert Keenum, K-E-E-N-U-M.

18 The only question I have -- I represent no  
19 one except the community and the people that  
20 09:49:50 enjoy the river here. I was a little surprised  
21 to see this terminal being established so far  
22 upriver. I know no one wants LNG-type  
23 terminals near them, but we all need them  
24 somewhere, but I was surprised to see it so far  
25 09:50:05 upriver.

1           09: 50: 05           My questi on is: Are there other LNG  
2                               terminals in the United States that are 38  
3                               miles up a river?

4                               MR. FRIEDMAN: I don't know, but we'll --  
5           09: 50: 21   we'll do some looking. I will say there are  
6                               LNG terminals located on rivers. I believe  
7                               Elba in Georgia is located on a river. Cove  
8                               Point in Maryland is located on the Chesapeake  
9                               Bay. And the District Gas LNG terminal in  
10          09: 50: 37   Boston is located up a river in Boston Harbor.  
11                               So there are -- there are LNG terminals located  
12                               on rivers inland from the ocean.

13                              MR. ROBERT KEENUM: Right. And security  
14                              reasons and environmental reasons, 38 miles, I  
15          09: 50: 49   recognize -- the farthest one I found upriver  
16                              was five miles. I'm not an expert by any  
17                              means. 38 miles to me is something that should  
18                              be seriously considered.

19                              MR. FRIEDMAN: For people who don't  
20          09: 51: 02   understand how siting occurs, it is the project  
21                              proponent, NorthernStar, who picks a location,  
22                              and then the FERC analyzes the environmental  
23                              impacts of that proposal.

24                              MR. ROBERT KEENUM: Thank you.

25          09: 51: 12           MR. FRIEDMAN: Thank you.

1           09:51:15           Are there any other questions or comments  
2                           from the floor?

3                           If not, then that brings to conclusion  
4                           this morning's public meeting. I would like to  
5           09:51:27           thank you all here on behalf of the FERC for  
6                           coming and providing us your comments on the  
7                           DEIS for the Bradwood Landing LNG terminal.

8                           And let the record show that this morning's  
9                           meeting was concluded, after all comments were  
10          09:51:41          taken from the floor, at approximately 9:50  
11                           a.m. Thank you very much.

12   (Recess at 9:51 a.m.)

13                           MR. ARTHUR JOHNSON: Well, thank you. My  
14                           name is Arthur Johnson. I live at 167 Jackson  
15          10:02:59          Road, Longview, Washington. It's a yew fallow  
16                           heights district (phonetic).

17                           As a landowner, I'm going to be directly  
18                           affected by this pipeline construction. I'm a  
19                           third-generation owner of an 80-acre tree farm,  
20          10:03:13          and I've been very active in it for quite  
21                           some -- quite a long time. The pipeline will  
22                           be constructed about a quarter of a mile across  
23                           my property and leave, of course, about a  
24                           50-foot-wide scar that will in turn over the  
25          10:03:26          period of years never be used for much of

1 10:03:29 anything, since it's going to be part of a tree  
2 farm. Trees will not be able to be planted on  
3 it. It will be more or less a grassy strip,  
4 I'm afraid.

5 10:03:37 The trees on my property that are where  
6 the pipeline is running right now are almost  
7 near maturity, but they could go for another  
8 several more years to reach full maturity and  
9 full value, so I feel I will be cheated if the

10 10:03:52 pipeline is built because I will not receive  
11 full value for my trees.

12 Now, in the EIS statement, the Bradwood  
13 EIS statement, it makes some comments in there  
14 that they're about to harvest the timber. I

15 10:04:02 feel some of those -- statements are quite  
16 vague. They're quite brief. They're quite  
17 short. They're not right to the point.

18 There's a lot of leeway there for the  
19 construction company to deal with me. I don't

20 10:04:15 have -- I have serious questions about who will  
21 harvest the timber, how they will do it, and  
22 what means they go by, and of course I have  
23 some very serious question about will I receive  
24 full payment for my trees in the aftermath.

25 10:04:30 I have great concerns about the

1           10:04:32   construction of the pipeline itself, even  
2                            though in the EIS brochure they talk about all  
3                            the procedures and the things that they are  
4                            going to do, but it's been my experience in the  
5           10:04:45   past, when the adjacent KB pipeline that was  
6                            built about a decade ago, that the construction  
7                            company there was quite careless. They left  
8                            the land in quite a disturbed state.

9                            The land there actually is relatively  
10          10:04:59   flat, and it was quite smooth, but the  
11                            aftermath was that the land was left in rather  
12                            rough form. There are a lot of dips. There  
13                            are minor ridges and little hills, little  
14                            gullies. They're small, but they're  
15          10:05:15   significant enough that when you run equipment  
16                            across it, like I do on occasion, it's quite  
17                            rough -- difficult to operate equipment on.

