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FEDERAL ENERGY REGULATORY COMMISSION

OFFICE OF ENERGY PROJECTS

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SCOPING MEETING

February 18, 2009

Forrest City Civic Center

1335 North Washington

Forrest City, Arkansas 72335

1 APPEARANCES:

2 Dave Wymond - Environmental Project Manager

3 David Weeks - Ecology & Environment

4 Christine Allen - FERC

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

2 MR. WYMOND: Thank you everybody for  
3 coming, tonight.

4 Welcome to the Public Scoping  
5 Meeting for the Fayetteville Express Pipeline  
6 Project. My name is Dave Wymond and I'm an  
7 Environmental Project Manager for the Federal  
8 Energy Regulatory Commission or FERC.

9 Let the record show that the Public  
10 Scoping Meeting began at 7:03 p.m., on February  
11 18th, 2009.

12 As it says in the public notice for  
13 this meeting, the Commission is preparing an  
14 environmental assessment or EA for the proposed  
15 Fayetteville Express Pipeline Project.

16 We're here tonight to learn from  
17 you. The purpose of this meeting is to give you an  
18 opportunity to comment on the type of environmental  
19 issues you think we should consider in the EA and  
20 for us to answer any questions you may have about  
21 our process. The more specific your comments are,  
22 the more helpful they will be in our environmental  
23 analysis.

24 With me tonight is David Weeks with  
25 Ecology & Environment or E and E, an environmental

1 consultant working under contract with the FERC and  
2 will be assisting with tonight's meeting.

3 Seated at the sign-in table when you  
4 came in is Christine Allen, also with FERC staff.

5 As you can see the meeting is  
6 recorded by a court reporter so we can have an  
7 accurate record of tonight's comments. A  
8 transcript of this meeting will be placed in the  
9 public record so that anyone can access the  
10 information discussed here tonight. To help the  
11 court reporter produce an accurate record of the  
12 meeting, I ask that you please follow some ground  
13 rules if you have any questions or comments during  
14 the the meeting. I'll ask you to please come to  
15 the podium and speak to the microphone, introduce  
16 yourself, and if appropriate, the agency or group  
17 you're representing. Please spell your name, and  
18 define any acronyms you may use, and speak one at a  
19 time, of course.

20 Following the formal segment of  
21 tonight's meeting, there will be an informal  
22 opportunity to ask questions to the FERC staff and  
23 the representatives from FEP who are here tonight.

24 In a couple of minutes I'll start  
25 out by briefly explaining the FERC application

1 process. Then representatives from Fayetteville  
2 Express will present an overview of their project.  
3 Following that presentation, we would hear from  
4 those of you who signed up to speak and would like  
5 to make formal comments.. If you do not want to  
6 formally make comments tonight, you can also send a  
7 letter to the Commission addressing your specific  
8 concerns.

9                   The FERC is an independent federal  
10 agency that among other things regulates the  
11 interstate transmission of natural gas. In doing  
12 so, FERC reviews proposals and authorizes  
13 construction of interstate natural gas pipelines,  
14 storage facilities and liquified natural gas  
15 terminals. The Commission's purpose is to protect  
16 energy customers and the public, ensuring that  
17 regulated energy companies are active within the  
18 law.

19                   We are located in Washington D.C.,  
20 just north of the United States Capital building.  
21 The FERC has five commissioners who are appointed  
22 by the President and approved by the Senate.  
23 Commissioners serve five year terms and each have  
24 an equal vote on regulatory matters. One member of  
25 the Commission is designated by the President to

1       serve as Chair and FERC's Administrative Head. The  
2       Commission staff, which includes myself, prepares  
3       technical information to assist the Commissioners  
4       in making their decisions.

5                       When a pipeline company wants to  
6       build facilities to transport and sell natural gas  
7       in interstate commerce, the company files an  
8       application with the Commission. With FEP's  
9       proposal we have begun what is called the  
10      "Pre-filing Process." A formal application from  
11      FEP has not yet been received by FERC. The purpose  
12      of the pre-filing process is to encourage  
13      involvement by the public, government entities, and  
14      other interested stakeholders in a manner that  
15      allows for the early identification and a  
16      resolution of environmental issues. The proposed  
17      project would consist of constructing about 185  
18      miles of 42 inch diameter pipeline and other  
19      appertinent facilities in Arkansas and Mississippi.

20                      Under the National Environment  
21      Policy Act or NEPA the Commission is required to  
22      perform an environmental analysis of the proposed  
23      project's potential effects on the environment. The  
24      FERC is the lead federal agency responsible for the  
25      NEPA review of the Fayetteville Express Pipeline

1 Project and the lead federal agency in preparation  
2 of the EA.

3                   Tonight's Scoping Meeting is one of  
4 the first steps in our process to develop a  
5 complete environmental record of FEP's proposal.  
6 We're here tonight to get your input on issues that  
7 you feel need to be analyzed in the environmental  
8 assessment. Your comments, along with those of  
9 interested groups and agencies, will help us focus  
10 our analysis on significant impacts. The  
11 Commission will make its decision about whether to  
12 approve the pipeline project after considering the  
13 project's environmental and economic impacts.

