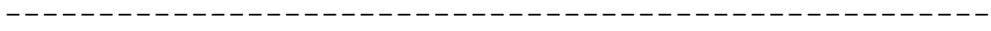


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

KERN RIVER GAS TRANSMISSION COMPANY'S  
APEX EXPANSION PROJECT

Docket No. PF09-7-000



June 10, 2009 \* 7:00 p.m.

Location: Morgan County Courthouse Auditorium  
48 West Young Street  
Morgan, Utah 84050

Reporter: Ashley Davis, RPR  
Notary Public in and for the State of Utah

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

1  
2  
3 MR. HANOBIC: We're going to get started.  
4 Good evening. On behalf of the FERC, I want to  
5 welcome all of you here tonight. Let the record show  
6 that the Apex Expansion Project scoping meeting in  
7 Morgan, Utah, began at 7:02 p.m. on June 10, 2009.

8 My name is David Hanobic, and I am an  
9 environmental project manager with the Federal Energy  
10 Regulatory Commission, or FERC. With me tonight I  
11 also have Rich McGuire. He's sitting in the back  
12 row, who is also with FERC.

13 We also have our environmental consulting  
14 corporation, ENTRIX, who is assisting us with our  
15 environmental analysis. They were located at the  
16 table when you came in in the back.

17 We also have a representative, David Ream,  
18 from the Forest Service tonight, along with, who are  
19 not here tonight, the Bureau of Reclamation and the  
20 Bureau of Land Management. These two agencies, along  
21 with the Forest Service, will be cooperating agencies  
22 with FERC in the preparation of our environmental  
23 impact statement or EIS.

24 I will ask David to present a brief  
25 overview of his agency's involvement in the project

1 in a few moments. The purpose of this meeting is to  
2 give you the opportunity to provide environmental  
3 comments specifically on Kern River's planned  
4 project. Kern River entered into the pre-filing  
5 process on March 13, 2009, which began our review of  
6 the facilities that we refer to as the "Apex  
7 Expansion Project."

8 The Apex Expansion Project would deliver  
9 gas into Southern Nevada. The main facilities that  
10 Kern River is considering for the project are  
11 approximately 28 miles of new 36-inch-diameter  
12 pipeline in Morgan, Davis, and Salt Lake Counties,  
13 Utah, one new compressor station in Beaver County,  
14 Utah, replacing an existing compressor in Millard  
15 County, Utah, and adding additional compression to  
16 three existing compressor stations in Wyoming, Utah  
17 and Nevada.

18 In a little while, I'll ask a  
19 representative from Kern River to take the floor to  
20 present a more detailed project description. They  
21 will be available in the foyer after the formal  
22 meeting is closed and will be able to answer some of  
23 your questions regarding the project.

24 Right now I'm going to talk a little bit  
25 about the scoping project and public involvement in

1 the FERC projects in general.

2 The main FERC docket number for the Apex  
3 Expansion Project is PF09-7-000. The "PF" means that  
4 we are in the pre-filing stage of the process. No  
5 formal application has been filed at FERC for the  
6 project. Once Kern River files a formal application,  
7 a new docket number will be assigned.

8 The National Environmental Policy Act  
9 requires that the Commission take into consideration  
10 the environmental impacts associated with new natural  
11 gas facilities. Scoping is a general term for  
12 soliciting input from the public before the  
13 environmental analysis is conducted.

14 The idea is to get information from the  
15 public, as well as agencies and other groups, so that  
16 we can incorporate issues of concern into our review.  
17 The scoping period started last month when we issued  
18 our Notice of Intent to prepare an environmental  
19 impact statement, or NOI. There was some in the back  
20 of the -- on the back table when you came in tonight.

21 Could you grab me a notice quick, please,  
22 a Notice of Intent?

23 In that NOI -- this is the Notice of  
24 Intent. In that NOI, we describe the environmental  
25 review process, some already identified environmental

1 issues, and the steps the FERC and the cooperating  
2 agencies will take to prepare the environmental  
3 impact statement. We have extra copies if you still  
4 need one.

5 We have set an ending date to scope of  
6 June 15, 2009 for this scoping period; however, the  
7 end of the scoping period is not the end of public  
8 involvement. There will be another comment period  
9 once the draft EIS is published.

10 An important step in the environmental  
11 review process and the preparation of an  
12 environmental impact statement is to determine which  
13 environmental resource issues are most important to  
14 you. Your comments and concerns, along with those of  
15 other people and agencies participating in this  
16 process, will be used to focus our environmental  
17 analysis.

