

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

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

- - - - - x
Ruby Pipeline, LLC : Docket No. CP09-54-000
- - - - - x

Draft Environmental Impact Statement
PUBLIC COMMENT MEETING

Hyrum Civic Center
83 W Main Street
Hyrum, Utah
Thursday, July 30, 2009

The public hearing, pursuant to notice, convened at 7:06
p.m. before a Staff Panel:

- DAVE SWEARINGEN, Environment Project Manager,
FERC
- MARK MACKIEWICZ, U.S. Bureau of Land Management
- JOHN MUEHLHAUSEN, Merjent

P R O C E E D I N G S

1
2 MR: SWEARINGEN: I want to welcome you all here
3 tonight. My name is David Swearingen and I am an
4 environmental project manager with the Federal Energy
5 Regulatory Commission. Normally I sit at the table, but
6 I've been driving and sitting for the last two weeks in cars
7 all the way from Oregon through Nevada, and I'm just going
8 to stand to do it tonight; it will be a little more
9 comfortable for me.

10 Again, I want to welcome you all here tonight.
11 Assisting me in the environmental analysis are folks from
12 Merjent, John Muehlhausen is a project manager with Merjent,
13 and Peg Boden at the table also with Merjent. Merjent is a
14 consulting corporation that is helping us prepare the
15 environmental document.

16 Also from my staff at FERC is Christine Allen;
17 she's also at the table as you came in.

18 Mark Mackiewicz is the national project manager
19 with the Bureau of Land Management, and the BLM is a
20 cooperating agency assisting in the preparation of the
21 environmental analysis. The Forest Service also is a
22 cooperating agency in preparing the environmental impact
23 statement.

24 So on behalf of the FERC I want to welcome you
25 all here tonight. Let the record show that the Hyrum public

1 comment meeting began at 7:06 p.m. July 30, 2009.

2 The purpose of this meeting is for the FERC and
3 the BLM to get your comments on the Draft Environmental
4 Impact Statement that we recently released. Hopefully you
5 got a copy of it in the mail; if you didn't, you can sign up
6 at the table to receive a copy or get yourself on the
7 mailing list so that you can receive a copy of the final EIS
8 when it is released.

9 In a moment I'm going to give a brief overview of
10 the FERC process, how we developed the Draft EIS and where
11 we go from here; and then Mark with the BLM will say a few
12 words about his agency's role in the process.

13 So right now we are in the midst of a 45-day
14 comment period on the draft environmental impact statement;
15 that's what I refer to as the EIS, the environmental impact
16 statement. That comment period ends on August 10th. The
17 purpose of this meeting is to get whatever comments that you
18 may want to provide on the analysis in the draft. What we
19 will do from there is we will take whatever updated
20 information, whatever additional concerns that have been
21 brought to our attention, and we will revise and update it
22 and issue a final environmental impact statement.

23 The types of comments that are the most helpful
24 are the ones that are specific to the resource areas that
25 we're discussing, and the types of impacts that we've

1 presented in the draft. If you have additional information,
2 that's very helpful for us to make a final EIS that is the
3 best that we can make it.

4 Now it doesn't matter to us how you get your
5 comments to us. If you wish to speak tonight, there was a
6 sign-in list where you could sign in to present your
7 comments; there was also some sheets of paper where you can
8 write down some comments and you can leave those with us
9 tonight, or you can mail them in to the FERC; just as long
10 as we get them by August 10th. You can also use the FERC
11 website to submit electronic comments; and the process for
12 doing that is described in the EIS and also a pamphlet at
13 the table you can pick up.

14 If you have any questions about submitting
15 comments, you can see me after the meeting. It doesn't
16 matter to me how you get the comments to us, whether you
17 speak tonight, write them down, mail them in; it's all the
18 same to us. As long as we have them we can address them in
19 the final environmental impact statement.

20 So once we've finished the Final EIS and we've
21 mailed it out, the next step for the FERC is that EIS, the
22 conclusions and the recommendations of FERC Staff -- that's
23 who I represent, FERC Staff -- will go to the FERC
24 Commission. The FERC Commission will make the ultimate
25 decision on whether or not to approve this project. The

1 environmental document does not that decision. So the FERC
2 Commission will take the conclusions and recommendations of
3 environmental staff, and then they will take the
4 recommendations and the input from the other parts of my
5 agency, the regulatory aspects, which include the markets,
6 the tariffs, the rates, the design and cost, the
7 infrastructure needs of the United States in order to
8 evaluate whether or not to approve this project. So this
9 document does not make that decision.