14                   I would like to emphasize that the  
15 EA is not a decision document. It's being prepared  
16 to advise the Commission and to disclose to the  
17 public the environmental impact of constructing and  
18 operation the Favetteville Express Pipeline. When  
19 the EAs completed, the Commission will consider the  
20 environmental information that it provides, along  
21 with non-environmental issues, such as engineering,  
22 markets and rates in making its decision to approve  
23 or deny a certificate, which would be the FERC's  
24 authorization for the project.

25                   There is no review of FERC's

1 decisions by the President or Congress maintaining  
2 FERC's independence as a regulatory agency and  
3 providing for fair and unbiased decisions.

4           If the Commission votes to approve  
5 the project and a certificate of public convenience  
6 and necessity is issued, FEP will be required to  
7 meet certain conditions as outlined in the  
8 certificate. FERC environmental staff will monitor  
9 the project through construction and restoration  
10 performing on-site inspections to ensure  
11 environmental compliance with the conditions of the  
12 FERC certificate.

13           If you have any additional questions  
14 about FERC, I'd encourage you to visit the  
15 Commission's web page at [www.FERC.gov](http://www.FERC.gov).

16           The notice for this meeting was  
17 mailed to effected landowners, federal, state and  
18 local agencies, elected officials and other public  
19 interest groups. To remain on the mailing list for  
20 this project, you'll need to either return the  
21 information request in Appendix 2 of the notice,  
22 sign the mail-in sheet at the back of this room --  
23 you saw the table when you came in tonight - or  
24 provide written comments on the project by March  
25 2nd, 2009.

1                   At this point, does anybody have any  
2 questions about our EA process or what the purpose  
3 of tonight's meeting is? No questions. Okay.

4                   Now, I'm gonna introduce Ron Brown,  
5 who will give you a brief overview of their  
6 project.

7                   RON BROWN: Welcome everyone. As  
8 was said Fayetteville Express Pipeline is a joint  
9 venture with Kinder Morgan and Energy Transfer. We  
10 have 185 mile pipe line, 42 inch- diameter pipeline  
11 in Conway, Faulkner, county, east to about 60  
12 miles, and then we start going as well as come down  
13 across the middle of the river and into Mississippi  
14 -- terminous and Panola County, just about 20 miles  
15 or so into Mississippi. We're following the most  
16 part -- the pipeline -- the very point the new pipe  
17 is -- 44 miles we're north of that corridor of the  
18 -- Pipe line corridor over 95 percent -- is either  
19 parallel to the road, but it's parallel to some  
20 feature that is already existing, so we try to do  
21 that minume the environmental impact that we would  
22 have on the area.

23                   (Problem with Reporter Equipment.)

24                   RON BROWN: Okay. We hired the same  
25 environmental company that did Texas Gas, so we're

1 following a lot of the procedures and the known  
2 environmental problems of whether the archeological  
3 or archeological we avoided those areas where  
4 possible. Where we can we're doing remediation to  
5 address those. That's pretty much -- Oh, there's  
6 -- we're gonna have one compressor station there at  
7 Russell, 72,000 horsepower. They're gonna be 15  
8 receive meters that are in the first 50 miles, and  
9 then we'll have four delivery meters. The first  
10 one there in Arkansas, near the Russell compressor  
11 station just up stream there within GPL, and then  
12 in Mississippi we -- with Texas Gas, A&R, and Trunk  
13 Line. So the gas can be -- it's all gas coming out  
14 of the Fayetteville Shale, and it can be delivered  
15 pretty much, anywhere on the mid-west, north-east,  
16 southeast markets of the U.S., and through the  
17 inter-connection with pipes, it could get into the  
18 west coast, but predominately it'll head toward  
19 midwest, southeastern markets.

20 I'll be around, as well as other FEP  
21 folks afterwards to -- we have some more detailed  
22 maps that we can look at or answer any more  
23 questions. Okay. Thank you.

24 MR. WYMOND: Does anybody have any  
25 questions about the proposed project as Ron just

1 presented? Okay. And as he said, you know,  
2 there's staff from the pipeline company here to  
3 answer your questions after the formal part of the  
4 meeting that got maps that can identify your  
5 property where it may cross, that sort of thing.  
6 So we encourage you to stay around and take a look  
7 if that's something you'd like to do.

8 I don't believe we have anyone who  
9 signed up to speak tonight. This would be the  
10 opportunity. We'd allow any of you to stand up and  
11 voice any particular comments, questions or  
12 concerns that you may have to let it be stated in  
13 the public record. Does anybody want the  
14 opportunity to do that? No. Oh.