18                            One of the most harmful things done in the  
19                            construction of the KB pipeline was that they  
20          10:05:28   buried a lot of wood in the pipeline, stumps,  
21                            all kinds of chunks of wood. That wood now is  
22                            rotting, and when it rots, the potholes and the  
23                            surface of the pipeline, and actually some of  
24                            the wood surfaces when you run equipment across  
25          10:05:40   it, it becomes quite difficult to do so.



1 10:06:59 some point in time the discussion always comes  
2 back to the construction of the KB pipeline.  
3 He has been left a bitter man.

4 If the Bradwood pipeline would be  
5 10:07:11 constructed on my land, I will feel that the --  
6 my land will be violated and, in turn, I will  
7 be violated too because I am part of that land.

8 If you drive west of Longview here, there  
9 is a cemetery there, Bunker Hill Cemetery. I  
10 10:07:26 have a tombstone out there already, and on that  
11 tombstone it says -- there's a Finnish phrase  
12 inscribed on the tombstone called maa poi ka.  
13 Maa poi ka in English means son of the soil.  
14 And I have always be the son of the soil

15 10:07:45 because I have been so attached to my land  
16 because it's been in the family for now a third  
17 generation. And if the pipeline is built, I  
18 will feel that I will have been violated too.  
19 Thank you for your time.

20 10:08:00 MR. FRIEDMAN: Thank you for your  
21 comments. The one thing -- because you came a  
22 little late, you didn't hear my response  
23 earlier, about how FERC is going to monitor  
24 construction and restoration. We're going to

25 10:08:16 require that NorthernStar hire a third-party

1 10:08:20 monitor, environmental monitor, to monitor all  
2 construction and restoration activities. So  
3 there will be somebody around to watch  
4 construction activities all the time.

5 10:08:30 There are three other people who have come  
6 in after I reopened this meeting, and we're  
7 going to give them an opportunity to speak.

8 Jared Ross.

9 MR. JARED ROSS: Did you want my address  
10 10:08:45 too?

11 MR. FRIEDMAN: Yes. Spell your name for  
12 the court reporter.

13 MR. JARED ROSS: My name is Jared Ross,  
14 J-A-R-E-D, Ross, R-O-S-S. My address is P.O.  
15 10:08:53 Box 278, Adna, Washington.

16 MR. FRIEDMAN: If you're a landowner on  
17 the pipeline, provide us a milepost.

18 MR. JARED ROSS: A what?

19 MR. FRIEDMAN: A milepost, if you know  
20 10:09:02 where it is.

21 MR. JARED ROSS: No, I don't.  
22 95822. I'm here just to support the  
23 Bradwood Landing/NorthernStar natural gas --  
24 NorthernStar pipeline. That's all I have to  
25 10:09:13 say. Thank you.

1           10:09:17           MR. FRIEDMAN: All right.  
2                            Also, Sherry Barry.  
3                            MS. SHERRY BARRY: Hi, my name is Sherry  
4           Barry, and you spell that S-H-E-R-R-Y,  
5           10:09:29   B-A-R-R-Y. And I also -- my address is 811  
6           Bluff Avenue in Hoquiam, Washington. And I  
7           just am here today to also let you know that I  
8           support the Bradwood Landing project and the  
9           pipeline that will go in following it. Thank  
10          10:09:46   you.  
11                          MR. FRIEDMAN: Thank you for your  
12          comments.  
13                          Next is Glenn Willman.  
14                          MR. GLENN WILLMAN: Hi. I'm Glenn  
15          10:09:55   Willman, G-L-E-N-N, W-I-L-L-M-A-N. My address  
16          is 1914 Olympia Way, Longview, Washington,  
17          space 13.  
18                          I'm business manager of the Laborers'  
19          local union here in town, and I support the  
20          10:10:08   Bradwood Landing and the NorthernStar pipeline.  
21          It will provide quite a few jobs for my  
22          members, family wages, benefits, and keep it  
23          here locally.  
24                          MR. FRIEDMAN: Thank you for your  
25          10:10:18   comments.

1           10:10:19           Is there anyone else who did not earlier  
2                            have an opportunity to speak who would like to  
3                            speak? If not, then I'm once again going to  
4                            close the meeting with the understanding that,  
5           10:10:30           should people come in later who wish to speak,  
6                            I will reopen it. The time is now 10:10 a.m.  
7                            Thank you.

8   (Recess at 10:10 a.m.)

9                            MR. FRIEDMAN: I'm going to open up the  
10          10:33:52          meeting again at approximately 10:30 a.m., and  
11                            we're going to take another public comment.

12                                        So please state your name and spell your  
13                                        name for the record.

