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BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

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IN THE MATTER OF: : Project No.

TIGER PIPELINE PROJECT : PF09-9-000

- - - - - x

Texas Country Music Hall of Fame
300 West Panola Street
Carthage, TX 75633

Thursday, June 11, 2009

The above-entitled matter came on for scoping meeting, pursuant to notice, at 7:05 p.m., John Wisniewski, environmental project manager, presiding.

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

2 (7:00 p.m.)

3 MR. WISNIEWSKI: Good evening ladies and
4 gentlemen. On behalf of the Federal Energy Regulatory
5 Commission referred to as FERC or the Commission, I would
6 like to welcome you all tonight. This is a scoping meeting
7 for the proposed Energy Transfer Company or ETC, Tiger
8 Pipeline Project. Let the record show that the public
9 scoping meeting began at approximately 7:00 p.m.

10 My name is John Wisniewski and I am the FERC
11 environmental project manager for the Energy Transfer
12 Company, Tiger Pipeline Project. Also, with me this
13 evening, sitting to my right, is Mr. Scott Urwick from the
14 Natural Resource Group, who is our environmental contractor
15 who will be working with us in the preparation of our
16 environmental document, and also Ms. Stacey Atella is
17 sitting at the back table of the room and she's got some
18 handouts for the public to pick up if you didn't pick some
19 brochures up.

20 The FERC is an independent agency that regulates
21 the interstate transmission of electricity, natural gas, and
22 oil. FERC also proposes and authorizes construction of
23 interstate natural gas pipeline, storage facilities, and
24 liquefied natural gas or NLG terminals as well as the
25 licensing and inspection of hydroelectric projects. The

1 purpose of the Commission is to protect the public and
2 energy customers, ensuring that regulated energy companies
3 are acting within the law.

4 We are located in Washington, D.C. just north of
5 the U.S. Capitol. The FERC has up to five commissioners who
6 are appointed by the President of the United States with the
7 advice and consent of the Senate. The commissioners serve
8 five-year terms and have an equal vote on regulatory
9 matters. One member of the Commission is designated by the
10 President to serve as chair and FERC's administrative head.
11 The FERC has approximately 1,200 staff employees.

12 The FERC is the lead federal agency responsible
13 for the National Environmental Policy Act of 1969 or NEPA,
14 review of the ETC Tiger Pipeline Project, and the lead
15 agency for the preparation of an Environmental Assessment or
16 an Environmental Impact Statement. NEPA requires FERC to
17 analyze the environmental impacts, consider alternatives,
18 and provide appropriate mediation measures on proposed
19 project.

20 On May 15, 2009, we sent out a Notice of Intent,
21 what we call the NOI, on the ETC Tiger Pipeline Project. As
22 indicated in the NOI, the staff of the FERC will prepare
23 either an Environmental Assessment or a draft Environmental
24 Impact Statement or EIS and a final EIS for the project's
25 facilities, depending on the comments we receive during the

1 scoping period.

2 The EA or the EIS will be used by the Commission
3 to determine whether a certificate of public convenience and
4 necessity should be issued to the pipeline project.

5 Although no formal application has yet been filed with the
6 FERC, the staff, along with other federal, state, and local
7 agency staffs have already initiated its NEPA review under
8 the NEPA pre-filing process for the project.

9 The purpose of the pre-filing process is to
10 ensure the involvement of the public, governmental entities,
11 and other interested stakeholders in a manner that allows
12 for the early identification and resolution of environmental
13 issues. Docket Number PF-09-9-000 has been assigned for the
14 Tiger Pipeline Project. Once a formal application is filed
15 with the FERC, a new docket number will be established.

16 During our review of the project, we will
17 assemble information from a variety of sources, including
18 ETC Tiger Pipeline, you, the public, other state, local, and
19 federal agencies and our own independent analysis and field
20 work. We will analyze this information and prepare an
21 Environmental Assessment or a draft EIS that will be
22 distributed to the public for comment.