18 Your comments tonight, together with any  
19 written comments you have already filed or intend to  
20 file, will be added to the record as comments on the  
21 environmental proceeding. We then take those  
22 comments and other information and work on our  
23 independent analysis of the project's potential  
24 impacts.

25 We will publish those findings in the EIS,

1       which will be mailed out to those people on our  
2       mailing list and, as I mentioned before, will be  
3       publicly noticed for comments.

4               Currently, our mailing list for this  
5       project is over 2500 people, agencies, and  
6       organizations. In order to contain costs and make  
7       sure that interested parties receive the EIS, we are  
8       requiring a positive response to indicate that you  
9       actually want the document.

10              If you noticed on the NOI, there was a  
11       return mailer attached to the back by which you could  
12       indicate you want to remain on the mailing list by  
13       mailing this back to FERC, and this is exactly what  
14       it is. So you would just attach it, put a stamp on  
15       it, and mail it back to FERC if you want to receive  
16       the EIS.

17              If you want to remain on this mailing  
18       list, as I just mentioned, you either return that,  
19       you sign in tonight at the table indicating you want  
20       to be kept on the mailing list, or you provide  
21       comments to FERC that include your address in some  
22       way. Otherwise, you will not receive anything else  
23       from FERC on this project.

24              Of course, if you are a landowner, you  
25       will probably still receive information from Kern

1 River. Also, please note because of the size of the  
2 mailing list, the mailed version of the EIS might be  
3 on a CD-ROM. That means unless you tell us  
4 otherwise, the EIS you will find in your mailbox will  
5 be on a CD-ROM.

6 If you prefer to have a hard copy mailed  
7 to you, you must indicate that choice on the return  
8 mailer which was attached to the NOI or have told us  
9 tonight when you signed in at the back table to be  
10 kept on the mailing list.

11 Now, I want to differentiate between the  
12 roles of the FERC Commission and the FERC  
13 Environmental Staff. The five-member commission,  
14 which is appointed by the President and confirmed by  
15 the Senate, is responsible for making a determination  
16 on whether to issue a Certificate of Public  
17 Convenience and Necessity to Kern River.

18 The EIS prepared by the FERC Environmental  
19 Staff, which I am a part of, does not make that  
20 decision. In general, an EIS describes the project  
21 facilities and associated environmental impact,  
22 alternatives to the project, mitigation to avoid or  
23 reduce these impacts, and our conclusions and  
24 recommendations.

25 So the EIS is used to advise the

1 Commission and disclose to the public the  
2 environmental impact of constructing and operating  
3 the proposed project.

4 The Commission will consider the  
5 environmental information from the EIS, public  
6 comments, as well as a host of other  
7 non-environmental issues, such as engineering,  
8 markets, rates, finances, tariffs, and design and  
9 cost, in making an informed decision on whether or  
10 not to approve the project.

11 Only after taking the environmental and  
12 non-environmental factors into consideration will the  
13 Commission make its final decision on whether or not  
14 to approve the project.

15 Okay. At this point, I'd like to ask if  
16 there's any questions about the scoping process or  
17 the FERC's role in this proceeding.

18 Okay. That's my overview of the FERC  
19 role. Now I'd like to hand it over to David Ream and  
20 let him give a quick explanation.

21 MR. REAM: Good Evening. My name is David  
22 Ream. I'm the project lead and point of contact for  
23 the project across the Apex Expansion here in the  
24 Wasatch. Of the 29 miles of this pipeline,  
25 approximately 6 to 8 miles of it, depending on the

1 routing -- the choice in route, FERC route, is across  
2 international forest system lands.

3 FERC is the lead agency for this project.  
4 We're a cooperating agency because it's across  
5 national forest, your public lands.

6 We're here with -- you know, to provide  
7 technical expertise and resource support during the  
8 drafting of the EIS by FERC. We do have some  
9 decisions on this project, and there's -- there are  
10 basically two decisions that we have for this EIS.

11 It's to decide whether or not to concur  
12 with FERC's decision to -- on the EIS to approve the  
13 project. And, in doing so, if we agree with it,  
14 we'll amend the 2003 Forest Plan to recognize that  
15 this new loop is crossing Wasatch. And this is -- if  
16 necessary, we will amend the plan.

17 And primarily, we're here to protect the  
18 resources -- your resources, the soil, the watershed,  
19 the wildlife, the vegetation, the visual resources,  
20 up through the pipeline board. And that's really our  
21 role in this process.

22 Any questions?

23 MR. HANOBIC: Okay. Thanks, Dave. Now  
24 I'd like to turn it over to Kern River. I'd like to  
25 introduce Chris Bias of Kern River.

