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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION
EL PASO NATURAL GAS COMPANY DOCKET NO. PF12-11-000

PUBLIC SCOPING MEETING FOR THE PLANNED
SASABE LATERAL PROJECT

Thursday, October 18, 2012 6:10 p.m.

Location: Robles Elementary School Cafeteria
9875 South Sasabe Road
Tucson, AZ 85735

Federal Energy Regulatory Commission (FERC)
David Hanobic/Kelley Munoz

1 MR. HANOBIC: Okay. We're going to go ahead and
2 get started.

3 Good evening, everyone. On behalf of the Federal
4 Energy Regulatory Commission, I want to welcome all of you
5 to the scoping meeting for the Sasabe Lateral Project.

6 Let the record show that the scoping meeting began
7 at 6:10 p.m., on October 18th, 2012, in Three Points,
8 Arizona.

9 My name is David Hanobic. And I'm an
10 environmental project manager with the Office of Energy
11 Projects, which is a division of the Federal Energy
12 Regulatory Commission, or "FERC."

13 To my left is Kelley Munoz who is also with FERC;
14 Eric Howard, also with FERC; and we also have John
15 Muehlhausen -- raise your hand, John.

16 And in the back, Kim Jessen and Kristin Lenz,
17 they're with Merjent, the environmental consulting
18 corporation. They're assisting FERC staff in our
19 environmental analysis of the project.

20 I'd also like to mention that representatives from
21 El Paso are here with us tonight. They have maps and will
22 be around after the meeting to answer any specific questions
23 on the project you might have.

24 You'll also note that we have arranged for a court
25 reporter to transcribe this meeting so we will have an
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1 accurate record of this meeting. If you'd like to have a
2 copy of the transcript, you may make arrangements to do so
3 with the court reporter following this meeting.

4 The primary purpose of tonight's meeting is to
5 give you an opportunity to provide specific environmental
6 comments on El Paso Natural Gas Company's -- or "El Paso"
7 planned pipeline project, which is referred to as the Sasabe
8 Lateral Project.

9 The Sasabe Lateral Project would consist of the
10 installation of approximately 60 miles of 36-inch diameter
11 natural gas pipeline that would link El Paso's existing
12 pipeline system, near Tucson, to the United States/Mexico
13 border, near the town of the Sasabe, Arizona.

14 I would like to clarify that this is a project
15 being proposed by El Paso; it is not a project being
16 proposed by FERC. Rather, the FERC is the federal agency
17 responsible for evaluating applications to construct and
18 operate interstate natural gas facilities, and for
19 evaluating natural gas facilities at the border between the
20 United States and Mexico. The FERC, therefore, is not an
21 advocate for the project. Instead, the FERC is an advocate
22 for the environmental review process.

23 Our review of El Paso's proposed project began on
24 May 2, 2012, when El Paso requested to begin utilizing
25 FERC's prefiling process.

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1 The main FERC docket number for the Sasabe Lateral
2 is PF12-11-000. The docket number is unique to this project
3 and is associated with all project documents. The "PF"
4 means that we are in the prefiling stage of this process.
5 Once El Paso files a formal application, a new docket number
6 will be assigned that is proceeded with a "CP." At this
7 point in the process however, no formal application has been
8 submitted by El Paso yet. We're in the early stages of the
9 project review period.

10 Currently, El Paso is evaluating two potential
11 routes for the planned project. These two routes share
12 common routing for approximately 29 miles, at which point
13 they diverge into an eastern and western route alternative.
14 The eastern route alternative will be located on federal,
15 state, and private land, and generally follows Highway 286
16 south to the United States/Mexico border.

17 The eastern route alternative would also cross the
18 Buenos Aires National Wildlife Refuge, which is under the
19 jurisdiction of the United States Fish and Wildlife Service
20 National Wildlife Refuge System.

21 In order for this route to be feasible, the Buenos
22 Aires National Wildlife Refuge would need to determine that
23 the pipeline is compatible with the purposes that the refuge
24 was established for. The western route alternative would be
25 located on state and private lands only.

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1 For those of you who have already accessed FERC's
2 eLibrary website for project documents, you will have seen
3 that El Paso submitted draft resource reports on October 9,
4 2012. These draft documents present both routes and
5 describe El Paso's proposed project, the environmental
6 features crossed by the proposed project, the results of
7 environmental surveys, and El Paso's proposed mitigation
8 measures and plans.

9 We are currently taking comments on both potential
10 routes presented in these draft resource reports. However,
11 only one route will ultimately be proposed by El Paso in
12 their formal application, which El Paso has indicated they
13 anticipate submitting in January 2013.

14 Right now, I'm going to talk a bit about the
15 scoping process, and public involvement in FERC projects in
16 general.

17 The FERC is required by the National Environmental
18 Policy Act, or NEPA, to take into consideration the
19 environmental impacts associated with new natural gas
20 facilities such as the Sasabe Lateral Project.

21 Scoping, which we are engaging in here tonight, is
22 a general term for the period in which FERC solicits
23 public -- input from the public, before the environmental
24 analysis is connected. The idea is to get information from
25 the public, as well as agencies and other groups, regarding
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1 what issues we need to address.

2 This is an important step in the environmental
3 review process because it allows you to indicate which
4 environmental resource issues are most important to you, and
5 these comments will be used to focus our environmental
6 analysis. Your comments tonight, together with any written
7 comments you may have already filed or intend to file, will
8 be recorded as comments on the environmental proceeding.

9 The scoping period started in August when we
10 issued our "notice of intent" to prepare an environmental
11 impact statement, or NOI, which I hope most of you have
12 received in the mail.

13 In that NOI, we described the environmental review
14 process, we discussed -- or mentioned some already
15 identified environmental issues and steps the FERC and
16 cooperating agencies will take to prepare an environmental
17 impact statement for the project. In fact, we have extra
18 copies of the notice of intent at the table in the back, if
19 you need one.