23 If you want a copy of the EA or the draft EIS,
24 either a paper copy or in CD form, there are three ways to
25 let us know. You can send a written request into the FERC

1 or you can sign up at the sign-in sheet at the table in the
2 back of the room tonight, or you can return mail list
3 retention form that was included in the Notice of Intent
4 that was mailed out to you.

5 You must do one of those three things to ensure
6 that your name is on our mailing list. If you previously
7 submitted comments or returned a mailing list retention form
8 for the project, you are already on our mailing list and you
9 do not have to resubmit comments or mailing list retention
10 form.

11 The purpose of tonight's meeting is to provide
12 each of you with an opportunity to give us your comments.
13 We are here tonight to learn from you. It will help us most
14 if your comments are as specific as possible regarding
15 potential environmental impacts, reasonable alternatives of
16 the proposed project. These issues generally focus on
17 potential environmental effects, including economic impacts,
18 but may also involve construction issues, mitigation and
19 environmental review process.

20 Your comments will be used to determine what
21 issues we need to cover in the EA or the EIS. The issuance
22 of the NOI opens a formal comment period. The mailing list
23 for this project is large and undergoing constant revision,
24 so if you did not receive a notice, I'm sorry; but we also
25 brought some extra copies with us this evening and you can

1 pick one up here this evening. The comment period will end
2 on June 29, 2009. We encourage you to submit your comments
3 as soon as possible in order to give us time to analyze and
4 research issues. I'd like to add that the FERC strongly
5 encourages electronic filing of all comments. The
6 instructions for this can be located on our website at
7 www.FERC.gov under the e-Filing link.

8 If you want to submit written comments, please
9 follow the instructions in the NOI. As I previously
10 indicated, if you did not receive a copy of the NOI, please
11 pick one up at the table this evening. We also have some
12 other handouts at back of the room and these brochures
13 explain the environmental review process in more details and
14 depict various public input opportunities.

15 It's very important that your comments when you
16 send them in to us to indicate the internal docket number
17 for the project. The docket number is in the NOI. If you
18 send in any comments, please put that docket number on it.
19 This will ensure that I or members of the staff evaluating
20 the project will get a copy of your comments. And that
21 document number, as I previously mentioned, was PF-09-9-000.

22
23 We also welcome any comments on whether the EA or
24 a draft EIS should be prepared for the project. However, if
25 an EA is issued, the public will have 30 days to comment on

1 it. However, the FERC does not issue a draft EA and a final
2 EA, and there are no comment meetings after the EA is
3 issued. Any comments that would be received on the EA would
4 be addressed in the Commission's order.

5 However, if a draft Environmental Impact
6 Statement is issued, you will have at least 45 days to
7 comment and review it. Toward the end of the comment
8 period, we will schedule a public meeting similar to the
9 format as this one this evening to hear comments on the
10 draft EIS. At the end of the comment period, we will use
11 your comments and any new information that we've gathered to
12 finalize the final EIS. The final EIS will be mailed to the
13 public who are on our mailing list. If you received a copy
14 of the draft EIS, you will receive a copy of the final EIS.
15 After the EIS is issued, the FERC commissioners will use our
16 findings to assist their determination on whether to approve
17 or deny a certificate for the project.

18 I also would like to point out that there are
19 other ETC Tiger Pipeline representatives here this evening
20 and they have brought some copies of maps of the pipeline
21 route. And after the formal portion of the meeting is
22 concluded, you're welcome to meet with the representatives
23 of ETC Tiger Pipeline.

24 But before we start taking any comments from the
25 public here, ETC Tiger Pipeline would like to provide you a

1 brief overview of their project. And so I would now like to
2 introduce Mr. Joey Mahmoud has agreed for us tonight to
3 provide a presentation. Mr. Mahmoud.

4 MR. MAHMOUD: Thanks John. How are you all doing
5 tonight? We appreciate you all taking the time to come here
6 and we'll bang through this presentation actually kind of
7 quick. So if I'm going too fast, let me know and I can slow
8 down.