1                   MR. BIAS: Thank you. I've got quite a  
2 bit of information here to cover. And my memory's  
3 not so good anymore, so I'll try to read this. I'll  
4 try to be as animated as possible and I'll try to  
5 speak loud.

6                   My name is Chris Bias. I am the project  
7 director of the Apex Expansion Project. This is Doug  
8 Gibbons. We've got matching shirts tonight, so we go  
9 together. He's the manager of Land Environment and  
10 Public Consultation on this particular project. So  
11 between the two of us, we ought to be able to answer  
12 questions you might have in here or outside tonight  
13 afterwards. So feel free to come and get after us or  
14 somebody else with one of these shirts on.

15                   I'd like to start out with a brief  
16 overview. The map behind me shows our existing and  
17 proposed facilities. The existing Kern River  
18 pipeline system, which has been in operation since  
19 1992, is a 1,680-mile natural gas pipeline system  
20 operated in Wyoming, Utah, Nevada, and California.

21                   We are proposing to construct and operate  
22 the Apex Expansion Project, which includes a new  
23 29-mile, 36-inch natural gas pipeline through the  
24 Wasatch Mountains, Morgan, Davis, and Salt Lake  
25 Counties of Northern Utah.

1                   The proposed project also includes  
2 construction of a new compressor station near  
3 Milford, Utah, and modification to existing  
4 compressor stations in Southwest Wyoming, near  
5 Alberta, Utah, Fillmore, Utah, and northeast of Las  
6 Vegas, Nevada.

7                   The project would loop the Kern River  
8 pipeline system. Looping is a term for a process  
9 which means building of parallel -- roughly parallel  
10 pipeline along existing pipeline that ties in to the  
11 other pipeline at both ends.

12                   The purpose of that is to increase  
13 capacity and enhance reliability. In 2003, the  
14 majority of the Kern River pipeline system was  
15 looped, with the exception of the Salt Lake City and  
16 Las Vegas areas.

17                   Next slide, please. Here is a map showing  
18 our preferred and alternate routes. Those of you who  
19 picked up fact sheets would have a depiction of this  
20 somewhere on the information that you have.

21                   Since the completion of the 2003 looping  
22 expansion project, Kern River has sought to close the  
23 gap in the Wasatch Mountains and the Salt Lake Valley  
24 and has examined a number of potential routes. As  
25 part of the FERC filing process, Kern River is

1 required to evaluate and submit a preferred route  
2 that we believe to be the best option after  
3 considering stakeholder input, environmental,  
4 cultural, and visual resources, construction  
5 constraints, and economic consideration.

6 The FERC filing process is focused on  
7 public consultation, providing information to  
8 stakeholders, and gathering their feedback and  
9 comments to help the company identify and refine the  
10 preferred route.

11 Kern River will submit the preferred route  
12 during this phase of the project to the FERC when the  
13 company files formal application for a Certificate of  
14 Public Convenience and Necessity.

15 Our current preferred route generally  
16 parallels the existing Kern River line, which is  
17 through Morgan, Davis, and Salt Lake Counties, with  
18 local deviations due to terrain, geotechnical  
19 development constraints, and stakeholder input.

20 Kern River has also identified an  
21 alternative route that follows existing pipelines to  
22 the Bountiful City limits where it turns south and  
23 follows Bountiful Boulevard. It rejoins the existing  
24 Kern River right-of-way near Eagle Point development  
25 in North Salt Lake.

1           The route was determined to be a viable  
2           option because it has the least impact to historical,  
3           recreation, and environmental resources of any of the  
4           routes considered. In addition, by locating the  
5           route under an existing road, there is less private  
6           property disturbance, less visual impact to the  
7           mountains, and is within a U.S. Forest Service  
8           designated utility corridor.

9           Kern River will continue to work with  
10          interested stakeholders and effective communities to  
11          further evaluate this route during the pre-filing  
12          process.

13          So just really quickly, the preferred  
14          route is depicted in green, basically follows this,  
15          and the alternate route is the yellow, which they're  
16          essentially the same route to this point, and then it  
17          splits and goes this way. So those are the two  
18          routes.

19          If approved by the FERC, construction will  
20          begin in early 2011, with pipeline operational by the  
21          end of that year. Construction at some of the  
22          compressor station locations could start in the  
23          latter part of the year 2010.

24          Why is this project needed? The Apex  
25          Expansion Project is needed for three reasons,

1 primarily: First, the demand for natural gas in our  
2 region is growing, the result of increasing use by  
3 homes, businesses, and electronic power plants in the  
4 west.

