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BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

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IN THE MATTER OF: : Docket No.

BISON PIPELINE, L.L.C. : CP09-161-000

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Sacred Heart Parish Hall
Sacred Heart Church
208 Ash Avenue East
Glen Ullin, ND 58631

Monday, September 21, 2009

The above-entitled matter came on for scoping meeting, pursuant to notice, at 6:05 p.m., James Martin, presiding.

P R O C E E D I N G S

(6:05 p.m.)

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3 MR. MARTIN: Good evening. Thanks for coming
4 tonight. My name is Jim Martin. I'm with the Federal
5 Energy Regulatory Commission and I'm the environmental
6 project manager for the review of the Bison Pipeline
7 Project. And the Commission is preparing an Environmental
8 Impact Statement as part of our review of that project.

9 We issued a draft and that was issued on August
10 21 and so that's what we're here really to talk about. But
11 first, let me introduce the rest of the people here. To my
12 right is Amber Haverlock. She's with the Bureau of Land
13 Management. To my left is Wayne Kicklighter. He's with
14 Entrix. They're providing environmental support to the
15 Federal Energy Regulatory Commission for the review of the
16 project.

17 At the back table we have Pamela Romano also from
18 the Federal Energy Regulatory Commission and Jenny Slate,
19 who is also from Entrix. So that's all the introductions.

20 As I said, the real purpose for tonight's meeting
21 is to allow you an opportunity to comment on the Draft
22 Environmental Impact Statement that we issued. There are a
23 couple of ways that you can provide comments. One is by
24 providing verbal comments tonight. We have a court reporter
25 here who will prepare a transcript of your comments and that

1 will become part of the official record that FERC uses to
2 review the project.

3 If you would rather not speak, and provide
4 written comments there are forms at the back table there
5 that you can write a comment on and either leave it with us
6 tonight and we'll take it back and put it into our record;
7 or you can just mail it to us at a later date. The other
8 way you can provide written comments is to just send a
9 letter. If you do that, though, I ask that you put the
10 docket number for the project, which is CP-09-161. That
11 number is on the Draft Environmental Impact Statement, if
12 you got a copy of that.

13 Now if you didn't get a copy of the draft and you
14 want to get a copy of the final, which we'll be working on
15 for the next few months, then there's another form at the
16 back table where you can fill your name and address in and
17 we'll put you on our mailing list; and then you'll get a
18 copy of the final. If you got a copy of the draft, you'll
19 automatically get a copy of the final, so you don't need to
20 add your name to that list.

21 I want to stress that whether you provide written
22 comments or verbal comments, they're handled exactly the
23 same way. But we see the comments as a very important part
24 of our review of the project. If you got the draft and
25 you've had a chance to look at it and you see something that

1 you think is incorrect or something that we need to look at
2 that we haven't; or if you didn't have a chance to review
3 the draft and you know of something that you would like us
4 to take a look at in this period between the draft and the
5 final, then I implore you to provide those comments to us
6 because that really helps us steer the focus of our review.

7 On a related matter, if you have issues with
8 easement negotiations and things like that, my agency
9 doesn't address those easement negotiations. We're not
10 involved in that. That's between the landowner and the
11 pipeline company. What we're doing is a review of the
12 impacts. So if you have an issue of where the pipe is on
13 your property and you would like it moved; if you have an
14 issue about a resource that you're concerned about, then
15 absolutely that's something that we deal with. So
16 primarily, those are the kinds of comments that we can help
17 with.

18 Once we've closed our comment period, which
19 formally it closes on October 12, then we'll start compiling
20 a list of all the comments that we've received and begin to
21 prepare a formal response to each one of them. On many of
22 the comments we'll get some information that may cause us to
23 take a different action than what we were planning, so
24 that's another reason the comments are important to us.

25 Once we've finished analyzing the comments

1 received and writing the Final Environmental Impact
2 Statement, our staff forwards that document to our
3 Commissioners. FERC has five commissioners and they're the
4 ones that ultimately will make a decision on whether or not
5 to approve this project. They use this impact statement as
6 one of the tools. There are several other tools that they
7 use, but this is a very important part of it.

8 With regard to your comments, I also want to
9 state that the October 12 deadline is a deadline because we
10 need to give people a deadline. We'll continue to try to
11 respond to comments received after that date, but the more
12 time we have to work on an issue that you raise the better
13 job we'll be able to do. So I ask that if you have some
14 concerns that you bring them up tonight or sometime in the
15 near future so that we can start working on it.

16 The plan tonight for taking verbal comments is we
17 have a list in the back. I don't know if we have -- okay, I
18 guess we don't have anyone who signed up to speak, but I'll
19 still ask several times for someone to come up and speak.
20 So I'll go through the process.

21 What we'll do is, if you come up and give us
22 comments, we ask that you speak into the microphone at the
23 podium. This is both so we can hear you correctly and so
24 the court reporter can get exactly what you said and get it
25 down correctly. If you come up, we ask that the first thing

1 you do is state your name for the record. If you have a
2 name that might be difficult to spell, if you could spell it
3 out, we'd appreciate that as well.

4 So with that, I would normally start reading
5 speakers' list, but since we don't have one, I'll just throw
6 it back to you guys. Is there any anyone out there that
7 would like to come up and give us some comments?

8 (No response.)

9 MR. MARTIN: I mean this is really the easiest
10 way for you to give us comments. Like I said, if you want
11 to give us written comments, you can. But this is probably
12 the most convenient way. So if you have something you'd
13 like to say, I ask that you do that.

14 (No response.)

15 MR. MARTIN: All right, I'll tell you what we'll
16 do, we'll go ahead and close down the formal part of the
17 meeting, but we'll stay up here and if you want to come up
18 and talk to us one-on-one, we're available to do that.
19 Bison has some people here as well and I think they'll be
20 also willing to spend time with you talking about any issues
21 that you might have.

22 Thank you again for coming tonight, we do
23 appreciate it. Good night.

24 (Whereupon, at 6:13 p.m., the above-entitled
25 scoping meeting was concluded.)