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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

Delhi Civic Center
232 Denver Street
Delhi, LA 71232

Monday, June 8, 2009

The above-entitled matter came on for scoping meeting, pursuant to notice, at 7:00 p.m., John Wisniewski, environmental project manager, presiding.

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P R O C E E D I N G S

(7:00 p.m.)

MR. WISNIEWSKI: Good evening. On behalf of the Federal Energy Regulatory Commission referred to as FERC or Commission, I would like to welcome you all tonight. This is a supplemental scoping meeting for the proposed Energy Transfer Company, ETC, Tiger Pipeline Project.

My name is John Wisniewski and I am the FERC environmental project manager for the Energy Transfer Company, Tiger Pipeline Company, LLC, Tiger Pipeline Project and the Docket Number PF-09-9-000. Also, here with me this evening are Mr. Scott Urwick is sitting to my left and Ms. Stacey Atella, sitting at the table in the back of the Natural Resource Group, who is our environmental contractor who will work on the ETC Tiger Pipeline Project.

The FERC is an independent agency that regulates the interstate transmission of electricity, natural gas, and oil. FERC refers proposals and authorizes construction of interstate natural gas pipeline, storage facilities, and liquefied natural gas terminals as well as the licensing and inspection of hydroelectric projects. The purpose of the Commission is to protect the public and energy customers, ensuring that regulated energy companies are acting within the law.

We are located in Washington, D.C. just north of

1 the United States Capitol. FERC has up to five
2 commissioners who are appointed by the President of the
3 United States with the advice and consent of the Senate.
4 The commissioners serve five-year terms and have an equal
5 vote on regulatory matters. One member of the Commission is
6 designated by the President to serve as the chair and FERC's
7 administrative head.

8 The FERC is the lead federal agency responsible
9 for the National Environmental Policy Act of 1969 or NEPA,
10 N-E-P-A, review of the ETC Tiger Pipeline Project, and the
11 lead agency for the preparation of an Environmental
12 Assessment or an Environmental Impact Statement or EIS.
13 NEPA requires FERC to analyze the environmental impacts,
14 consider alternatives, and provide appropriate mediation
15 measures on proposed projects.

16 On May 15, 2009, we sent out a NOI or Notice of
17 Intent to prepare an EA on the ETC Tiger Pipeline Project.
18 As indicated in the NOI, the staff of the FERC will prepare
19 either an environmental assessment or a draft Environmental
20 Impact Statement or EIS and a final EIS for the project's
21 facilities, depending on the comments we receive during the
22 scoping period.

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

1 Although no formal application has been filed FERC, the
2 staff, along with other federal, state, and local staffs
3 have already initiated its NEPA review under its NEPA
4 pre-filing process for the project.

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

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

19 If you want a copy of the EA or the draft EIS,
20 either a paper or in CD form, there are three ways to let us
21 know. You can send a written request into the FERC or you
22 could sign up at the sign-in sheet table tonight, or you can
23 return mailing list retention form that was included in the
24 Notice of Intent that we mailed out to you.

25 You must do one of those three things to ensure

1 that your name is on our mailing list. If you have
2 previously submitted comments or return mail retention form
3 for the project, you are already on our mailing list and you
4 do not have to resubmit comments or mailing list retention
5 form.

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

15 Your comments will be used to determine what
16 issues we need to cover in the EA or EIS. The issuance of
17 the NOI opens a formal comment period. The mailing list for
18 this project is large and undergoing constant revision, so
19 if you did not receive a notice, I'm sorry; but we also
20 brought some extra copies with us this evening and you can
21 pick one up before you leave. This comment period will end
22 on June 29. We encourage you to submit your comments as
23 soon as possible in order to give us time to analyze and
24 research issues. I'd like to add that the FERC strongly
25 encourages electronic filing of all comments. Instructions

1 can be located on our website at www.FERC.gov under the
2 e-Filing link.

3 If you want to submit written comments, please
4 follow the directions in the NOI. If you did not receive a
5 copy of the NOI, as I indicated, please pick one up at the
6 table in the back of the room. We also have few handouts at
7 the sign-in table that explains the environmental review
8 process in more details and depicts the various public input
9 opportunities.