5           Second, the existing Kern River pipeline  
6 system is operated at capacity and needs to be  
7 expanded to accommodate the anticipated increases in  
8 demand. The Kern River mainland system has been  
9 operating at capacity since the original pipeline  
10 began operation in 1992.

11           A single pipeline through the Wasatch  
12 Mountains in the Salt Lake area is essentially a  
13 bottleneck in our mainline system. We have parallel  
14 pipelines coming to the Wasatch Mountains on the east  
15 and leaving Salt Lake City on the west, and we have  
16 basically done everything we can with our existing  
17 pipeline facilities to expand capacity.

18           We have increased compression and looped  
19 most of the rest of the system and made other  
20 enhancements to expand capacity. Looping this  
21 portion of the system in Northern Utah is essential  
22 to any additional expansion of the Kern River system.

23           Lastly, enhancing system reliability along  
24 the Kern River pipeline system, a looped pipeline  
25 enhances reliability because it provides operational

1 flexibility.

2                   What are the benefits of the project? The  
3 project will provide significant sustained benefits  
4 to the region and the Salt Lake area. It will add  
5 infrastructure needed to enhance service reliability  
6 and increase access to clean-burning natural gas  
7 supplies for customers throughout the region.

8                   Area residents will also benefit because  
9 their local distribution companies, such as Questar,  
10 and power generators like PacifiCorp, will have  
11 access to an even more-reliable gas supply.

12                   The project will create long-term,  
13 sustained tax revenues for counties crossed by the  
14 pipeline. For example, in 2008, Kern River paid  
15 \$1.3 million in property tax payments to Salt Lake,  
16 Davis, and Morgan Counties. With this expansion, it  
17 is anticipated that those payments will increase by  
18 an additional 1.1 million during the first year of  
19 operation of this new pipeline facility.

20                   What about safety? Our highest priority  
21 is the safe operation of our pipeline system.  
22 Pipelines are the safest way to transport natural  
23 gas, and the nation's infrastructure of hundreds of  
24 thousands of miles of transmission pipeline,  
25 including our region, have a solid safety record.

1 Kern River has had no incidents on our system since  
2 beginning operation more than 17 years ago.

3 We will design, construct, operate, and  
4 maintain the new pipeline to meet or exceed the  
5 current governmental -- federal government safety  
6 standards. We have trained personnel to respond to  
7 an emergency, in the unlikely event that there were  
8 to be an incident.

9 Furthermore, we will continue to provide  
10 ongoing training and coordinate exercises with local  
11 emergency response officials. Safety will always be  
12 our highest priority.

13 Kern River will respect the environment.  
14 The environment is very important to us. These  
15 slides are some of the photographs that were taken  
16 during the original construction. The one on the  
17 left shows pipeline being ready to be placed into the  
18 ditch on some pretty rugged terrain in the Wasatch  
19 Mountains. That was back in '91.

20 This is a section of the -- that pipeline  
21 route was restored, and that's the way it looked in  
22 2003.

23 This is the creek crossing. I believe  
24 this is East Canyon Creek Crossing, and that's the  
25 way it looked last Saturday, granted it's been a very

1 wet spring and it's quite green. But you can see  
2 here on the pipeline marker where the pipeline  
3 crosses the creek, and you can see another one on the  
4 opposite side.

5 The pipeline actually goes across the  
6 mountain top right here, so if you try to find -- try  
7 to find -- connect the dots -- and I think it's tough  
8 to do -- it's a good testament for revegetation.

9 Kern River intends to be a good steward in  
10 the environment now and long after the pipeline has  
11 been grounded. We are committed to protecting the  
12 environment during all phases of the project and  
13 subsequent operational activities.

14 Early on in the pre-construction process,  
15 we will conduct surveys to assess and evaluate  
16 environmental impacts. During construction, we will  
17 employ various techniques to protect soils, plants,  
18 and wildlife, waterways, and areas of cultural  
19 significance.

20 Our commitment will continue after the  
21 pipeline is constructed. We recognize that concerns  
22 remain about the restoration of the original  
23 pipeline. Revegetating some of the original route  
24 was challenging. We will apply what we learned from  
25 our original pipeline construction and subsequent

1 expansion and will work with the community and the  
2 appropriate federal and state agencies to identify  
3 the best mitigating strategies for restoring the new  
4 route and monitoring the restoration success.

5 Another photograph here that was taken a  
6 couple of days ago, this is -- I believe it's going  
7 out of East Canyon Creek and headed east. Am I  
8 wrong? Am I lying, Doug?

9 Okay. So obviously you can see that there  
10 is a right-of-way here. There is pipeline in the  
11 ground, but that's -- that's the success of the  
12 restoration. I think it's interesting to note how  
13 green this is compared to some of these more barren  
14 areas to the side.

