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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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Ruby Pipeline, LLC : Docket No. CP09-54-000
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Draft Environmental Impact Statement
PUBLIC COMMENT MEETING

Kemmerer Senior Center
105 JC Penney Drive
Kemmerer, Wyoming
Wednesday, July 29, 2009

The public hearing, pursuant to notice, convened at 7:03
p.m. before a Staff Panel:

DAVE SWEARINGEN, Environment Project Manager,
FERC

MARK MACKIEWICZ, U.S. Bureau of Land Management

JOHN MUEHLHAUSEN, Merjent

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P R O C E E D I N G S

MR: SWEARINGEN: My name is David Swearingen and I am an environmental project manager with the Federal Energy Regulatory Commission, or FERC. To my far right at this table is John Muehlhausen with Merjent, an environmental consulting corporation. Merjent is assisting the FERC in the environmental analysis and the preparation of the environmental document. Christine Allen of FERC and Peg Boden with Merjent were at the sign-in table at the entrance. Also here tonight to my immediate right is Mark Mackiewicz with the U.S. Bureau of Land Management. The BLM is a cooperating agency in the preparation of the environmental analysis. I'd also like to mention that Lincoln County is also a cooperating agency with the preparation of the environmental document.

On behalf of the FERC I want to welcome you all here tonight. Let the record show that the Kemmerer public comment meeting began at 7:03 p.m. July 29, 2009.

The purpose of this meeting is for the FERC and the BLM to get your comments on the Draft Environmental Impact Statement, or EIS, that we recently released. In a moment I'm going to give a brief overview of the FERC process, and then Mark with the BLM will say a few words about his agency's participation.

Where we are in the process. Right now we are in

1 the midst of a 45-day comment period on the Draft EIS, and
2 that comment period ends on August 10th. All comments that
3 we receive within the comment period will be addressed in
4 the final EIS. So the purpose of this meeting is to get
5 whatever comments members of the public, tribes, agencies
6 may have on the Draft EIS so that we can revise it, update
7 it, and make our final conclusions and recommendations in
8 the final EIS.

9 There are several different ways that you can
10 provide comments. There was a sign-up list at the table if
11 you wanted to provide verbal comments tonight; that's fine,
12 what's what we're here for. If you'd rather submit written
13 comments, there are some sheets where you can write down
14 some comments and leave them with us here. You can mail
15 them in to the FERC, you can use the FERC website to submit
16 comments as well. It doesn't matter how you get your
17 comments to us, we will take them all into consideration
18 equally, regardless of the method.

19 The most useful comments that you may have are
20 the ones that are specific to the environmental analysis and
21 the draft. If you wish to speak tonight, you'll have the
22 floor; you can say whatever you want to say. But like I
23 said, the purpose is to revise the draft into a final; so
24 the more specific you can target your comments to the
25 project and to the environmental analysis, the more helpful

1 that will be.

2 If you received a copy of the Draft EIS, then
3 you're automatically on the mailing list to receive a copy
4 of the Final EIS. If you didn't receive a copy of the draft
5 or if you're not sure if you're on the mailing list, you can
6 add your name at the back and we'll make sure that you can
7 get a copy of the Final EIS when it's published and
8 released.

9 Once we've finished the Final EIS and issued it,
10 the next step is that the final environmental analysis will
11 then be taken under consideration by the FERC Commission.
12 The FERC Commission will ultimately decide whether or not to
13 approve this project. The environmental document is not a
14 decision making document; it does not make that decision.
15 What it does is it presents the environmental staff's
16 conclusions and recommendations.

17 So the FERC Commission will take that, along with
18 other non-environmental issues of a regulatory nature; the
19 markets, the tariffs, the rates, the design and cost, the
20 infrastructure needs of the country, the energy needs of the
21 United States, all that put together, will decide whether or
22 not to approve this project.