10 It's very important that any comments you send
11 include our internal docket number for the project. The
12 docket number is in the Notice of Intent. If you decide to
13 send us a comment letter, please put that docket number on
14 it. That will ensure that I or members of the staff
15 evaluating the project will get your comments, and the
16 document number, as I previously mentioned, for the ETC
17 Tiger Pipeline Project is PF-09-9-000.

18 We welcome your comments on whether the EA or a
19 draft Environmental Impact Statement should be prepared for
20 the project. If an EA is issued, the public will have 30
21 days to comment on it. However, the FERC does not issue a
22 draft EA, and there are no comment meetings after the EA is
23 issued. Any comments on the EA would be addressed in the
24 Commission's order.

25 However, if a draft EIS is issued, you will have

1 at least 45 days to review and comment on it. Toward the
2 end of the comment period, we will schedule a public comment
3 meeting similar in format to this one to hear your comments
4 on the draft EIS. At the end of the comment period, we will
5 use your comments and any new information we've gathered to
6 finalize the final EIS. The final EIS will be mailed to the
7 public who are on our mailing list. If you received a copy
8 of the draft EIS, you will receive a copy of the final EIS.
9 After the EIS is issued, the FERC commissioners will use our
10 findings to assist their determination on whether to approve
11 or deny a certificate for the project.

12 I would like to point out to the audience that
13 there are other members of the ETC Tiger Pipeline
14 representatives here this evening and they have brought some
15 detailed maps with them. And after the formal period of the
16 meeting is over, you can talk with them and look at the maps
17 here this evening.

18 Before we start taking comments from you, we've
19 asked the ETC Tiger Pipeline to provide a brief overview of
20 the project. Mr. Joey Mahmoud has agreed to do that for us
21 this evening. So I now turn over the meeting to Mr. Mahmoud
22 for his presentation of the project.

23 MR. MAHMOUD: Good afternoon? My name is Joey
24 Mahmoud. I'm with Energy Transfer. And again, this is just
25 a brief overview that we're going to go through, a short

1 presentation about what the project consists of.

2 Before I get started, I do want to point out a
3 couple of people so that if you have questions afterwards,
4 we can answer your questions right here tonight. So Ernie
5 Shields he's our lead engineer and consultant on the
6 project. Mark Vedral is head of our right-of-way, and Leon
7 Banta is our project manager. And then in the very back of
8 the room we have Pat Patterson who is doing our
9 environmental work for us.

10 So as John pointed out, this is the Tiger
11 Pipeline Project. ETC stands for Energy Transfer Company.
12 So the purpose of the project is fairly simple. It's to
13 provide natural gas transmission from the growing
14 Haynesville shale to other intrastate and interstate markets
15 here in Louisiana and one interconnection in Texas.

16 The benefits to the project area that we're
17 crossing through is really pretty basic and the basic
18 components are we'll bring about 12 to 1500 people into this
19 region on a temporary basis that will actually be the
20 construction workforce and they'll build this pipeline for
21 us, with that, we also right-of-way easement payments to the
22 landowners, revenue generation. It's different than royalty
23 payments and it's different than easements that you get from
24 the producers, but it's another form of revenue that we will
25 actually negotiate with you as we move forward.

1 One of the biggest advantages for a project like
2 this with that many people coming into the region is that it
3 brings a lot of economic benefits to the local stores, the
4 restaurants, groceries, RV parts, et cetera, local hotels.
5 And of course, the long-term tax benefit to Carthage in
6 Texas as well as the parishes here in Louisiana.

7 At the end of the day when this thing is
8 operation we'll have a workforce of 22 additional here in
9 Louisiana, and those will either be full-time people located
10 here in this community or in our new regional operations
11 center that's going to be in Shreveport.