15 The last topic I would like to address is  
16 public involvement. Kern River has and will continue  
17 to conduct outreach with all project stakeholders,  
18 including landowners, community leaders,  
19 environmental, and other advocacy groups. We will  
20 listen to the stakeholders -- what stakeholders have  
21 to say throughout all phases of the project and will  
22 consider their feedback during development of the  
23 project plan and certificate application.

24 The slide contains contact information for  
25 Kern River. There's a phone number here, toll free

1 phone number here you can call any time. And you can  
2 send us an e-mail or you can hit this Kern River  
3 website and follow this path, "Expansion Projects,"  
4 "Apex Expansion," to find detailed information about  
5 the project.

6 Almost everything you saw out in the foyer  
7 on the three-fold display there -- some of the maps  
8 that are available -- you can get are from the  
9 website, so feel free to look at that. Feel free to  
10 use these numbers. If you dial these numbers or send  
11 e-mails, you'll get me or Doug or somebody who knows  
12 more about the particular thing you're interested in  
13 talking about.

14 You'll get to talk to one of us, and we'll  
15 be very responsive about that. So we encourage you  
16 to use this avenue to get to Kern River. We'd be  
17 happy to consider your input in this project.

18 Another avenue, the public can always  
19 comment directly to FERC or communicate with Kern  
20 River. We are here to support FERC's public scoping  
21 process tonight. Please participate and share your  
22 comments with them.

23 In summary, Kern River is committed to  
24 safely designing, constructing, operating, and  
25 maintaining the proposed pipeline. We appreciate

1 your input during this process. Thanks for coming  
2 out tonight.

3 MR. HANOBIC: Thank you, Chris.

4 As Chris said, after the meeting is  
5 adjourned, representatives from Kern River will be  
6 available with project maps and will be on hand to  
7 answer any questions about the project.

8 I'd also like to open it up. Is there any  
9 questions anybody would like to ask on the record  
10 right now to Kern River?

11 UNIDENTIFIED MAN: Is there any new  
12 right-of-ways being established or is it all one --

13 MR. BIAS: I'm going to let my land  
14 representative answer that question.

15 Doug?

16 MR. GIBBONS: My name is Doug Gibbons,  
17 spelled G-i-b-b-o-n-s.

18 In Morgan County, there's approximately  
19 about two, maybe two and a half miles, of additional  
20 right-of-way. It's still in the survey process right  
21 now, so it could move one way or another up or down.

22 Typically we're parallel to our existing  
23 pipeline; however, in these areas of deviation, it  
24 would be requiring new right-of-way. So it would be  
25 what most people consider new right-of-way.

1                   In the areas where we parallel the  
2 existing right-of-way, the typical offset would be 25  
3 to 35 feet, depending on terrain. That's how it's  
4 proposed right now. And then a new portion of the  
5 right-of-way would be overlapping existing, and then  
6 there would be an additional portion of the  
7 right-of-way we would purchase.

8                   For the most part in Morgan County,  
9 there's about 17 or so miles in Morgan and somewhere  
10 in the vicinity of two that would be -- what would be  
11 considered a brand-new right-of-way.

12                   UNIDENTIFIED MAN: Any of this be would  
13 taken other than by negotiation of purchase?

14                   MR. GIBBONS: That's how Kern River  
15 intends to pursue right-of-way is through  
16 negotiation, correct.

17                   UNIDENTIFIED MAN: On the national forest,  
18 approximately three to five miles on additional  
19 right-of-way?

20                   MR. GIBBONS: In the case of federal  
21 lands, those particular rights of way, assuming that  
22 the certificate is granted, BLM would be issuing the  
23 agency for that particular right-of-way and would  
24 cover all federal grants -- all federal lands,  
25 whether it's the Forest Service, BLM, or Bureau of

1 Reclamation. They're potential candidates.

2 So in those cases, the board is the  
3 participating agency in this process. If it doesn't  
4 get certificated, then they would issue the transfer  
5 for federal lands.

6 UNIDENTIFIED MAN: What is the question --  
7 the gas transmitted through this pipeline that is  
8 available to Utah consumers?

9 MR. GIBBONS: Yeah. Kern River is an  
10 open-access pipeline, so although the customer, for  
11 this particular expansion -- if you want to look at  
12 them that way -- is in southern Nevada. Putting this  
13 pipeline in Northern Utah actually enhances the  
14 reliability for all of Kern River customers.

15 We supply a tremendous amount of gas for  
16 people in Utah, all of the Wasatch Front, and through  
17 the center of the state that hadn't had gas in the  
18 past. We do supply a tremendous amount of natural  
19 gas to Nevada and California. But enhancing the  
20 reliability of the system really benefits everybody,  
21 including Utah citizens.