9 Before we get started, we do have some other
10 folks here that can answer your questions after or during
11 the Question & Answer part of this and you provide your
12 comments to John. Meredith Hargrove is back here. She's in
13 media and public relations. Pat Patterson is over our
14 environmental and regulatory portion of the project. Buffy
15 Thomason is responsible for making sure the environmental
16 surveys are done. So if you have questions regarding
17 environmental, you can direct them to John and he can either
18 answer them or we can them to answer.

19 Leon Banta is our project manager as well as
20 overall construction manager. So when we get to
21 construction, he's the man in charge of making sure it's
22 constructed properly. Mark Vedral, sitting over here, he's
23 the head of our right-of-way group. So as we move forward
24 and we get easements with the landowners and yourselves,
25 he's the one that will oversee that process. And then this

1 gentleman over here, Ernie Shields, is our chief engineer.
2 So he can answer any technical questions for us.

3 As John mention, this is a Tiger Pipeline
4 Project. ETC Tiger Pipeline is the company, which is a part
5 of Energy Transfer as a whole. The project purpose is
6 fairly simple. It's to move gas from the Haynesville to
7 other markets across the United States. So it's a piece of
8 the pie from the production all the way to the other inter-
9 and intrastate pipes that are out there.

10 The project benefits to the region, once we start
11 construction, there will be a construction workforce
12 somewhere between 12 and 1500 folks that will move up and
13 down this pipeline to install it. Some of the other
14 benefits to the landowners are easement payments. Once we
15 get to that part of the job before we start construction, we
16 will negotiate with each of the landowners to get consent to
17 construct and operate the pipeline on their land. So it's a
18 revenue opportunity.

19 Economic stimulus to the region as far as hotels,
20 restaurants, and grocery stores, 12 to 1500 people moving up
21 and down the right-of-way they consume quite a bit of goods
22 and services. The long-term tax benefits to Panola County
23 as well as the other parishes in Louisiana, a great benefit
24 to the region as we've seen with the Haynesville so far. It
25 provides a lot of economic benefits to the area.

1 One of the biggest things for us is that we're
2 going to have 22 new employees that will migrate to this
3 area. They will either be local staff or brought in from
4 other areas. The regional manager for this area has already
5 been identified and he's in Shreveport right now. The
6 operations center will be new. It's going to be in
7 Shreveport and it will handle our new operations in Texas,
8 Louisiana, Mississippi, Arkansas and Alabama. So we feel
9 that's a great benefit to the region as well as for Energy
10 Transfer to have that in this region.

11 Project facilities, what it's going to include,
12 slightly under 175 miles. It floats between 174 1/2 to 175
13 as we're continuing to refine this route, four main line
14 compressor stations. Does everyone know what a compressor
15 station is?

16 (No response.)

17 MR. MAHMOUD: Fifteen receipt meters, seven
18 delivery meters. The receipt meters are all located on the
19 western end of the project for the production from the
20 Haynesville entrance into the pipe. And all of the
21 deliveries, minus HPL, which is here in Carthage, they're
22 all in the eastern side. So the facility here in Carthage
23 is what we call bi-directional facility so we can move gas
24 into or out of HPL systems.

25 For you all that are familiar with Center Point

1 and Gulf South, in Carthage it's actually Center Point that
2 we're paralleling all the way until we hit Texas/Louisiana
3 border, we're 98 percent next to that pipeline, either north
4 or south of it, about 60 feet centerline to centerline.
5 It's either one of those pipes or the closest utility and
6 the easements will abut, so there should not or we're trying
7 not to have a gap between pipeline corridors. So it's
8 Carthage, Gulf South, then Center Point and then it will be
9 Tiger.

10 This kind of gives you a broad overview of what
11 the pipeline looks like from Carthage all the way to Delhi.
12 The TETCO, Tennessee, Texas Gas, Trunkline, A&R, CGT & Sesh,
13 those are the other interstate pipes that we're tying into.
14 I mentioned the ETC/Carthage hub. That's our HPL system.
15 It's a dual 42-inch that we tie into in this area. That is
16 an intrastate pipe. So the difference between the two is
17 intrastate is transportation and gas sales within the state
18 and interstate means it crosses state lines or the gas is
19 sold to markets across state lines.