20 And if you haven't already signed up to be on our
21 mailing list, if you are not already on it, please do so.
22 Putting your name on the mailing list will ensure that you
23 receive a copy of the EIS when it was issued by FERC.

24 Please note, the scoping period we are in has an
25 end date of October 27th 2012. However, the end of the
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1 scoping period is not the end of public involvement. There
2 will be a comment period, including additional public
3 meetings, once the draft environmental impact statement is
4 published.

5 So once scoping is finished, our next step will be
6 to begin our independent analysis of the project's potential
7 impacts on the issues and resources identified during the
8 scoping period by preparing our environmental impact
9 statement.

10 The environmental impact statement will describe
11 the project facilities, disclose to the public the
12 environmental impacts associated with constructing and
13 operating the proposed project, identify alternatives to the
14 project, describe mitigation to avoid or reduce impacts, and
15 present our conclusions and recommendations.

16 Within the environmental impact statement, we will
17 specifically assess the project's affects on ground water,
18 surface waters, wetlands, vegetation, fish, wildlife,
19 endangered species, cultural resources, social economics,
20 geology, soils, land use, recreation, aesthetics, air
21 quality, and safety. We will initially publish those
22 findings in a draft environmental impact statement, which
23 will be mailed out to everyone on our mailing list, and will
24 be publicly noticed for comments and additional meetings.
25 We will then address all the comments we receive on our

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1 draft EIS and issue a final, an EIS.

2 As noted in the notice of intent, the environment
3 impact statement will be distributed on a CD. That means
4 unless you tell us otherwise, the EIS that you find in your
5 mailbox will be on a CD. In the back of the room we have a
6 sign-in sheet -- that if you prefer to receive a hard copy,
7 a paper copy of the EIS, I just ask that you indicate that
8 in the back on your way out. You can let one of us know and
9 make sure you get a hard copy.

10 I would like to state that the EIS is not a
11 decision-making document. In other words, once it is
12 issued, it does not determine whether the project is
13 approved or not.

14 Now, this goes into my next point, where I'd like
15 to differentiate between the roles of two distinct FERC
16 groups: the Commission, and the environmental staff.

17 Kelley, Eric, and myself, are part of the FERC
18 environmental staff. And we will oversee the preparation of
19 the environmental impact statement for this project. We do
20 not determine whether or not to approve or deny any project.

21 Instead, the FERC Commission consists of five
22 presidentially-appointed commissioners who are responsible
23 for making a determination on whether to issue a certificate
24 of public convenience and necessity, and a presidential
25 permit to El Paso.

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1 As I mentioned earlier, the EIS is not a
2 decision-making document. But it does assist the Commission
3 in determining whether or not to approve the project. The
4 Commission will consider the environmental information from
5 the environmental impact statement, public comments, as well
6 as a host of nonenvironmental information, such as
7 engineering, markets, rates, etc., in making its decision to
8 approve or deny El Paso's request for a certificate and
9 presidential permit.

10 There is no review of FERC's decisions by the
11 President or Congress, thus maintaining FERC's independence
12 as a regulatory agency, and providing for fair and unbiased
13 decisions. Only after taking the environmental and
14 nonenvironmental factors into consideration will the
15 commission make its final decision on whether or not to
16 approve the project.

17 So now I guess I'd like to open it just to ask if
18 there's any questions about the FERC process. Anything I've
19 just mentioned, anybody that has any questions, any
20 clarifications they'd like to get?

21 Okay. That's my overview of the FERC role.

22 Next on the agenda is -- we let El Paso just do a
23 quick presentation. I'd like to introduce Dan Tygret, with
24 El Paso Natural Gas.

25 MR. TYGRET: Good evening, everybody. My name
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1 name is Dan Tygret, T-Y-G-R-E-T. I'm the regulatory affairs
2 project manager for El Paso on this project.

3 Kind of what that means is that my job is to take
4 the big environmental document that we're going to be
5 putting together -- all the business information and all of
6 the other information that we need in order to file the
7 actual application of FERC in January -- I put all that
8 together, send it up through our management for their
9 approval, and get it sent to FERC. So that's kind of my
10 piece of this. I'm not an engineer. I'm not an
11 environmental scientist. I'm more of a corraler, I guess,
12 if anything.

13 And just to briefly go over the schedule that
14 David just went through, we did just file our draft resource
15 reports on October 5th. We're looking to file our final
16 application that's going to have the actual proposed route
17 -- that's going to be in January. We're shooting for
18 mid-January, sometime probably around the 16th.

19 And then what the order date that we're going to
20 be asking for, which is the final decision of FERC that
21 we're going to be asking for, is going to be looking at
22 probably an end-of-December kind of timeframe.

23 And then what we're looking at is -- if we get
24 that on time and if we get the project approved by FERC --
25 then we're going to be able to get started on construction
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1 in the first quarter of 2014 and placing the project into
2 service at the end of September of 2014.

3 And I just kind of want to go over the -- kind of
4 the four major issues that we've heard from this process so
5 far as El Paso.

6 The first one that really kind of pops up is
7 always: Why Sasabe? Why the Sasabe crossing?

8 And the reason why is that CFE, the Comisiion, has put
9 out an RFP that they just recently
10 awarded this week to Sempra Energy to build a pipeline from
11 the border to Sasabe/Guaymas area in Mexico to power the
12 power plants. They have determined that the point of entry
13 for that natural gas export is going to be at Sasabe, the
14 area near there.

15 So when you look at the resource reports, and you
16 look at Resource Report 10, which is the resource report for
17 the alternatives that analyzes all the alternatives that are
18 potentially out there, but all those have to go to Sasabe
19 because that's where the point of entry for Mexico is going
20 to have to take place.