15 WALTER JONES: I got here a few  
16 minutes late. Wondering about this.

17 MR. WYMOND: Do you mind coming up  
18 to the podium, just for the court report's benefit.

19 WALTER JONES: Yes.

20 MR. WYMOND: State your name and  
21 spell it, if you don't mind.

22 WALTER E. JONES, JR.

23 WALTER JONES: My name is Walter E.  
24 Jones, Jr. I live at Brown, Arkansas. Recently I  
25 read about this new -- thought about that they

1 discovered out west of Marianna, and I was  
2 wondering if that was gonna have any kind of  
3 environmental impact on, you know, on this pipeline  
4 where -- ya'll may have already talked about it.  
5 Like I say, I was late getting here. That's one of  
6 the main things I was interested in hearing about.

7 MR. WYMOND: Sure. Well you didn't  
8 miss anything. In regards to that, just to  
9 clarify, that's one thing that we will address in  
10 our environmental document. You know, we have --  
11 this is very early on in the process. So far we  
12 have limited information about project specifics,  
13 but coming up in the next month or so, a lot more  
14 detailed information will be provided to FERC by  
15 the pipeline company, you know, of specific  
16 resource concerns.

17 There's a whole section that we'll  
18 talk about geology, which ill include transmissivity,  
19 land slide potential, earthquakes, lot lines, all  
20 that sort of thing. So, just -- you know, your  
21 stating that tonight is a valid concern. We'll  
22 take it down and we'll look at it when we go  
23 through our early process.

24 WALTER JONES: Okay. Well, I never  
25 have -- anything that I've read about it until now

1 hasn't described how long that lot line is or where  
2 it runs or anything. You know, it just described  
3 it as being 100 miles west of Little Rock or east  
4 of Little Rock.

5 MR. WYMOND: Sure. I'm sure, I'm  
6 sure somewhere there is more information about that  
7 particular thought. We'll look into it and we'll  
8 consider that in our environmental review and  
9 address your comments tonight. Thank you.

10 WALTER JONES: Thank you.

11 MR. WYMOND: Does anyone else have  
12 anything they'd like to say or?

13 DAVID NICKLE: I do have a question.  
14 Do I need to come up?

15 MR. WYMOND: If you don't mind.

16 DAVID NICKLE

17 DAVID NICKLE: I'm David Nickle I'm  
18 with the Time, I would just like to know is there a  
19 time line for all this for the approval, for the  
20 getting construction of completion?

21 MR. WYMOND: Ron, do you mind going  
22 into a little bit of a general construction  
23 schedule?

24 RON BROWN: Yeah, as Dave said we're  
25 in the pre-legal process right now. We will be

1 filing our resource reports in March, and then  
2 we'll file our full -- application in May of 2009,  
3 and then depending on when we get our certificate,  
4 we anticipate early in 2010 some time we would have  
5 a certificate, and then construction would start in  
6 Spring of 2010 and through first try to begin  
7 service up to NGPL and we'll put the emphasis on  
8 that first 60 miles. We do not need the compressor  
9 station to put that section into service, and then  
10 we hook that compressor station and the rest of the  
11 pipeline in Mississippi early 2011.

12 MR. WYMOND: Thank you. Anyone  
13 else? Okay. As indicated in the public notice for  
14 this meeting, the comment period for filing written  
15 comments ends March 2nd, 2009. That a rough  
16 cut-off point. If you have valid comments that  
17 you'd like to submit and can send in in a  
18 reasonable time frame after that, we'll be happy to  
19 accept them, we'll address them just as if they  
20 were submitted before the 2nd, but we just have to  
21 have some date to move forward with our document on  
22 'em. So like I mentioned before, there's  
23 information on how to submit comments back at the  
24 sign-in table. If you can write comments here  
25 tonight, speak tonight, mail them in, or do it on

1 line. So any of those will be given equal weight.

2 Without anymore speakers, the formal  
3 part of this meeting will conclude. I'd encourage  
4 you to stay around, look at the maps if you have  
5 questions, you know, talk to the representatives  
6 from Fayetteville Express or myself or anyone here  
7 tonight to satisfy your concerns.

8 On behalf of the Federal Energy  
9 Regulatory Commission, I'd like to thank you for  
10 coming tonight. Let the record show that the  
11 public scoping meeting in Forest City, Arkansas,  
12 concluded at 7:19 p.m. Thank you.

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(At 7:19 p.m. the meeting adjourned)

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C E R T I F I C A T E

I, Terence M. Holmes, a duly qualified and commissioned notary public within and for the State of Ohio, do hereby certify that at the time and place stated herein, and in the presence of the persons named, I recorded in stenotypy and tape recorded the proceedings of the within-captioned matter, and that the foregoing pages constitute a true, correct and complete transcript of the said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand at Cincinnati, Ohio, this 24th day of February, 2009.

My Commission Expires:  
July 28, 2012

\_\_\_\_\_  
Terence M. Holmes  
Notary Public - State of Ohio