22 MR. KILBOURN: Are you able to show us  
23 tonight where those variations on the right-of-ways  
24 are or will be?

25 MR. GIBBONS: Yeah, I certainly can.

1                   MR. HANOBIC:  If you want to do that  
2  after, you can show more specific --

3                   MR. GIBBONS:  I've got some materials  
4  outside.  We can certainly go over that.

5                   MR. HANOBIC:  Are there any other  
6  questions?

7                   UNIDENTIFIED MAN:  Are we going to have a  
8  chance to speak our opinions?

9                   MR. HANOBIC:  Yeah.  Yeah.  That's comes  
10 up in a minute or two.

11                   Anybody else have any questions for Kern  
12 River directly?

13                   MR. KILBOURN:  I don't have a particular  
14 question.  I just have some comments.

15                   Look around this room.  Where the hell is  
16 the silent majority?  If they're so damn concerned  
17 about what's going on, why aren't these seats filled?  
18 That's my concern.

19                   I want to commend Kern River on the way  
20 that they have proceeded and rebuilt where the  
21 pipeline is now.  If you -- if it's sunshine in the  
22 morning, you can drive up Parch, and you will see  
23 moose, you'll see elk, you'll see deer feeding on  
24 that grass that normally they'd be in oak brush.

25                   So I certainly have no heartburn.  It does

1 not affect my property directly where the pipeline  
2 is, it just affects my right-of-way going to my  
3 property. And that right-of-way, up until the deer  
4 hunters tore the road up, Kern River had it in better  
5 shape than its ever been.

6 And I know that when they come through  
7 again that they'll restore the road back again. I  
8 wish I could keep it that way. That isn't the case,  
9 so -- one other comment, I don't live in Bountiful  
10 and Salt Lake, but they're concerned about this open  
11 space down there in Bountiful and they're afraid this  
12 pipeline going through there is going to compromise  
13 that open space.

14 Hell, it's already been compromised. They  
15 show it on TV and there's a road going right through  
16 the middle of it, and that road will never disappear.  
17 But the pipeline, where it goes, it's a temporary  
18 thing and it will be receded and you won't know the  
19 pipeline is there. So they're talking out both sides  
20 of the mouth, as far as I'm concerned.

21 I'm concerned with the environment, yes.  
22 When they do as good a job as I've seen Kern River  
23 do, I certainly have no heartburn.

24 MR. HANOBIC: Okay. We're going to now  
25 move into the part of the meeting where we'll hear

1        comments from the other audience members.

2                    If you would rather not speak, you may  
3 hand in written comments tonight or send them to the  
4 secretary of the Commission by following the  
5 procedures outlined in the notice.

6                    Whether you verbally provide your comments  
7 or mail them in, they will be considered by FERC.  
8 There's also a form on the table when you came in  
9 tonight where you can write in comments and give them  
10 to one of us tonight, one of the FERC representatives  
11 or ENTRIX folks, or you can mail them in. There's  
12 instructions on that sheet also.

13                    The meeting tonight is being recorded by a  
14 transcription service, so all of your comments will  
15 be transcribed and put into the public record. I ask  
16 that for the meeting tonight, please follow some  
17 ground rules. If you signed up to speak, when I call  
18 your name, please come forward to the podium here and  
19 spell your name for the court reporter so she can  
20 accurately put it into the record.

21                    Also, identify any agency or group you may  
22 be representing and define any acronyms you may use.  
23 For everybody else in the audience, I just ask that  
24 you please respect the person that is speaking. And  
25 if anybody has their cell phone on, I would ask you

1 to turn it on silent so it doesn't disturb the  
2 meeting.

3 We're now ready to call our first speaker,  
4 who is Randy Long.

5 MR. LONG: Yes, I'm Randy Long. I'm from  
6 Salt Lake County -- well, Cottonwood Heights,  
7 actually. And I'm not sure -- there's several -- the  
8 way I see it, there's several problems with this  
9 pipeline.

10 One is the possibility of fire, because  
11 it's sitting on a -- dirt usually won't burn, and  
12 it's about nice -- but there are some minerals, and  
13 they're highly flammable. And I found that out one  
14 day, actually, quite some time ago.

15 And last year -- last, I think it was,  
16 July, there was a -- it's called the Corner Canyon  
17 Fire, which was directly above the City of Draper of  
18 Salt Lake County. Now it's burned several thousand  
19 acres. I don't know how many, but several thousand.  
20 That was a huge fire, and it started just by a  
21 cigarette. Fires like that size will all sterilize  
22 the soil badly.