21 So if you look at something like Resource Report
22 10 and you have the Nogales alternative, which is an EPNG
23 system alternative that would use an existing energy
24 corridor, it seems like a more viable alternative. But you
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1 actually add 42 miles of pipeline further than what we would
2 be proposing to build for this project. And it would have
3 to cross, not only the Buenos Aires National Wildlife
4 Refuge, but the Coronado National Forest as well essentially
5 tracking parallel to the border.

6 The second big issue that we've also heard is, you
7 know, is this going to be a highway for trafficking, both
8 human trafficking and drug smuggling. Our answer to that
9 is, you know, we acknowledge that that's an issue; we
10 acknowledge it's an existing issue. And, you know, as we
11 talked about in Resource Report 1, we're committed to
12 working in a way -- if the project is approved and is
13 constructed, we're committed to working in a way with
14 agencies, with all the stakeholders, landowners, agencies,
15 to develop a plan that can minimize that traffic and
16 mitigate that traffic as much as possible that's directly
17 related to the project right-of-way.

18 The next question that we always get asked is:
19 Which route is it going to be?

20 Right now, we don't know. And that's why the
21 prefiling process is so important, obviously not only to the
22 Federal Regulatory Commission, but to us. Because at this
23 point we have two equally viable projects, routes. We need
24 everybody's input. And that's why it's so important to have
25 you guys file your comments, have your comments on the
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1 record here, so that we can consider those, we can put that
2 into our filing period for January.

3 And then, kind of the last question that we've
4 been asked is: Are you just going to build this thing and
5 walk away from it?

6 You know, you're going to go through, put a pipe
7 in the ground, and not ever go back to this right-of-way.

8 The answer to that is no. I mean, we are
9 regulated by FERC. They have regulations and procedures
10 that we have to adhere to through construction, through
11 mitigation, through restoration of the right-of-way.

12 Typical projects, we have to -- after a project is
13 constructed, we've got to put the right-of-way back to the
14 state that is as close as practical to the existing
15 environment as before we got there, and sometimes even
16 better. What that means is vegetation has to be similar,
17 vegetation cover has to be similar, contours have to be
18 similar, and we have to come back and repair the erosion
19 that occurs, and those kinds of things.

20 We would file, as El Paso, after the project's
21 been placed in service, we are typically required to file
22 quarterly restoration reports that detail all this
23 information that are publically available. We do that,
24 typically, for a period of two years. FERC has their own
25 monitoring and inspection program that they do totally
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1 independent of us. And they go out, they'll inspect it and
2 say, you know, we got repairs to do here and repairs to do
3 there. So essentially the answer is no. We have to bring
4 this thing back to a state that is acceptable to our
5 regulator.

6 That's all I have for right now. We're going to
7 be -- all of this will be sort of over here next to the line
8 of sheets at the back of the room. I'll be happy to take
9 any questions that you guys might have.

10 MR. HANOBIC: Thanks, Dan. And again, as Dan just
11 mentioned, El Paso will be available after the meeting to
12 answer more specific questions about that project that you
13 may have.

14 Now, we're going to do the part of the meeting
15 where we will hear comments from audience members. If you
16 would rather not speak tonight or if you forget to say
17 something, you may hand in written comments at any time.
18 Again, the scoping period is open until October 27, 2012.

19 There's directions on the form in the back of the
20 room, how to mail in comments to the secretary. Or if you
21 want to ask just one of us, we can provide directions to you
22 tonight on how to do that.

23 As I said before, this meeting is being reported
24 by the court reporter, so all of your comments will be
25 transcribed and put into the public record.

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1 The few rules that I have is, I'll ask each
2 speaker to identify themselves and, if appropriate, the
3 agency or group you're representing. Also please spell your
4 name for the record and clearly -- speak clearly into the
5 microphone. And I guess the number one rule is, that you
6 just show respect for whoever is up speaking tonight.

7 And now I'll let Kelley call the speakers.

8 MS. MUNOZ: I apologize in advance if I
9 mispronounce your name.

10 Mr. Ken Langton?

11 ATTENDEE: You were close.

12 Is this on?

13 Yes, my name is Ken Langton, it's spelled
14 L-A-N-G-T-O-N. I'm the state chair of the Sierra Club in
15 Arizona. I'm here on behalf of our State Executive
16 Committee and our 18,000 members and supporters in the state
17 of Arizona. And I might add, on behalf of our 1.4 million
18 members and supporters in the country who also are concerned
19 about this project.

20 I want to thank FERC for organizing the scoping,
21 and for El Paso coming and talking to us about the project,
22 and recognize that FERC is a lead agency on this project or
23 any similar project, and that it must consider cumulative
24 impacts, as well as direct and indirect impacts of projects
25 like the El Paso project.

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1 Now to cut to the chase, we are dismayed by the
2 proposal to drive a route through this beautiful Altar
3 Valley and its very important eco-region. We are very
4 concerned about the potential route that would go through
5 Buenos Aires National Wildlife Refuge.

6 And when we think about the refuge and why it was
7 established, briefly, to conserve fish and wildlife, which
8 are listed as endangered or threatened species, plants, and
9 for the development, advancement, management, conservation,
10 and protection, of fish and wildlife resources; and the
11 conservation and endangered masked bobwhite quail, which was
12 a major reason for the establishment of the refuge; and to
13 restore the habitat and existence of a self-sustaining
14 population of masked bobwhite quail, and I believe this
15 remains as a primary objective of the refuge.

16 I would also note that there is a pronghorn
17 antelope herd that's been reintroduced on the refuge, and
18 that there is six other endangered species that have been
19 found on the refuge.

20 Now, the act of 1997, improved act, said that
21 before you can have a project like this, the Secretary of
22 the Interior has to provide significant detail about the
23 compatibility determination process. And if you look at
24 that act and you look at these types of -- these types of
25 programs, in Section 29.3 there's a provision about what
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1 they call nonprogram activities. And it says that if you're
2 going to have -- well, I'll actually just read it, a part of
3 it or paraphrase it.