12 So the project consists of around 175 miles of
13 42-inch pipe. There are four main line compressor stations,
14 and you can see where those are located. There is actually
15 now one here in Delhi west of this location, 15 receipt
16 meters that are all located on the western side of the
17 project and seven delivery stations that are mostly on the
18 eastern side of the project. So the idea here is to take
19 that gas from where they're currently drilling in
20 Haynesville and move it east to all of the pipeline
21 infrastructure right here in Delhi.

22 One of the greatest things that we talk about
23 when we're building a pipeline is the right-of-way dimension
24 and that's what actually affects you during the construction
25 phase of the project. And the thing that we're looking at

1 to get in and get out is to have adequate workspace so we're
2 not on your property any longer than we really have to be.
3 Working with our engineers, our construction workforce,
4 we're looking at 125 feet of uplands, 100 feet in wetlands.

5 When we have wetland that's longer than 500 feet,
6 so we have the ability to move our equipment around, it's
7 120 feet, 75 feet in wetlands in Cypress Tupelo because of
8 the sensitive nature of those community types, 150 in
9 agriculture. And when we do limited topsoil segregation
10 that the right-of-way agents will work with you all to
11 determine if you want the full right-of-way segregated or
12 only a portion of it, it could be between 135 and 150.

13 That's what we're proposing. That doesn't mean
14 that's what's going to be approved. It has to go through
15 the environmental process with the FERC staff, but that's
16 what we're proposing to them at this stage of the project.

17 This is just a map that kind of shows on a big
18 scale where it starts all the way west around Carthage and
19 it ends here in Delhi at the Columbia Gulf Transmission and
20 Sesh, which is just down the road from us.

21 As most of you already know, we're paralleling
22 Center Point and Gulf South from the majority of this
23 pipeline. We will either be 60 feet north or 60 feet south
24 for the majority of the line, about 98 or so percent. Some
25 areas we will deviate from that right-of-way because of

1 physical constraints at Center Points meter station or
2 compression station, a well, a house -- you know, physical
3 features that we cannot go through we'll deviate around and
4 it'll be around that original right-of way or the Center
5 Point or Gulf South's right-of-way.

6 Most of you already know there's a lot of news
7 articles out there. There's a lot of information you see
8 from the Secretary of Natural Resources, Scott Angel. He
9 issued a paper about two weeks ago that talk about the
10 economic benefit of the Haynesville to Louisiana and
11 specifically to northwest Louisiana. So this is just some
12 basic information that -- the bottom line is, if you have a
13 lot of development in oil and gas, and this is specifically
14 gas exploration, we drill it. We have to have a place for
15 it to go. The only way to move gas is via a pipeline. So
16 you have to have the pipelines from the wells to market.
17 That's the premise behind the project.

18 In today's market, today what we're dealing with
19 now is there's not enough capacity to move all the gas
20 that's being produced. Not only today, but we're projecting
21 that capacity to be restrained or constrained up until about
22 2011, and that's exactly when this pipeline is coming into
23 service to take of that incremental demand.

24 Currently, there's 3 1/2 billion acres under
25 lease. This next statistic, 90 trillion cubic feet of gas,

1 you know, that's debatable. There are articles out there
2 that say it's up to 240 trillion cubic feet. Our estimates
3 are there's really about 90 trillion cubic feet that can be
4 explored for and recovered. This is what I was talking
5 about production anticipated to exceed 3 bcf by 2011. The
6 current pipelines, even with the proposed expansions, cannot
7 handle the amount of gas that's being produced in this area.
8 So what that leaves us with is about 2 bcf take-away
9 capacity will be -- we will not have enough to meet that
10 demand and that's exactly what we're proposing. It's a
11 great match for our project. It fits for what the
12 production cycle is, so it's 2 bcf and we're building 2 bcf,
13 so they marry up very well.

14 A little background of Energy Transfer is. We're
15 the largest transporter of natural gas for the intrastate
16 market in the State of Texas. We do have some other pipes.
17 So if you look at this, this blue line right here is Mid
18 Continental Express, which I'm sure some of you know about.
19 We're 50 percent joint venture owners in that with
20 Kinder=Morgan. This green line is the Tiger Pipeline. This
21 is our Transwestern system. The rest of this is intrastate
22 and then we have one up here in the Fayetteville shale. So
23 we're very accustomed to building these pipes, operating them.
24 Relatively new player in the Haynesville, but that doesn't
25 mean we don't have a lot of experience building pipelines

1 and so we bring that to the table, too, also make this a
2 safe, efficient project from your standpoint so when we're
3 building it you can rest assured we've done this before.