20 A quick representation of what the project looks
21 like in relation to Gulf South and Center Point. So the red
22 dash is Gulf South. The purple line is Center Point and of
23 course, the black and orange is the Tiger Pipeline. At that
24 scale you can't see where it flip-flops north or south of
25 the Center Point line, but it does. But that kind of gives

1 you the general orientation as you move from west to east.

2 One of the biggest things for us during
3 construction to make sure that we minimize the environmental
4 footprint, but we still can move along the right-of-way as
5 unencumbered as possible to be efficient, to get on and off
6 your land as soon as we can and get that pipeline in the
7 ground is providing or requesting suitable right-of-way to
8 actually build this line.

9 With a big project like this and 42 inch, we have
10 a variety, and it ranges from 125 feet in uplands to 100
11 feet in forest or wetlands, 120 feet in long wetlands so you
12 have a passing lane as move down that right-of-way, 75 feet
13 in Cypress Tupelo swamps. We do cross quite -- not a bunch
14 of them, but they're usually short crossings, so we can do
15 it in a reduced right-of-way, good example of that is the
16 Sabine Bottom here in Texas, 150 feet in agriculture or 135.
17 That's a pretty important distinction, if any of you all are
18 farmers. If it's 135, we'll segregate the topsoil or the
19 ditch plus spoil. If you want us to segregate the entire
20 right-of-way, then it would be 150 feet to accommodate that
21 extra spoil. So that is a negotiating point between us and
22 you. If you want us to segregate the full right-of-way, we
23 will. We just have to get a little bit more room to handle
24 that spoil.

25 The important part of this slide -- obviously,

1 it's all important, but the construction workspace is one
2 thing. The permanent easement that we're looking at will be
3 60-feet wide and it's also 60 feet from the centerline of
4 the closest pipeline to the centerline of our pipeline and
5 then we'll have 30 feet on each side of that pipeline for
6 the permanent easement. So when our right-of-way agents
7 approach you, that's what they're going to ask you for.

8 I'm sure you all in this room are very familiar
9 with the Haynesville if you all live here in Carthage. For
10 us and for the producers in this area, one of the biggest
11 constraints they have is take-away capacity. There's simply
12 not enough long haul or big-inch pipes to transport the
13 amount of gas that's being produced to take it away to other
14 markets. The only way to take advantage of the gas in the
15 ground into market is by building these pipes. So it's just
16 the link between the market and the production.

17 Currently, there are 3.5 million acres of
18 production under lease in the Haynesville, that's northeast
19 Texas, northwest Louisiana. Our forecasted reserves from
20 the market research that we've done -- and this number is
21 wildly different, depending on who you're talking to. But
22 from the research we've done, proven reserves are about 90
23 trillion cubic standard feet of gas. And what that means is
24 -- we're going to transport 2 bcf, so 90 trillion cubic feet
25 is the amount of gas that's in that reserve that we and

1 other people feel that you can actually recover during
2 production or exploration.

3 Production is anticipated to exceed 3 bcf or 3
4 billion cubic feet per day by 2011. If you look at our
5 pipeline that we're proposing, it's proposed to be in
6 service in 2011 to marry up with this 3 bcf, the gas that's
7 going to be available. And our pipeline will only take care
8 of what we feel is the shortfall in that 2011 timeframe,
9 which is 2 bcf.

10 This map just kind of shows you where the
11 Haynesville is situated. The yellow hashing up here is
12 actually the area that's currently under production.
13 Haynesville stretches from west of here to all the way down
14 the Mississippi. But currently, most all of the exploration
15 is happening in this northeast/northwest Louisiana or
16 northeast Texas/northwest Louisiana area centered around
17 this yellow hash-line, and then pink is the Haynesville
18 property.