4 To authorize the public or private noneconomic use
5 of the natural resources of any natural wildlife refuge
6 where we determine that use contributes to the achievement
7 of the national wildlife refuge for purpose of the national
8 wildlife refuge system -- it's only in those cases that it
9 will be authorized.

10 Now, when you think back to the purpose of the
11 refuge -- protection of endangered species, the restoration
12 of habitat -- a pipeline through Altar Valley does not seem
13 to be compatible with that mission. And based upon the laws
14 and regulations, it is clear that the proposed pipeline
15 through Buenos Aires National Wildlife Refuge is
16 incompatible with the refuge and that the alternative that
17 cuts through the refuge should be excluded from further
18 consideration.

19 Now furthermore, we also agree with the refuge
20 manager, Sally Gall, who, in her May 9, 2012 letter to
21 El Paso Natural Gas, she detailed the national wildlife
22 refuge policies and found that the eastern route was not
23 compatible with those policies.

24 So I would just say this, that we ask you to drop
25 the eastern route along 286 from consideration, and that you
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1 seek an alternative that is outside the Altar Valley
2 entirely; and as currently presented, the only acceptable
3 action for this proposal is no action.

4 Thank you.

5 MS. MUNOZ: Thank you.

6 Ms. Mary Miller?

7 ATTENDEE: Okay. I am Mary Miller, M-A-R-Y,
8 M-I-L-L-E-R. And I am with a local ranching business, the
9 Elkhorn Ranch, E-L-K-H-O-R-N Ranch. I'm also a board member
10 of the Altar Valley Conservation Alliance. But for the
11 purposes of these comments, I am just going to speak for
12 myself as an individual. The Alliance will be submitting
13 written comments.

14 I have been struggling with what to say because I
15 have many strong feelings, so this probably will not be as
16 organized as he who went first. Where to start? I guess
17 I'm just going to speak from the heart, since when I try to
18 organize public speaking I really can't do that.

19 The Altar Valley is a very special place to all of
20 those who live here and work here. It's been regionally
21 and -- depending on how you look at -- nationally recognized
22 by the conservation community as a very special place for
23 collaborative conservation. This group and all of its
24 partners was awarded a big award by the Quivera Coalition a
25 couple years ago. And that was really a celebration of all
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1 the great work that goes on in this valley.

2 Pima County has invested millions of dollars in
3 open-space conservation in this valley. And I think the big
4 message that I'd like to say in terms of issues here is that
5 when you do your analysis, it is critical that you look upon
6 this as a watershed. You cannot limit your analysis to this
7 linear feature that's X number of feet or yards wide.
8 You've got to look at this area as a watershed.

9 Whether you want to use fancy words -- direct,
10 indirect, cumulative, whatever you want to call it -- water,
11 soil, all of these things move across the landscape. They
12 do not respect refuge boundaries or ranch boundaries. So
13 with all of your analysis, please be very broad based and
14 look upon it from a watershed view. That's what all of us
15 do, as best we can.

16 Speaking locally, I really would like to hit hard
17 on the erosion and water issues. You've already
18 acknowledged that you will look at those. But we have been
19 living and working out here a long time. And we are working
20 very hard to fix a lot of historical problems to do with
21 erosion related to the Altar Wash, which is highly eroded.
22 And we are also working very hard on mitigating historic
23 erosion problems in the uplands.

24 We have not been able to take tangible actions in
25 the Altar Wash, but we hope to. We have a big pond project
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1 planned in the county to establish what we're starting to
2 call conservation infrastructure -- that needs to be made of
3 rock, usually. It takes a long time. You can't do it with
4 straw bales; you can't just do it with seeding.

5 The idea of a two-year monitoring report, with all
6 due respect, is ridiculous. We don't always get much rain
7 in two years. We won't even know what happens, erosionwise,
8 in two years. So it is very important to have a much longer
9 range sort of a period of responsibility for monitoring and
10 reporting on that.

11 Both of these routes will have big erosion
12 effects, the western route, I think, possibly even more so.
13 So please look at both of them. You also need to look at
14 effects from erosion on the refuge from the route that is
15 off-refuge. So again, that watershed perspective.

16 We need to look hard at these border issues.
17 Again, with all due respect to El Paso, we know that you
18 would try to work well. We all work very hard. We're on a
19 first-name basis with our border patrol folks out here. And
20 we all work very, very hard. And we do not have it solved.

21 There are very dangerous things going on out there
22 in the mountains. They are well outside the supposed
23 project area, but these people who come across the border
24 are escaping the mountains to the cities somehow. They are
25 dropping out of the mountains and coming into the flats and
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1 this linear feature that will be created, will be become a
2 travel way.

3 Any other linear feature out there, whether it's a
4 road or a path, they become travel ways. And that has got
5 to be very seriously looked at in this analysis. I think
6 one of the important things to look at, from a security and
7 safety standpoint, is what country do you open up with this
8 linear feature? And in that regard, the two routes proposed
9 will have very different impacts.

10 I think, on the whole, that having a project of
11 this nature enter the valley will, in a sense, begin what
12 could be a process of unzipping this valley as open space.
13 And to maintain sort of a working landscape, the integrity
14 of the whole is very important. You can't do conservation,
15 you can't do ranching, you can't do these compatible
16 activities with major developments coming through.

17 And that is terrifying to all of us. We've been
18 working for years. We all make a lot of sacrifices. We're
19 making ties with all sorts of agencies. This is a valuable
20 area. If you look across southern Arizona, there are not
21 many valleys in Southern Arizona that have remained open.
22 And if this project goes through, it will cut through the
23 middle of one of them. And I think that that larger
24 regional view is important.