23 I was -- performed one of these  
24 projects -- service projects on the Bonneville  
25 Shoreline Trail in that area that -- last September.

1 And that trail is still badly recovering from that  
2 fire. So it seems to me like this line could  
3 possibly be damaged in a fire like that.

4 Also, this line is going to cross under  
5 the Bonneville Shoreline Trail somewhere, and I know  
6 that because I'm familiar with that trail. It's  
7 become one of my favorite trails. When it's  
8 finished, it'll go all the way from Central Utah,  
9 mostly -- well, all the way to nearly the Idaho line.

10 So I know with that in mind, this is going  
11 to be crossing over it somewhere. And it could  
12 impact it greatly during the construction period. So  
13 I think that means that as well.

14 We also need to think about wilderness.  
15 Now, I know this -- you say Southern Utah and others  
16 are all unfinished. The Washington County just had,  
17 as of January -- just had about 180,000 acres of  
18 bottomlands designated as wilderness. So we need to  
19 think of that as well.

20 Thank you.

21 MR. HANOBIC: Thank you very much. Our  
22 next speaker will be Mike -- is it Ellerbeck?

23 MR. ELLERBECK: Ellerbeck.

24 MR. HANOBIC: Okay.

25 MR. ELLERBECK: I'm a landowner where the

1 pipeline would go through. That property has been in  
2 my family for over 100 years. It's a small parcel of  
3 1445 acres, and this will be our third gas pipeline.  
4 That doesn't count the Bountiful City power line.

5 I really oppose this project. Perhaps if  
6 the pipelines would have been lined up neat and  
7 orderly starting in 1974 with Mountain Fuel -- which  
8 we were able to, you know, negotiate with them. They  
9 put it on the edge of our property. I was very  
10 unsuccessful in 1992 negotiating with Kern River.  
11 And right before condemnation, I signed, and they  
12 ripped right through the middle of our property.

13 So here comes another pipeline. This is  
14 really, you know, unfair to not only my family but  
15 the people in Morgan County and other miles along  
16 this route. You know, just because the pipeline is  
17 covered up and grass grows on it does not mean it's  
18 not there, you know.

19 Thirty-six-inch diameter of natural gas is  
20 really, you know, not a walk in the park. There's --  
21 you know, I know you guys are careful, safety  
22 precautions and all that, but it's still natural gas,  
23 a massive volume of natural gas.

24 Another thing, to say it benefits us here  
25 is ridiculous. There are no spigots on this

1 pipeline. We can't fire up the barbecue. This stuff  
2 goes down to Southern California and Southern Nevada.  
3 There's no way it benefits us other than maybe hiring  
4 a few construction workers to come in and tear up the  
5 property.

6 Another problem I have with it, 36-inch  
7 pipeline, 75 feet is torn up. And every time they  
8 make another pass, it gets wider and wider. We  
9 measured over a hundred feet at the last Kern River  
10 pipeline. And, you know, it's -- when is this going  
11 to stop, you know? How many pipelines am I going to  
12 have in my little piece of property to satisfy  
13 Southern California, Southern Nevada, you know?

14 I'm just very much opposed to this project  
15 completely, and that's about all I have to say.

16 MR. HANOBIC: Thank you for your comments.  
17 Our next speaker is Mark Ward.

18 MR. WARD: Good evening. I'm Mark Ward,  
19 Utah Association of Counties. I appreciate the  
20 opportunity to speak.

21 Utah Association of Counties is an  
22 organization that's been in place since roughly 1920.  
23 It represents all 29 counties on issues that -- in  
24 which all 29 counties can be united on. And we  
25 support various counties in whatever positions they

1 take with respect to land use matters.

2 And in this instance, Utah Association of  
3 Counties, or UAC, supports Salt Lake County in the  
4 letter that was authored by Salt Lake County, Salt  
5 Lake City Corporation, and Utah Open Lands, dated  
6 June 4, 2009 to Douglas Gibbons of Kern River Gas  
7 Transmission Company regarding the Bonneville  
8 Shoreline Preserve, which is roughly a 57-acre open  
9 space area in and around the Beck Street Bench.

10 I realize this is a Salt Lake County  
11 matter; but as I looked at the document, there were  
12 only two nights to comment. One was in Bountiful and  
13 one was here, and I could not make the Bountiful one.  
14 So I didn't know if there was a Salt Lake County  
15 meeting or not. It did not appear that there was.

16 So I don't mean to commandeer the meeting  
17 which is probably meant for Morgan County issues, but  
18 it's a big deal to a lot of people who live in Salt  
19 Lake County and were raised there to be able to have  
20 some small portion of the Bonneville Shoreline they  
21 can recognize that hasn't been obliterated by  
22 construction and development.