19 Just so you know who we are, if you've heard of
20 HPL here in Carthage, that's one of our assets. We have the
21 largest intrastate pipeline system in the State of Texas.
22 All of our assets on a map this is kind of what it looks
23 like. It stretches from the border of Arizona and
24 California -- I'm sorry, Nevada and California all the way
25 to Mississippi and Alabama. The red is our intrastate

1 system. The yellow is our Transwestern Pipeline System, the
2 blue is Mid Continental Express and the green is the Tiger
3 Pipeline. And this little one up here, I don't have my
4 pointer, where it says Fayetteville, that's our other newly
5 proposed pipeline that we're building up in Arkansas. That
6 extends from Arkansas to Mississippi.

7 Haynesville production profile, this came out in
8 September of 2008. As you can see, this map or this chart
9 shows about 4 bcf or 400,000 cubic feet per day with an
10 estimated well count of about 450. You know, the accuracy
11 of this fluctuates up and down. Currently, if you look at
12 2009, it's about half of what is on this chart. So as the
13 economic conditions rise or fall, this chart is updated
14 constantly. However, this is not the latest and greatest as
15 what they probably announced last week, but as far as the
16 major publications this is what they're saying.

17 What we're here for tonight is to talk about the
18 environmental impacts and how this project affects you as
19 landowners or stakeholders along this project. We've
20 studied a 6-mile corridor centered on our pipe. We're
21 currently doing and have completed about 95 percent of the
22 environmental surveys on a 3 to 400-foot corridor, not
23 centered but offset from the center line of the pipeline 250
24 feet to the working side of the line and 150 feet to the
25 south or to the non-working side, most of it is north and

1 south.

2 We've done an extensive alternative analysis and
3 looked at different ways to get from Carthage to Delhi. All
4 this information is available on the FERC website under that
5 docket number that John gave us. And as we get into the
6 application phase, all of this information will be available
7 for you all to review and comment on as we move throughout
8 this process.

9 This map just kind of shows the consolidated
10 overview of the major constraints that have been identified.
11 It shows the Corps of Engineer district boundaries. There
12 are a lot agencies that are involved in this process and so
13 this map kind of shows their boundaries, some of the big
14 constraints as far as federal or state lands, major river
15 crossings, et cetera. If anyone wants to see this in more
16 detail after we're done, we can go back to it and kind of
17 talk through what some of it is.

18 As you know, we've talked to most of you. I
19 recognize actually all of you all from our other open houses
20 or seen you somewhere else. We started our NEPA pre-filing.
21 We had an open house here in Carthage on April 22. We've
22 distributed our landowner or stakeholder information
23 packages, which spell out what the project is about. We
24 have a website, which www.TigerPipeline.com. We have a
25 toll-free number, 888-TIGER-18, and we've talked to almost

1 every government official or community leader along this
2 pipeline so far and we've seen a lot of support.

3 The community support that we've received in
4 writing -- and this list is only a partial list of everyone
5 we've talked to, but these folks have been kind enough to
6 actually send us letters or send the FERC staff letters for
7 resolutions of support for the project, most all the
8 parishes in Louisiana, actually all of them have provided
9 support. The Carthage Economic Development Commission gave
10 us a letter and the Panola County Chamber of Commerce is
11 also supporting the project, so we're very proud of that.
12 In Louisiana, the one representative and the two senators
13 and the Louisiana delegation have also provided support for
14 our project.

15 This next slide is a little crooked, so I
16 apologize. The scan wasn't done very well, but this is a
17 resolution that the Panola County Commissioners actually
18 sent to us and that we're presenting to the FERC staff. Our
19 schedule for the project we started our pre-filing in March.
20 We intend to file our application, so we actually send the
21 package of information, our application for the project to
22 the FERC staff we hope in late August, September timeframe.

23 What that translates to from a timing perspective
24 is that we anticipate that we will have a certificate to
25 construct sometime between June and August of 2010. So once

1 all the agencies and the FERC staff have done their job and
2 have evaluated it, and if we've met the criteria for purpose
3 and need and a lot of other factors, minimization of
4 environmental impacts, and they issue that certification,
5 then we get to go to construction. And we hope that that's
6 going to be somewhere between June and August.