4 This shows you what the -- this also fluctuates,
5 going up and down as far as what the projections are for
6 wells drilled, production line cycle in the Haynesville for
7 2013. As you can see here, you know, this upward trend.
8 Right now we're seeing a little bit of a slight decline with
9 the economy, but that's projected to increase towards the
10 end of the year and really ramp up in 2010, 2011.

11 So consistent with what John was talking about
12 with FERC, the idea of tonight's meeting is to focus it
13 around the environmental impacts that are associated with
14 this project. So what we're doing as a company to provide
15 to the FERC staff is we're actually doing a study of a
16 corridor that's 6 miles wide centered on our pipeline.
17 We're doing physical surveys between 300 and 400 feet along
18 the centerline of the right-of-way.

19 So if some of you have been contacted by our
20 surveyors or our right-of-way agents to go out and do civil
21 survey and environmental surveys that's exactly what we're
22 doing. We're collecting data to put into a report to give
23 to the FERC staff to do their evaluation.

24 As part of that analysis, we're doing an
25 alternative analysis, so we're looking at other ways to skin

1 the cat. How do we get from point A to point B and minimize
2 those environmental impacts? That's what we're doing right
3 now in submitting it to the FERC staff.

4 This is the broad overview of the project with
5 our center line and the big picture constraints that we know
6 about -- federal lands and WRP lands, Corps of Engineer's
7 jurisdiction, U.S. Fish and Wildlife property, et cetera.
8 So that's what this represents. And if you want to take a
9 closer look later, we'll be happy to pull this up so you can
10 look at it.

11 As most everyone in this room, you've been
12 contacted by us. It's all part of our environmental
13 outreach. So as John mentioned, we're going through our
14 NEPA pre-filing process. All of you should have received
15 some level of correspondence from us, either in the mail or
16 by person, and that information is really to get this
17 process started so when a right-of-way agent comes to your
18 door, you're not hearing from us for the first time. You're
19 armed with a little bit of information and then we'll get
20 you more as we go along. We actually can share with you
21 what we learn about your property and how that interacts or
22 works with the pipeline as a whole so it's one integrated
23 system.

24 The important part on this slide is if you can't
25 get a hold of one of us, there are two other mechanisms to

1 get a hold of. One is the Tiger Pipeline 800 number, which
2 is that 888 number, 888-TIGER-18, as well as we have a
3 website that we post information on. So it's just a little
4 bit more information to keep you educated as we move
5 throughout this process.

6 So project milestones, we started our surveys in
7 February of this year. We started contact you from the
8 right-of-way agent perspective. The open season, which --
9 the open season is simply a procession where we go out to
10 the public and we say, hey, we're going to build this
11 pipeline or we would like to build it, is there any
12 commercial interest in the project to justify in building
13 this thing? So we went out and gave it a 30-day period and
14 we sold almost the full capacity of the line. We're
15 actually about 400,000 short that we hope to have sold in
16 the next month or so.

17 So these other dates here are just kind of the
18 schedule that we're on. So as we're moving through this
19 process, you'll actually be able to track and you should get
20 notices, primarily, from the FERC when things are submitted.
21 And if you check their website, you'll actually have an
22 opportunity to see what we're providing to FERC as we moving
23 through this environmental process.

24 This is a concluding slide. Basically, this
25 spells out when we want to be out here. We started this

1 year. We hope to have our authorization to proceed.
2 Sometime around June or August of 2010 we'll start with
3 construction and then we hope to be done with construction
4 the February/March timeframe and be in service really from
5 January, February, or March. As the construction concludes,
6 depending on when FERC gives us our certificate, our goal is
7 January. We hope to be done in January, but if we're in
8 February that's okay, too. So that's the time window from
9 your perspective when we'll actually be in your backyard and
10 working with you hand-to-hand. With that, I'll turn it back
11 over to you, John.