23 And it's what's known as a geoantiquity.  
24 Tens of millions of dollars were invested to acquire  
25 these types of properties, including this 57-acre

1 property. Easements were granted to keep it in its  
2 natural condition so that people of Salt Lake could  
3 identify and have some sense of history, both natural  
4 history and history regarding the settlement of the  
5 west.

6 There are other routes that this pipeline  
7 can travel as indicated by -- under Alternative C  
8 that was mentioned in the -- I forget exactly what it  
9 was called -- Resource Report Number 10 submitted to  
10 FERC -- very feasible to utilize the Forest Service  
11 Work Canyon Utility Board and not have to go through  
12 that -- what's called a Salt Lake Variation, which is  
13 PV2 on the map, which would bisect this open space  
14 area.

15 It would run counter to all of the  
16 purposes for which that space was acquired with  
17 taxpayer money and all the special easements that  
18 were set forth for that, and it would irretrievably  
19 obliterate and impair the shoreline in its natural  
20 condition.

21 It's not like we're trying to stop the  
22 pipeline. There are reasonable ways, and it's a very  
23 small segment that's been called for in the  
24 deviation. This deviation was not part of the  
25 original alignment, as far as I know.

1                   So Salt Lake County has the support of  
2                   UAC, and we will continue to submit comments. We  
3                   will submit written comments to complement these  
4                   verbal comments prior to the scoping deadline. I  
5                   know that the precise purpose of the meeting is to  
6                   get comments with respect to scoping.

7                   I hope the scoping of this environmental  
8                   impact study will include a careful delineation of  
9                   the impacts to that natural shoreline and will  
10                  strongly consider alternatives to preserve that.

11                  I thank you for the opportunity to speak.

12                  MR. HANOBIC: Thank you. I don't have  
13                  anybody else signed up to speak. Would anybody else  
14                  like to get up and speak? If you do, just please say  
15                  your name and then spell it.

16                  Okay. If no one else would like to speak,  
17                  I will go ahead and close the formal part of this  
18                  meeting.

19                  MR. LONG: I'd like to make one other  
20                  comment, if I could.

21                  MR. HANOBIC: Okay.

22                  MR. LONG: Again, me name is Randy Long,  
23                  L-o-n-g, and I forgot to make a comment that's -- if  
24                  we allow this pipeline to be put in now, who's to say  
25                  what -- 15, 20 years, there might be another pipeline

1 wanted, maybe a third or maybe even a fourth one  
2 sometime. So I think it's, therefore, time to draw  
3 the line.

4 Thank you.

5 MR. HANOBIC: Thank you.

6 Okay. Anybody else?

7 MR. ELLERBECK: I'd like to take another  
8 shot. When you have multiple pipelines, you create  
9 what's called a utility corridor, which means anybody  
10 can come along and put any utility line they want,  
11 and the landowner is completely helpless to do  
12 anything about it.

13 And that's another way that's, you know,  
14 taking away our rights, not only as landowners but as  
15 citizens.

16 MR. HANOBIC: Thank you.

17 Anybody else?

18 Okay. I'm going to close the formal part  
19 of this meeting. And quickly, I'd like to mention  
20 about the FERC website.

21 Within our website there's a link called  
22 e-Library. If you type in the docket number PF09-7,  
23 you can use e-Library to gain access to everything on  
24 the record concerning this project as well as all the  
25 filings and information submitted by Kern River.

1                   On behalf of the Federal Energy Regulatory  
2 Commission, I want to thank you all for coming  
3 tonight. Let the record show that the Apex Expansion  
4 Project scoping meeting in Morgan County, Utah,  
5 concluded at 7:44 p.m.

6                   Thank you very much.

7                   (Hearing concluded at 7:45 p.m.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

REPORTER'S HEARING CERTIFICATE

STATE OF UTAH )  
 ) ss.  
COUNTY OF SALT LAKE )

I, Ashley Davis, Registered Professional Reporter and Notary Public in and for the State of Utah, do hereby certify:

That said proceeding was taken down by me in stenotype on June 10, 2009, at the place therein named, and was thereafter transcribed, and that a true and correct transcription of said testimony is set forth in the preceding pages;

I further certify that I am not kin or otherwise associated with any of the parties to said cause of action and that I am not interested in the outcome thereof.

WITNESS MY HAND AND OFFICIAL SEAL this 14th day of June, 2009.

\_\_\_\_\_  
Ashley Davis, RPR  
Notary Public  
Residing in Davis County