10 Now I'm going to turn the meeting over to Mark
11 Mackiewicz. He'll say a few words about the BLM's role.

12 MR. MACKIEWICZ: Thanks, Dave. Again, my name is
13 Mark Mackiewicz, I'm a National Project Manager with BLM's
14 Washington, D.C. office. The BLM or Bureau of Land
15 Management is the lead federal agency charged with granting
16 right-of-way across all federal lands involved in the
17 project, that cross the four states the project crosses.
18 That includes lands managed by the Forest Service, lands
19 managed by Fish & Wildlife Service, lands managed by the
20 Bureau of Reclamation.

21 We've been working closely with our local BLM
22 field office as well as our Forest Service office in
23 identifying resources and issues of concern that the
24 proposed project may have on federal lands. And as Dave
25 mentioned, we are a cooperating agency along with the Forest

1 Service in the preparation of the Draft Environmental Impact
2 Statement. We will utilize this document in determining
3 whether we should approve or not approve a right-of-way
4 across federal lands authorizing the project, construction
5 of the project.

6 For everybody's edification, the person that
7 makes the decision from the Bureau of Land Management,
8 whether to approve or not approve this right-of-way for this
9 project is the Nevada State Director; his name is Ron
10 Wenker. Thank you.

11 MR: SWEARINGEN: Thanks, Mark.

12 There are folks from Ruby that are here tonight,
13 and they've brought maps; and so after the public part of
14 the meeting is over, I'm sure the folks from Ruby will be
15 able to answer some specific questions, if you have
16 questions about a particular tract of land. I'll stick
17 around afterwards, and Mark will, too, to answer any
18 questions -- if you have anything after the meeting you want
19 to talk about.

20 The folks from Ruby also have provided
21 refreshments, so help yourself to some water and some
22 cookies, after we break this part of the meeting.

23 I want to mention that the EIS, the Draft
24 Environmental Impact Statement was published over a month
25 ago; so it is my understanding that Ruby has updated some

1 parts of its project. They've maybe made some route
2 refinements and I think they're planning on adopting some of
3 the recommendations that we have made in that document. So
4 the maps in the back of the room reflect the most up-to-date
5 information at this point. So if you had a question about
6 some of the route modifications, the folks from Ruby I think
7 will be glad to help you out.

8 Now this public part of the meeting is being
9 recorded; we have a court reporter at the table over there.
10 There will be an official transcript produced from this
11 meeting. So what I am going to ask is, if anybody wants to
12 make public comments that you come up, because there's a
13 microphone here that can pick up and he can use that to be
14 part of the public record.

15 I'd ask that you would state your name and spell
16 it, and include any organization or affiliation that you
17 have so the record can be accurate.

18 Do we have anybody?

19 My colleague is signaling that nobody has signed
20 up to speak; however, that doesn't mean that the opportunity
21 is past. So right now is the chance, if anybody here wants
22 to make any comments on the Draft EIS or ask any questions
23 about the process, this is your chance, this is why I'm
24 here.

25 Let the record show that there are no volunteers

1 to provide comments at this time. So what I'll do is I will
2 close the official recorded portion of the meeting and we
3 will move on to just some kind of off the record Q&A, if
4 there are any questions you have for me, or Mark with the
5 BLM, or for the folks at Ruby.

6 Anyone wishing to keep up with the official
7 activity, the filings that are going back and forth between
8 Ruby and the FERC can use the FERC website. That's
9 www.FERC.gov. If you go to the FERC website, click on the
10 link 'e-Library.' You click on e-Library and you type in
11 the docket number, which is CP09-54, or in the text box you
12 can search for Ruby Pipeline. What that will do is it will
13 pull up all the information that's on the public file for
14 this project.

15 The public information that has either been filed
16 by Ruby or issuances by FERC, you can view it, download it,
17 print it, read it, whatever you want. And again, there's
18 some information about how to use the website and how to
19 file information if you want to submit comments
20 electronically. There's a pamphlet on the table you can
21 pick up after the meeting.

22 So on behalf of the Federal Energy Regulatory
23 Commission and the BLM, I want to thank you all for coming
24 here tonight. Let the record show that the Hyrum comment
25 meeting ended at 7:14 p.m. Thank you.

1 (Whereupon, at 7:14 p.m., the scoping meeting
2 concluded.)

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24