25 I think one of the things that I find absolutely
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1 the most appalling about this project is that Mexico -- who
2 as best I can tell is the only party to really benefit other
3 than, with all due respect, El Paso's pocketbooks -- gets
4 to, in a sense, dictate land-use policy in the U.S. I just
5 find that ridiculous. To address this part, I am going to
6 read something that we've put together. So I'm just going
7 to read this because I think it says it very well.

8 I have a major concern with the way alternatives
9 are framed in Resource Report 10. As FERC knows, the
10 identification and analysis of reasonable alternatives is
11 the heart of the EIS. If an agency does not take a hard
12 look at alternatives, the major purpose of this process --
13 that is, to help the decision maker make better decisions --
14 is not met.

15 In the information we've received to date,
16 including Resource Report 10, the alternatives all depend on
17 the entry point into Mexico being located at Sasabe.
18 There's no explanation as to the rationale for this
19 selection. No alternatives other than entering at Sasabe
20 are identified. Similarly, no discussion of why entry into
21 Mexico at Sasabe would benefit the United States and be in
22 the public interest as proffered.

23 Instead, we are left with the impression that
24 Sasabe is a fait accompli, a decision that's already been
25 made by someone, but we don't know who that person is or in
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1 what country that person or entity might be located. Stated
2 differently, it appears that perhaps the single-most
3 important element in the cited process has effectively been
4 determined prior to the commencement of the legal process.

5 The discussion of Resource Report 10 on installing
6 the pipeline in either the Nogales or Willcox areas
7 identifies reasons why the applicant believes either
8 location would result in more environmental harm than the
9 two alternatives in the Altar Valley that's identified to
10 date. Yet most of that alleged harm is triggered because in
11 the scenario laid out in the report the line goes
12 from Nogales or Willcox to Sasabe before crossing into
13 Mexico. No explanation has been provided as to why it would
14 be unreasonable to analyze other entry points, including
15 border crossings at Nogales or elsewhere in southeastern
16 Arizona -- or southwestern Arizona.

17 Moreover, given that Mexico will largely benefit
18 from delivery of the natural gas supply in question, it is
19 reasonable to consider more than one route in Mexico to the
20 point of delivery on the international boundary. Limiting
21 the entry point to only Sasabe simply does not provide an
22 adequate range of reasonable alternatives.

23 So pardon me for reading but -- I have other
24 things on paper, but I think for now, that will do it.

25 Thank you.

26

1 MS. MUNOZ: Thank you for your comments.

2 Pat King?

3 ATTENDEE: My name is Pat King, K-I-N-G. I am the
4 president of the Altar Valley Conservation Alliance. But
5 the King family also runs the Anvil Ranch just down the
6 highway. And I'm speaking on behalf of myself.

7 Mary really said the most of what I was going to
8 say. Many people appreciate our Altar Valley for its open
9 space. And we have worked very hard amongst the families
10 that live in the Altar Valley. We formed our Altar Valley
11 Conservation Alliance; we've done a resource assessment of
12 the entire valley to determine some of our need; we've
13 started addressing those needs; we look at this valley as a
14 watershed.

15 The families in this valley, for the most part,
16 have been there for a very long period of time. Our family
17 has been there since 1885. That's what made this valley so
18 stable. Not too many places are undeveloped as this one is.
19 This will tear it in half.

20 And -- and not -- and -- and it will exacerbate
21 our drug problem. And that concerns everybody because that
22 puts everyone at risk.

23 We probably will -- I mean, we will also put --
24 put some written -- statements together for you as well.

25 Thank you.

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1 MS. MUNOZ: Forrest Sherman?

2 ATTENDEE: Good evening. My name is Forrest
3 Sherman, F-O-R-R-E-S-T, S-H-E-R-M-A-N. Like Forrest Gump,
4 except I was around long before he was.

5 I represent Friends of the Santa Cruz River, which
6 is an environmental -- not environmental group -- a
7 nonprofit group that has advocated for the Santa Cruz River
8 for over 20 years. I'm vice president of that organization.
9 And I spoke with the board before I came over here. And
10 everybody on the board said, What? They're going to put a
11 pipeline down the Altar Valley? Why not down the Santa Cruz
12 Valley? It's already ruined. Seems pretty clear to us over
13 there.

14 I'll probably come back to the FOSCR things, but I
15 want to speak personally because I've done some work over
16 here in the Altar Valley. It's incredibly beautiful. It's
17 a unique environment that isn't found anywhere else that I
18 know of, and I've traveled a bit, over 85 countries, in my
19 jobs.

20 When I look at aerial photographs and satellite
21 imagery, you can see a pipeline, like a line sliced across
22 somebody, a beautiful women's neck. It doesn't go away. I
23 don't care what kind of rehabilitation is done; it is still
24 there. All you have to do is drive over to the pipeline
25 that goes down the Santa Cruz Valley. Between the places
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1 where there's fenced off areas and the dirt road that goes
2 down the valley, it's there. Vegetation is different in
3 that wide strip. And that pipeline, I don't know how long
4 it's been there, but it's been there many years.

5 In other words, a pipeline doesn't just disappear
6 under the ground. It doesn't just become part of the
7 environment again. It is incredibly difficult, and maybe
8 impossible, to do an environmental restoration of the damage
9 that was done by the pipeline.

10 While it might be expected that the Sierra Club
11 and other environmental groups would automatically say "No,"
12 I think that jobs are important. I think that economic
13 benefits to our country are important. And maybe even
14 economic benefits to our region, try nationally, Canada,
15 U.S. and Mexico. But as an American citizen, I ask what
16 benefit is this to us? I don't see the benefit to us.

17 Basically it puts us as, the United States, in the
18 position of an old-fashioned, third-world country, where
19 we're selling a resource, mining a resource, and shipping it
20 overseas to another country for that country's benefit.
21 Meanwhile, we have a company, with its stockholders, I'm
22 sure, that benefits from the process. And we have some
23 people who, for the time of the building of that pipeline,
24 gain some benefit from the construction jobs, but that's a
25 very limited time, at some cost. It's a boom-and-bust

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1 economy. So it's not really of any longterm benefit to the
2 United States as I see it.

