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FEDERAL ENERGY REGULATORY COMMISSION
PUBLIC SCOPING MEETING FOR THE
ALASKA PIPELINE PROJECT

Dena'ina Center
Anchorage, Alaska
February 13th, 2012
7:05 p.m.

1 DAVE SWEARINGEN: All right. Good evening
2 and welcome. My name is Dave Swearingen and I'm
3 on staff at the Federal Energy Regulatory
4 Commission, or FERC. Also with FERC we have here
5 tonight Lauren O'Donnell and Mike Boyle. To my
6 left is Bill Flanders with the U.S. Department of
7 Transportation Pipeline and Hazardous Materials
8 Safety Administration, or PHMSA.

9 To my far left is a court reporter.
10 This meeting's being transcribed so that the
11 public record will reflect the comments that are
12 submitted tonight.

13 At the sign-in table when you came in
14 we have representatives of Argonne National Labs.
15 Argonne is assisting us in our environmental
16 review in the preparation of the environmental
17 document. There we have John Krummel and Rob
18 McWhorter and Konnie Wescott.

19 So let the record show that the
20 Anchorage scoping meeting began at 7:05 p.m. on
21 February 13th, 2012.

22 The purpose of this meeting is to
23 give you the opportunity to provide environmental
24 comments specifically on the Alaska Pipeline
25 Project. The Alaska Pipeline Project is being

1 advanced jointly by TransCanada Alaska Company
2 and ExxonMobil Alaska, which I will sometimes
3 refer to as the project proponents or the
4 applicant.

5 TransCanada and ExxonMobil jointly
6 entered into the FERC pre-filing process on
7 May 1st, 2009, in which we began our review of
8 facilities that we refer to as the Alaska
9 Pipeline Project. The FERC is being assisted in
10 its environmental review by, like I said, our
11 contractor, Argonne National Labs, but also
12 several cooperating agencies, namely, the Office
13 of the Federal Coordinator, or OFC. And we have
14 Frank Richards with the OFC here with us tonight.
15 The U.S. Bureau of Land Management, or BLM. We
16 have Earle Williams who is the Alaska gasline
17 project manager representing the BLM. He's in
18 the audience tonight. The U.S. Army Corps of
19 Engineers. My colleague with the Corps of
20 Engineers is here with us tonight. The U.S. Fish
21 and Wildlife Service, the U.S. Environmental
22 Protection Agency. As I mentioned, the U.S.
23 Department of Transportation, Pipeline and
24 Hazardous Material Safety Administration, or
25 PHMSA, U.S. Geological Survey, the U.S. Coast

1 Guard, Eielson Air Force Base and the Alaska
2 State Pipeline Coordinator's office.

3 The project is going to involve the
4 construction and operation of a new pipeline
5 system to transport up to 4.5 billion cubic feet
6 per day of natural gas from Point Thomson to
7 Prudhoe Bay and then down to the Alaska/Yukon
8 border. At the border the pipeline will be
9 interconnected to a new pipeline system in Canada
10 to deliver to North American markets in the Lower
11 48. There will also be a number of compressor
12 stations, in-state delivery points and various
13 other facilities. The project also consists of
14 associated infrastructure such as access roads,
15 helipads, contractor yards, pipe storage yards,
16 construction camps, borrow sites and dock
17 modifications and dredging in Prudhoe Bay.

18 In a little while I'll ask a
19 representative from TransCanada to take the floor
20 in a more detailed project description. They'll
21 be able to answer some of your questions
22 regarding the project. You'll be able to ask
23 them questions after the formal part of the
24 meeting is over. They've set up a table in the
25 back with maps and such.

1 Right now we'll talk a little bit
2 about the FERC scoping process and public
3 involvement in the project. The main FERC docket
4 number for the Alaska Pipeline Project is
5 PF09-11. The PF means that we're in the
6 pre-filing stage of the process. Once the
7 proponents file a formal application a new docket
8 number will be assigned.

9 The National Environmental Policy
10 Act, or NEPA, requires that the FERC commission
11 take into consideration the environmental impacts
12 associated with new natural gas facilities.
13 Scoping is the general term we use for soliciting
14 input from the public, agencies, Native American
15 groups, landowners and other interested
16 stakeholders before the environmental analysis is
17 conducted. The idea is to get information from
18 the public and these other stakeholders and
19 interested groups so that we can then focus our
20 environmental analysis on the issues that are
21 most important to you.

22 The scoping period started last
23 August when we issued our notice of intent to
24 prepare an environmental impact statement, or
25 NOI. In that NOI we described the environmental

1 review process, some already identified
2 environmental issues and the steps that the FERC
3 and the cooperating agencies will take to prepare
4 an environmental impact statement, or EIS. We
5 have set an ending date of February 27th, 2012
6 for this scoping period. However, the end of the
7 scoping period is not the end of public
8 involvement. Once the draft EIS is issued
9 there'll be a comment period open for comments on
10 the draft EIS and additional public meetings.