7 The construction timeframe will start around then
8 and will extend up until January of 2011, and that's when
9 our anticipated end service is. There will be some residual
10 activities after January 2011, but the main construction
11 time period is August to January.

12 That's really all I have. If you have any
13 questions or comments, please give them to John. After the
14 meeting, we'll be around. My team here will be here to
15 answer any questions that you may have. Thanks John.

16 MR. WISNIEWSKI: Thank you Mr. Mahmoud for your
17 presentation. We'd like to answer any general questions you
18 may have about the review process or the FERC's role. And I
19 would ask that you direct any questions to me and I'll try
20 to answer them. If I can't answer them, I'll have one of
21 the Tiger Pipeline representatives try to answer the
22 questions. In fact, we may not be able to answer your
23 question tonight, but we would like to have the issues put
24 on the record and we can have the company address the issues
25 in their application or the issue will be addressed in the

1 FERC's document.

2 I just have one rule is that you just direct your
3 question to me and please sign up on the sheet in the back
4 if anyone else would like to speak this evening. I guess
5 it's now time to start the most important part of our
6 meeting and that's your comments. When I call your name,
7 please step up to the microphone and please spell your last
8 name. I apologize. We only have one microphone this
9 evening, so we'll just have to share this one microphone.

10 Your comments will be transcribed by our court
11 reporter, who's sitting here to my right to ensure that we
12 get an accurate record of your comments. The transcript of
13 the meeting will be placed in the public record at the FERC
14 so that everyone has access to the information collected
15 here this evening.

16 Okay, we start. Our first speaker this evening
17 is Mr. Fred Whitsett. That's spelled W-H-I-T-S-E-T-T.

18 MR. WHITSETT: My main concern is the
19 environmental of going across that property. As a lot of
20 people know that line that you all are paralleling didn't
21 take care of their business like they should have. Now I've
22 been assured from the Tiger representatives that they will
23 do right, and I just want to be sure that they do right
24 because we had lots of problems with erosion. We had
25 trouble with washing into the lake. That company didn't

1 even put up silt fence where it should have been put. And
2 what did it do? It washed down to my lake and liked to ruin
3 my lake. I've got a 6-acre lake out there. They devastated
4 it. And getting them to do anything about it they didn't
5 want to do it. I had to take them court. And so I just
6 want Tiger to assure me that they're not going to be like
7 this other company and do what's right. That's all we need.
8 I know you got to lay the pipeline. That's right. That's
9 immaterial. You've got to lay it. But you've got to do
10 what is right with the landowners and the environment. So
11 if you do that, we're going to get along fine. Thank you.

12 COURT REPORTER: Did you say silk fence?

13 MR. WHITSETT: Silt fence.

14 COURT REPORTER: Silt fence.

15 MR. WHITSETT: That's right. You know what silt
16 fence is, right? Good silt fence, yeah. That's that black
17 stuff.

18 (Laughter.)

19 MR. WISNIEWSKI: Thank you very much Mr.
20 Whitsett. They were good comments. I don't have anyone
21 else on the sheet that signed up here to speak. Is there
22 anyone else here this evening that would like to speak?

23 (No response.)

24 Well, that's the end of list. Without any more speakers,
25 the formal part of our meeting will conclude. I just wanted

1 to remind you that please send in your comments to the NOI
2 by June 29, 2009 and be sure to include Docket Number PF-09-
3 9-000 on any comment letters that you send in to our
4 Secretary's office, as described in our NOI.

5 So on behalf of the Federal Energy Regulatory
6 Commission, I would like to thank you for coming tonight.
7 Let the record show that the ETC Tiger Pipeline Project
8 scoping meeting has concluded at approximately 7:30 p.m.
9 Thank you very much.

10 (Whereupon, at 7:30 p.m., the above-entitled
11 scoping meeting was concluded.)

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