3 Mary spoke about, even if you put in the pipeline,
4 two years is certainly not enough. Now, why do I say that?
5 Well, I've been doing some monitoring on a project we --
6 that the AVCA did here in the valley. So let me tell you a
7 little story about linear erosion.

8 Mid-1930s, the Elkhorn Ranch and the ranch to the
9 east of it decided they'd put a barbed-wire fence along --
10 they put a barbed-wire fence between the two ranches. Well,
11 naturally enough, that became a road that was used.

12 Now, the section that I've been monitoring
13 intersects 26 different little streams that come down, some
14 of them only a thousand feet long. On one of those streams,
15 in a thousand feet, goes from no erosion to a channel that's
16 over 6 feet deep as a result of this road that intersects.
17 The areas around these incised channels, I would say
18 somewhere in the region of -- and this is only an area three
19 and a half miles by half a mile -- I would say in the region
20 of 500 acres, is denuded of any organic material in the soil
21 because of these incised channels.

22 I'll tell you another story of the immigrant trail
23 that goes along there. It's a path where you can see all
24 kinds of debris from illegal aliens -- I call them
25 immigrants. I think most of us came over undocumented. I
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1 know my ancestors did in the 1600s -- so one of those paths
2 leads down into one of these incised streams. And in a
3 50-foot section, it goes from a little dip in the ground to
4 a 3-foot-deep channel.

5 Watershed rehab is not easy. Now, I haven't been
6 monitoring this, people from the AVCA have been talking
7 about the investment that's been made. Well, this
8 investment that was made is a watershed demonstration
9 project showing low-technology ways of controlling erosion
10 and trying to build up these stream channels -- I think the
11 budget is \$500,000. That's what the AVCA has been able to
12 put together in terms of trying to protect this environment
13 here to create a demonstration of what can be done. So if
14 we draw a straight line down this valley . . .

15 I have another question. While FERC is not a
16 state agency, most of the plans seem to be going across
17 Arizona State Trust Land. How is that being coordinated in
18 terms of federal regulation versus state regulation?

19 The state land is tasked with using lands that
20 were passed through the state when the state became a state.
21 For those of you who don't know, they were federal lands.
22 They were given to the State and the corporation -- or the
23 Commission is tasked with using the lands to raise money for
24 the state to pay for the schools for the deaf and the blind
25 and some other educational purposes. How does the FERC

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1 panel interact with that? In other words, what kind of
2 income would be generated from this pipeline? Which goes
3 back to my other comments about, what good is this to us?

4 Now, I do a lot of work with satellite imagery and
5 mapping. And I did an analysis of -- I took a good, hard
6 look at the land formation from Sasabe down to Guaymas,
7 which is -- from what I understand from the newspaper
8 article that came out of the Nogales newspaper the other
9 day -- is where the gas pipeline is going to be going to
10 help support the development of a petrochemical and research
11 units down in Guaymas area.

12 And I looked at the land formation and the faring
13 areas and the terrain that went from Guaymas -- excuse me,
14 from Sasabe towards Guaymas. If you draw a straight line,
15 it looks pretty good. It goes straight from Nogales to
16 Guaymas. That's the historical way. That's where the train
17 goes. That's where the train track goes. From Sasabe on
18 down, it's mostly empty land. Maybe that's easier for a
19 pipeline, was my wonderings about why Mexico might be doing
20 that. However, there's many alternatives, as I look at it
21 from satellite imagery at least, for different routes within
22 Mexico for the pipeline.

23 So I'll come back to the FOSCR point of view and
24 speak for my FOSCR friends of the Santa Cruz River.

25 You have a valley -- this valley -- which is
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1 beautiful and relatively unspoiled. And you have the Santa
2 Cruz Valley, which has been subjected to chaotic, grasping
3 development over the past number of years. Then the next
4 valley over is, again, Bureau of Land Management land and
5 quite open ranch land.

6 The Santa Cruz is already ruined. We're doing our
7 best to keep it nice. That's where the pipeline, if we want
8 to have a pipeline, should go. It doesn't have to go back
9 across the border to Sasabe. It's up to Mexico -- if they
10 want our product -- to take our product where we can deliver
11 it, not where it's convenient for them.

12 Thank you for your time.

13 MS. MUNOZ: Thank you for your comments.

14 Mary -- I'm going to apology in advance for
15 butchering your last name -- Kasulaitis?

16 ATTENDEE: That's pretty good.

17 My name is Mary Kasulaitis, K-A-S-U-L-A-I-T-I-S.
18 I live in Arivaca. I'm the public librarian there. My
19 family has had a ranch near Arivaca since 1879. And just so
20 you know, Arivaca is in the upper watershed of the Altar
21 Valley. And it isn't near this pipeline, but it affects us;
22 it will affect us.

23 I'm also a member of the Altar Valley Conservation
24 Alliance because this is the one organization that has done
25 the most for the Altar Valley and has done the most for
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1 ranching in terms of conservation and environmental
2 protection.

3 I am strongly opposed to this pipeline. My
4 concerns are that it will damage a virtually untouched
5 valley that is really not inhabited by very many people at
6 all except a few ranchers. And you stand to have the first
7 serious impact on this valley since the road was built in
8 the 1920s or perhaps the electric line in the 1950s. And I
9 will say, when they built the road, there was a lot of
10 environmental damage because, of course, in those days they
11 did not do mitigation. And then after the fact, now, we
12 have to worry about it.

13 But both of those benefited the residents of the
14 valley. But this gas line will not benefit any American
15 except for the Kinder Morgan Company. And of course, we
16 have to worry about the illegal migrants and their impacts
17 on the valley. But they're going to see this as a benefit
18 to them because they'll be able to use it as a way north.