23 Now I'm going to turn the meeting over to Mark
24 Mackiewicz, and he'll say a few words about the BLM role.

25 MR. MACKIEWICZ: Thanks, Dave. My name is Mark

1 Mackiewicz, I'm a National Project Manager with BLM's
2 Washington, D.C. office. The Bureau of Land Management is
3 the lead federal agency charged with granting right-of-way
4 across all federal lands the project crosses. We work
5 closely with our local BLM and our resource specialists in
6 this office, trying to ensure that we've identified
7 resources and issues that the proposed project may have on
8 federal lands.

9 And as Dave mentioned, we are a cooperating
10 agency in the preparation of this document. We will utilize
11 the environmental impact statement in determining whether we
12 should approve or not approve a right-of-way on federal
13 lands authorizing construction of the Ruby Pipeline project.

14 The authorized officer for this project, the BLM-
15 authorized officer, is a gentleman by the name Ron Wenker.
16 He is the State Director for BLM's Nevada office.

17 If you have any questions after the meeting, I'll
18 be here for as long as it takes, as well as Dave, and we'll
19 answer those questions for you. Thank you.

20 MR: SWEARINGEN: You also noticed that there are
21 some folks from Ruby Pipeline here, and they have brought
22 some maps and some additional information. The information
23 in the Environmental Impact Statement was the most up-to-
24 date that we had at time of publication. My understanding
25 is that Ruby, in certain areas, has revised its route, has

1 proposed some variations to what you saw in the Draft EIS.

2 So if you have any specific questions, ask one of
3 those folks, take a look at a map, and see if that doesn't
4 answer your question. As Mark mentioned, he and I will stay
5 around after the meeting to answer any questions that
6 pertain to our agencies' role.

7 Also, the Ruby folks were nice enough to bring
8 some cookies and some water.

9 You'll notice that the gentleman on the far right
10 is taking notes for the meeting; he's a court reporter, this
11 meeting is on the public record. So any comments tonight
12 will be part of the official transcript and the official
13 proceedings for this project. So I ask that if you have any
14 questions or any comments that you want to make that you
15 come up to the podium. There's a wireless mic that goes
16 directly into his apparatus over there that helps him to
17 transcribe. So if you could state your name, spell it for
18 the record; if you're affiliated with an organization or
19 group, include that as well.

20 Now what I'll go ahead and do, we didn't have
21 anybody sign up to speak. So I will open the floor. If
22 anybody wishes to provide comments, now is the chance.

23 Is there anybody here who wishes to provide
24 comments on the Draft EIS for the Ruby project?

25 (No response.)

1 Seeing that there are not any folks stepping up
2 to provide oral comments at this time, I'm going to close
3 the official part of the meeting. So that will mean that
4 anything that's discussed after this part will be off the
5 record. Doesn't mean it's not important; we can chat and
6 have a little Q&A, that's fine, but it won't be a part of
7 the official transcript.

8 Anyone wishing to keep up with the official
9 activity associated with the Ruby Pipeline Project can use
10 the FERC website. It's www.FERC.gov. Within the FERC
11 website, there is a link called e-Library. If you type in
12 the docket number, which is CP09-54, you can use e-Library
13 to gain access to everything on the public record for the
14 Ruby Pipeline project. You can also type in 'Ruby Pipeline'
15 in the text box, and that will also bring it up. Anything
16 that's on the public record, whether filed by Ruby or issued
17 by FERC will then be accessible; you can view it, print it,
18 download it, read it -- whatever you want to do.

19 One last call to -- did you want to provide
20 comments tonight?

21 AUDIENCE: No, thank you. I'm here just to
22 listen.

23 MR. SWEARINGEN: Okay. Well, I'm done. So the
24 official part of the meeting is over. We're going to hang
25 around and we can have some question and answer afterwards.

1 I just wanted to make sure I didn't close out the comments,
2 if you wanted to make some, so.

3 So on behalf of the Federal Energy Regulatory
4 Commission and the BLM, I want to thank you all for coming
5 here tonight. Let the record show that the Kemmerer comment
6 meeting concluded at 7:10 p.m. Thank you.

7 (Whereupon, at 7:10 p.m., the scoping meeting
8 concluded.)

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