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BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

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IN THE MATTER OF: : Docket No.

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

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Bowman County Fairgrounds  
Four Seasons  
12 Highway 12 E  
Bowman, ND 58623

Tuesday, September 22, 2009

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

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

(6:05 p.m.)

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

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

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

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

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

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

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

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

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

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

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

25               Once we've finished analyzing the comments

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

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

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

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

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

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

8                (No response.)

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

14               (No response.)

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

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

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