19 So I just wanted to say, about the value of the
20 valley, Morris Udall saw the environmental importance of
21 this valley when he promoted the purchase of Buenos Aires
22 National Wildlife Refuge in the 1980s, which is only 15,000
23 acres. And that's really only a small part of the valley
24 because most of it is ranch land.

25 And the rest of the valley -- not just the
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1 refuge -- is just as environmentally important. And I want
2 to make this point that no one else has made, that whether
3 you go through or around the refuge, the western route is
4 still going to impact the refuge. And impact of that -- of
5 that pipeline on the western side of the refuge needs to be
6 considered because the water runs downhill, and this
7 pipeline will be uphill from the refuge. Water will run
8 across the pipeline. The pipeline will affect the refuge
9 whether or not it's actually on refuge property. Now, of
10 course, those who have ranches where this pipeline will run,
11 will also be affected. I just felt I should say that about
12 the location of the western route.

13 My other point is, regarding the point of entry at
14 Sasabe, that despite what the Mexican government says to you
15 and everyone else, they do not patrol the territory between
16 Nogales, Altar, Caborca, and Sasabe. The road from Sasabe
17 to Altar is not even paved. Drug cartels control that
18 territory. People cannot travel from Sasabe to Nogales or
19 Sasabe to Altar or Caborca without paying mordida. I know
20 people who will not go. They will not leave Sasabe because
21 they are afraid.

22 And so what will happen when you build this
23 pipeline, and then Mexico cannot protect its side of the
24 border? Because this is a very real possibility. And you
25 may think that once you built it to this -- to the border,
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1 then it's not your problem; but it is your problem.

2 Okay. Now, another point is, this is an
3 archaeologically valuable valley. And you should expect to
4 do an archaeological survey along the entire 45 miles of the
5 route between here and Sasabe because you're following,
6 essentially, a water course, and there are archaeological
7 sites everywhere along that water course. And many of
8 them -- because this is an undeveloped valley, many of those
9 archaeological sites have not benefited from surveys because
10 normally surveys happen in front of development. So you may
11 want to consider yourselves the big surveyors of the Altar
12 Valley, because you'll need to do that.

13 Either way, I ask you to choose an alternative
14 that is not inside the Altar Valley, neither western or
15 eastern, but somewhere else. And I agree with the gentlemen
16 who said that the United States needs to choose where it
17 wants its pipeline to go, and not Mexico.

18 Thank you.

19 MS. MUNOZ: Peter Steere?

20 ATTENDEE: Good evening. My name is Peter Steere.
21 That's S-T-E-E-R-E. I am a tribal historic preservation
22 officer for the Tohono O'odham Nation. That's T-O-H-O-N-O.
23 The second word is O'odham; O, apostrophe, O-D-H-A-M. I am
24 not a decision-maker for the Nation. I'm here as technical
25 staff. I was requested to come to this meeting by Chairman
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1 Norris of the Nation and members of our legislative counsel.

2 Excuse me.

3 We want to remind FERC and El Paso that these
4 lands, in which this pipeline is proposed for, are
5 traditional use lands of the Tohono O'odham Nation. The
6 Tohono O'odham and their ancestors have connections to these
7 lands going back thousands of years.

8 The Nation has worked closely with Pima County for
9 more than a decade as Pima County developed the Sonoran
10 Desert Conservation Plan. The Nation is very concerned, as
11 the other speakers have said tonight, about the impacts of
12 this pipeline in a relatively pristine valley.

13 I have spent a good part of this afternoon
14 reviewing the archaeological survey report that had just
15 been release to the Nation for the survey along the entire
16 pipeline right-of-way. The Nation is very concerned that
17 impacts the cultural sites. There are -- 60 sites have been
18 recorded in the survey corridors. Combining both corridors,
19 49 of these sites are Native American sites relating to
20 prehistoric cultures, such as the Hohokam culture, and there
21 are Tohono O'odham sites, and there are multicomponent sites
22 out here that have both historic Native American presence on
23 the site as well as prehistoric. The Nation is very
24 concerned about the impacts to those sites.

25 One of the requests I would like to make tonight

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1 of both FERC and El Paso is that you make arrangements to
2 make a presentation to the Nation's Tribal Counsel sometime
3 coming up in the next few months, whenever that's feasible,
4 so the members of the legislative counsel can consider this
5 as well as members of the executive branch.

6 We are also concerned about the development of
7 this corridor for trafficking illegals. About eight o'clock
8 this morning I was out -- this didn't happen accidentally --
9 I was out on El Paso's line on the west side of the Nation.
10 This is a line that comes down through Casa Grande, runs
11 through the western side of the Nation and ends up in Ajo.
12 This line was built in 1937. When it was built in 1937,
13 there was not too much of a problem with illegal
14 immigration. There is today.

15 In the course of spending three hours on that line
16 today, I ran into about 60 illegals, three different groups
17 moving along the line, some of them on bicycles, some of
18 them on foot, some of them trying to fix a broken down car.
19 These corridors tend to be utilized by people.

20 All the electrical line corridors coming out of
21 this area, going north toward Phoenix, are traditionally
22 used by these -- these corridors present a problem where
23 they cross the Nation. Because of illegals, they break into
24 isolated ranch houses and so on.

25 And one of the other concerns the Nation has is
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1 the United States Fish and Wildlife Service recently
2 designated critical habitat for the recovery of the jaguar
3 in the southwestern United States. The jaguar is an
4 important cultural animal for the Tohono O'odham Nation.
5 The jaguar, the recent sightings of the jaguar on the
6 mountains on the west side and the mountains on the east
7 side of the valley.

8 The Nation also has concerns about pipeline
9 construction in Mexico. This always crops up when there's a
10 transporter project. Because the construction -- we realize
11 that United States' laws don't apply in Mexico, but we've
12 tried to urge companies who work in Mexico to try to deal
13 with tribal members.