12 MR. WISNIEWSKI: Thank you, Mr. Mahmoud. I would
13 like to address any general questions you may have about the
14 review process or FERC's role. I will ask that any
15 questions be directed to me and I'll try to answer them.
16 And if I can't answer them, I will try to ask an ETC Tiger
17 Pipeline representative to answer the question. We may not
18 have all the answers to your questions right, but we may
19 want to get the issues on the record so that ETC Tiger
20 Pipeline can either address them in their application or we
21 can address them in our environmental document. However, if
22 you have very detailed questions, please submit them in
23 writing and they will be addressed in our EA or draft EIS and
24 final EIS issued for the project.

25 I just have one rule is that if you have

1 questions that you would like me to answer, please sign up
2 to speak and go to the microphone is called. I apologize we
3 only have one microphone here tonight. So if you want to
4 speak or have questions or comments, please come up to the
5 microphone. Please state your name clearly and it would be
6 helpful to spell your last name so the court reporter here,
7 who is sitting to my left, can make an accurate record of
8 your comment.

9 So we now begin with the important part of the
10 meeting. Do we have any people sign up on the list? All
11 right, Mr. Scott Urwick from RNG indicated that no one has
12 signed up to speak this evening.

13 AUDIENCE MEMBER: I have a question for you.

14 MR. WISNIEWSKI: Okay. Sir, can you come up and
15 state your name, spell your name.

16 MR. WALTERS: Where do I go?

17 MR. WISNIEWSKI: Right up here.

18 MR. WALTERS: My name is Lonnie Walters. I'm
19 from Alto. And my question is I'm hearing you. I do not
20 understand what this agency is at all and I don't understand
21 what you're talking about. Is Tiger Pipeline the same group
22 that was in Rayville having a meeting here a month or two
23 ago?

24 MR. WISNIEWSKI: Yes, sir. Yes, sir.

25 MR. WALTERS: And what is the difference in that

1 meeting and this meeting, and why would we be invited to
2 come to both of them?

3 MR. WISNIEWSKI: The first meeting were called
4 open house meetings by Tiger Pipeline. That was meetings
5 they generated for the public on their own accord. The
6 meetings we now have at the FERC we call scoping meetings.
7 These are required to be had by the federal agency who is
8 the lead agency, which is us, the Federal Energy Regulatory
9 Commission. We're going to have three scoping meetings on
10 this project. And as I indicated previously, we are located
11 in Washington, D.C. and our agency issues a certificate of
12 public convenience and necessity for pipeline projects. And
13 this is part of our review process under NEPA that we
14 conduct public scoping meetings; get input from the public
15 before we prepare our Environmental Assessment or
16 Environmental Impact Statement. And then the Commission
17 will eventually decide whether to issue a certificate for
18 the project and they will issue an order.

19 MR. WALTER: Well, then my next question to you
20 is why did you have this meeting in Delhi when they had --
21 the people had a public meeting in Rayville and they must
22 have had 200 people there and you have less than 25. How
23 are you getting a very good consensus of people's opinion?

24 MR. WISNIEWSKI: Well, we try to locate our
25 meetings, one on the east end. We're going to have one

1 tomorrow in Jonesboro in the middle of the pipeline and then
2 we're going to have one on the west end in Carthage, Texas.

3 MR. WALTER: Is that where it starts in Carthage,
4 Texas?

5 MR. WISNIEWSKI: No. It starts here tonight.
6 This is the first meeting.

7 MR. WALTER: No, I mean the pipeline.

8 MR. WISNIEWSKI: Yes. It starts near Carthage,
9 Texas. So we thought we'd have three meetings and break
10 them up in different localities to get a good representation
11 of the public. And it seems like the meeting that Tiger
12 Pipeline had originally on the east end they got a bigger
13 turn out than we have here tonight.