14                                        MR. JIM PROULX: My name, Jim Proulx,  
15          10:34:06          P-R-O-U-L-X. Actually, I'd like to speak on  
16                                        both myself and perhaps a little bit about our  
17                                        company's support for this project. Okay?

18                                        I've lived here for about 30-plus years.  
19                                        I hunt, fish. I do a lot of activities,  
20          10:34:24          exactly where this project is being considered  
21                                        to be built. So I've enjoyed the environmental  
22                                        fruits of the area, and I don't have any issues  
23                                        as a hunter, as a fisherman. I don't have any  
24                                        issues, and neither do the friends that I hunt  
25          10:34:43          and fish with. So, I understand the tankers

1           10: 34: 46   coming in and the construction along the river  
2                           and all those types of things. It is not going  
3                           to impact me personally any more than any of  
4                           the typical river traffic that's going on now.

5           10: 35: 00           As a matter of fact, on a personal note,  
6                           okay, I've been disappointed to see this region  
7                           lose so many of the big industries that have  
8                           been supporting a lot of families with  
9                           good-paying jobs. I know that there's been

10          10: 35: 14   one, two, three -- four big aluminum plants  
11                           along the Columbia River that have -- in the  
12                           last few years they've closed and they've gone  
13                           away, and those businesses close, those jobs  
14                           have gone away. And I see pulp and paper, I

15          10: 35: 27   see other industries that take advantage of the  
16                           same locations. They're going. They're going  
17                           to different countries, but they're leaving  
18                           this area.

19                           So on a personal note, I'd certainly like  
20          10: 35: 40   to see this project come to fruition for -- for  
21                           more jobs, more industry moving into this area,  
22                           and it's kind of a domino effect.

23                           As a business, I work for a company called  
24                           Harder Mechanical Contractors. We're a big  
25          10: 35: 59   construction company. 2008 is our -- will be

1       10:36:01   our 75th year of doing business. We actually  
2                   started our company in Astoria, Oregon, in  
3                   1934. So -- and our headquarters are here in  
4                   Portland. We're one of the largest

5       10:36:13   contractors, actually in the United States, but  
6                   certainly the largest in this area.

7                   We've got a lot of people that live and  
8                   work all around this area, okay, up and down --  
9                   from Astoria to Portland, Oregon, Washington.

10      10:36:32   I can't speak for all of them, but I've spoken  
11                   to a lot of them, and it's pretty unanimous.  
12                   There's a lot of support within our company.

13                   We are a construction company, so we'd  
14                   like to see this thing happen, of course, but  
15      10:36:45   for those same reasons: It's going to bring  
16                   good jobs. It's going to -- it's not going to  
17                   be harmful to their way of life, whatever  
18                   issues. There's a lot of skill in this area.

19                   This is -- this is a high-tech area. Intel  
20      10:37:02   builds their world-class wafer-manufacturing  
21                   facilities here.

22                   There's some really skilled labor that has  
23                   been enjoying this big, industrial region for a  
24                   long time. They're very, very safe. I think

25      10:37:17   we set records for the safe work performance of

1 10: 37: 22 not only our company but of this area as well.

2 So, you know, we've got a big company.

3 This area has been supporting large complex  
4 industries like this for many, many years. The

5 10: 37: 38 quality of the construction, if this facility  
6 was to be built, would be the highest. Nobody  
7 here, but I'd like to comment on that. I don't  
8 think there would ever be any issues with the  
9 construction, the safe work performance on a

10 10: 37: 56 project like this.

11 It is a large project. We build -- this  
12 region has built many, many large projects,  
13 larger projects than this. Okay. So from a  
14 construction standpoint, we see it as a very

15 10: 38: 10 successful opportunity. As a personal  
16 standpoint, we don't see any issues with this,  
17 and we're in -- personally, I'm in support of  
18 it, and as a company I'd like to go on record  
19 that we very much support this project. And I

20 10: 38: 27 believe that's all I got to say.

21 MR. FRIEDMAN: Thank you very much for  
22 your comments.

23 MR. JIM PROULX: Okay.

24 (MEETING ADJOURNED AT 10: 38 A. M. )

25 10: 02: 50

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## CERTIFICATE

I, Robin L. Nodl and, a Washington Certified Shorthand Reporter, an Oregon Certified Shorthand Reporter, a Registered Diplomat Reporter, and a Certified Realtime Reporter, do hereby certify that I reported in stenotype the proceedings had upon the hearing of this matter, previously captioned herein; that I transcribed my stenotype notes through computer-aided transcription; and that the foregoing transcript constitutes a full, true and accurate record of all proceedings had during the hearing of said matter, and of the whole thereof.

Witness my hand at Portland, Oregon, this 27th day of November, 2007.

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Washington CSR No. 2530

Oregon CSR No. 90-0056