14 There's nearly 2,000 members of the Tohono O'odham
15 Nation that live in Mexico. They live in village sites that
16 may be impacted by this pipeline. There are both historic
17 and prehistoric and religious sites in Mexico that
18 potentially could be impacted. And if this project goes
19 forward, wherever it is, in some form or shape down the
20 road, that's a major concern for the Nation.

21 This really ties in, to a certain degree, to the
22 El Paso's relationship with the Mexican utility companies
23 and how much pressure that can be put on. One of the
24 examples that happened a few years ago -- not with the
25 utility company, but with an American mining company -- were
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1 running power lines in Mexico to a mining operation and
2 bulldozed through a Tohono O'odham cemetery disturbing
3 almost 60 graves. We don't like to see that kind of thing
4 happen.

5 I think another thing FERC needs to be aware of --
6 as you probably already are -- the Tohono O'odham Nation
7 will probably take the lead on this project. FERC needs to
8 consult with other tribes that also have an interest down
9 there, including the Gila River community, the Salt River
10 Pima-Maricopa community, Ak-Chin community, and several of
11 the Apache tribes that have issues here and concerns because
12 these tribes, too, have ancestral sites out here. And many
13 of the Hohokam sites here are also regarded as significant
14 locations for the Hopi Tribe and for the Zuni Tribe also.

15 Of the two routes that are being proposed -- and
16 again, I'm not a decision maker, I'm just offering a
17 technical opinion. The impacts and cultural sites would be
18 roughly the same on both routes approximately. There are
19 several large Hohokam village sites that have been located
20 by the survey recently completed by El Paso's contractor.
21 These large Hohokam village sites can be expected to contain
22 extensive numbers of burials that are very significant to
23 the Nation.

24 One of the things I think that needs to be
25 remembered is that the Nation and other tribes have
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1 spiritual connections to these sites. These are the sites
2 of their ancestors, sites where their ancestors lived, sites
3 where their ancestors died, and in many cases, sites where
4 their ancestors are buried.

5 Thank you for your time. And I will talk with you
6 guys about arranging presentation to the counsel.

7 Thank you.

8 MS. MUNOZ: Thank you for your comments.

9 Is there anybody else that would like to speak
10 tonight who didn't get a chance to sign up.

11 Okay. Ma'am, if you want to come up?

12 ATTENDEE: Hello. My name is Cindy, C-I-N-D-Y,
13 Granger, G-R-A-N-G-E-R. I live in the Diamond Bell Ranch
14 community, which goes on the Highway 286.

15 My husband and I moved here 4 1/2 years ago. When
16 we first saw this valley, we couldn't believe it. As they
17 already said, it's so unspoiled and so large. The wildlife
18 is just amazing. My home is the furthest home out on the
19 grid in Diamond Bell Ranch, and we're actually fairly close
20 to Highway 286. And then as a result, all those ranches and
21 stuff, homes and ranches would be so impacted.

22 We have, next to our home, nesting caracara pairs,
23 bobcats. I know there's jaguar. If you see them, you never
24 tell anybody or they want to come hunt them or do whatever
25 they do with them. There -- I mean, it's the same story

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1 probably everyone has, but it's so unspoiled.

2 We ride, sometimes, or walk out in the desert and
3 explore. And it's just such a valley. And I just can't
4 imagine a deep scar going through it. And I think everyone
5 here has seen pictures of pipelines or any other type of
6 route. Once it goes through the desert, it doesn't grow
7 back. No matter how they try to rehab it, it's just a giant
8 scar. And you can't ever recover that, and you ruin the
9 habitat for those animals. And I just hope that everybody
10 is really respectful for this area and find another route.

11 And I guess that's all I really have to say. I'm
12 pretty passionate about this. And I thank you for the
13 opportunity.

14 ATTENDEE: My name is Nancy Peterson,
15 P-E-T-E-R-S-O-N. I pretty much agree with everything that's
16 been said so far. But as an educator here in the Altar
17 Valley, I have a concern about how close to the schools
18 these pipelines are. I know there's a summer school in
19 Sasabe. And with the problem in California recently with
20 explosion -- and yes, those were old pipes, but new pipes
21 fail too -- I have a real serious concern about the safety
22 for the students out here. And I would like to think that
23 other people do too. They're our future. And protecting
24 the valley, we're doing that. But we also need to protect
25 those kids.

26

1 Thank you.

2 MS. MUNOZ: Thank you all for taking the time to
3 come tonight. We appreciate your coming and --

4 ATTENDEE: We can't hear you.

5 MS. MUNOZ: I just want to say thank you again for
6 coming tonight. It's clear that you are passionate about
7 your valley. We appreciate your comments. We appreciate
8 those who have worked close with the FERC to share your
9 expertise. And we're going to continue to solicit your
10 comments. We want to encourage you to continue to put them
11 on the record. Review those resource reports. I know
12 that's a handful and -- but those comments we value. There
13 will be many opportunities throughout the process.

14 You know, the Council recognizes that this is a
15 project that warranted coming in early. That's why we're
16 here for the pre-filing process. So please think about
17 submitting the comments and continue to work with FERC so
18 that we ensure that as we're telling that story in the
19 EIS that we get it right.

20 If we don't have anybody else that would like to
21 speak tonight, the formal part of this meeting will close.

22 Within the FERC Web site, www.ferc.gov, there's a
23 link called eLibrary. If you type in the docket number, as
24 most of you have become very well -- very familiar with the
25 system. But for those of you who have not, you can use

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1 eLibrary to gain access to everything on the record
2 concerning this project, as well as all of the filings
3 submitted. So anything we see, you will see as well.

4 On behalf of the Federal Energy Regulatory
5 Commission, I want to thank you for coming tonight.

6 Let the record show that the meeting concluded at
7 7:20 p.m.

8 Thank you.

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