14 MR. WALTER: No doubt about it.

15 MR. WISNIEWSKI: But we had mailed our NOIs to
16 all the people we had on the mail list and we just hope that
17 they come.

18 MR. WALTER: Thank you very much.

19 MR. WISNIEWSKI: You're welcome. Mr. Urwick just
20 indicated to me that we could have had a meeting at
21 Rayville, but that meeting room was not available tonight,
22 so we decided to have it here in Delhi.

23 As I previously indicated, your comments will be
24 transcribed by the court reporter to ensure that we get an
25 accurate record of your comments. A transcript of this

1 meeting will be placed in the public record at the FERC so
2 that everyone will have access to the information collected
3 here this evening. That's the end of the people that would
4 like to speak. Is there anyone else in the audience that
5 has any comments or any questions?

6 MR. BABB: I do.

7 MR. WISNIEWSKI: Sir, can you come up.

8 MR. BABB: Yes. My name is Rusty Babb, B-A-B-B,
9 from Monroe. My question is is on the environmental study
10 who does that and who determines what part is wetlands, what
11 part is not and also on the -- I saw on the agriculture
12 right-of-ways they're going to go with 150-foot right-of-way
13 compared to the smaller ones in the wetlands. Who decides
14 what's wetlands and what is not? The previous pipelines
15 that have come through one declared a certain area on our
16 place that it was wetland and the other one did not.

17 And my main concern is, you know, taking of the
18 right-of-way. Naturally, I would have liked less right-of-
19 way taken, especially in the wetland area. But I would also
20 like to see the same throughout the agricultural because of
21 other problems with what we've been going through with the
22 other lines. But my main concern is taking of the wooded
23 part of the forest of our property. But I'd like to know
24 who determines what is wetlands and what is not?

25 MR. WISNIEWSKI: Okay, in our environmental

1 document that we prepared, FERC, we have the land use
2 categories, which include such as agricultural lands,
3 wetlands, and non-wetlands. And wetlands are determined
4 specifically by the types of soil, vegetation and water that
5 are in the locations that are defined as wetlands.

6 Scott, can you think of any other determinations
7 that we use for wetland determinations?

8 MR. URWICK: Yes. To specifically answer your
9 question who determines what's wetlands, that's the U.S.
10 Corps of Engineers that makes that determination.

11 MR. BABB: Okay.

12 MR. URWICK: The pipeline company will submit a
13 report to the U.S. Army Corps of Engineers and their surveys
14 delineating what they believe to be wetlands. It's up to
15 the Army Corps of Engineers to make that final determination
16 as to whether they are jurisdictional wetlands and then the
17 FERC will use the information submitted by the applicant and
18 verified by the Corps of Engineers in its analysis.

19 MR. BABB: Any reason why, like I said, the
20 previous pipelines that have come through one said it was
21 and one said it wasn't? I mean they went side-by-side
22 this, you know, strip. I don't know. But like I said, as
23 far as me, you know, if it is declared wetlands, which means
24 taking less right-of-way, which is what I'd like to have.
25 But anyway, my question was answered -- by the Corps and I

1 understand they do get with the pipeline companies to
2 determine that. Okay, I appreciate it. Thank you.

3 MR. WISNIEWSKI: I don't think we have an answer
4 to your second question there, but we can address that in
5 our environmental document or the Applicant could maybe
6 address that in their application. So thank you very much
7 for your comment. Is there anyone else that would like to
8 speak this evening or have any other questions?

9 (No response.)

10 MR. WISNIEWSKI: Okay. Well, without any more
11 speakers the formal part of the meeting will conclude.
12 Please send your comments to the NOI by June 29, 2009 and
13 just remind you to include the docket number PF-09-09-000 on
14 your comment letters that you send it to the Secretary's
15 office, as described in our NOI.

16 On behalf of the Federal Energy Regulatory
17 Commission, I would like to thank you for coming evening.
18 Let the record show that the ETC Tiger Pipeline Project
19 scoping meeting is concluded.

20 (Whereupon, at 7:39 p.m., the above-entitled
21 scoping meeting was concluded.)

22

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24