11 An important step in the
12 environmental review process and the preparation
13 of an EIS is to determine which environmental
14 resource issues are most important to you. Your
15 comments and concerns along with those received
16 from agencies and other parties that we may have
17 received already, or that we may receive between
18 now and the end of the scoping period, will be
19 added to the public record as issues that we will
20 address in the draft environmental impact
21 statement. Last month the project proponents
22 filed draft resource reports which began to
23 describe the resource impacts that will be
24 affected by the project. So those are on the
25 public file and you can comment on them as well.

1 Because the project sponsors are
2 still preparing the FERC application, they're
3 still developing it -- so because of that your
4 comments tonight or those that you may file or
5 have already filed, all these comments will help
6 the companies address the issues and potential
7 effects.

8 After receiving a complete
9 application, FERC staff will prepare our
10 independent analysis along with the cooperating
11 agencies of the project's potential impacts. And
12 this is what will be published in the draft
13 environmental impact statement.

14 The draft EIS will be mailed out to
15 all the people that are on the mailing list for
16 the project. If you are not sure if you're on
17 the mailing list then you can add your name to
18 the back. If you got a copy of the NOI then
19 you're already on the mailing list. But if you
20 did not get a copy and heard about this through
21 the community and want to be on the mailing list,
22 be sure to sign that paper at the sign-in table.

23 Once the draft EIS is published we
24 will continue our environmental analysis,
25 addressing the comments and whatever new

1 information comes in. And then we'll publish a
2 final environmental impact statement.

3 Our mailing list for this project is
4 well over 2,000 people, organizations and
5 agencies. So what we're going to do is the
6 default method of mailing for the draft and final
7 EIS will be a CD. If you prefer to have a hard
8 copy, that's fine. There's a couple ways to tell
9 us that you prefer to have a hard copy, but you
10 need to tell us. The NOI had a check box that
11 said that you'd prefer to have a hard copy. So
12 you can mail that back in. If you're sitting
13 there thinking, well, I don't know if I did that
14 or I don't know if I have my copy anymore, you
15 can tell us at the sign-in table. Just make a
16 check saying that you would prefer to have a hard
17 copy. If you don't let us know, when you look in
18 your mailbox there will be a CD sitting there.

19 I need to differentiate between the
20 role of FERC staff, which I represent, and that
21 of the FERC commission. The Commission is
22 responsible for making a determination on whether
23 to issue a Natural Gas Act certificate of public
24 convenience and necessity to the project
25 sponsors. That is, the Commission will decide

1 whether or not to approve this project. The EIS,
2 prepared by the FERC environmental staff and
3 cooperating agencies, does not make that
4 decision. The EIS is not a decision-making
5 document.

6 What the EIS does is it discloses to
7 the public the impacts of the project and it
8 makes -- it allows our Commission to take into
9 account those particular environmental impacts as
10 well as -- and the Commission will take into
11 consideration non-environmental impacts as well.
12 So the EIS will describe the project facilities,
13 the associated environmental impacts,
14 alternatives to the proposal and staff's
15 conclusions and recommendations. As I said, the
16 FERC commission will take that information, as
17 well as non-environmental information such as
18 markets, tariffs, rates, designing costs and
19 certain engineering aspects and make an informed
20 decision on whether or not to recruit the
21 project.

22 Now this particular project is unique
23 in that it was addressed by Congress in the
24 Alaska Natural Gas Pipeline Act of 2004, or
25 ANGPA. The objective of that was to facilitate

1 time development of an Alaska natural gas
2 transportation project to bring Alaska natural
3 gas to markets in both Alaska and the Lower 48
4 states. That legislation designates FERC as the
5 lead federal agency for the purposes of complying
6 with NEPA and specifies that all federal agencies
7 that have a permitting role in project use the
8 single EIS to meet their required environmental
9 reviews. So that is an overview of the FERC
10 process of how we develop an EIS and how we go
11 about scoping.

12 In a few minutes I'll ask a couple
13 other people here to take the floor and talk
14 about their respective roles. But before we do
15 that are there any questions about the purpose of
16 this meeting or what I've described so far?

17 Okay. With that I'm going to turn
18 the meeting over to Bill Flanders with PHMSA and
19 he'll talk about his agency's responsibilities.

20 BILL FLANDERS: Welcome. I'm the Alaska
21 Community Assistance and Technical Services
22 representative with the office of Pipeline
23 Safety. And the office of Pipeline Safety is a
24 branch of PHMSA. I'd like to thank FERC for
25 inviting PHMSA's office of Pipeline Safety to

1 this scoping session.

2 When the Alaska Pipeline Project
3 receives permit approval from FERC for
4 construction of the pipeline, PHMSA will maintain
5 regulatory oversight over the construction and
6 operation of the pipeline. During the design and
7 construction aspect of the project PHMSA will
8 ensure the following: That the design is in
9 accordance with the federal regulations, 49 CFR
10 192 for natural gas pipelines. Constructed of
11 suitable material for operations, environment and
12 installation stresses that the pipeline will
13 encounter. Welded and non-destructively tested
14 in accordance with industry and federal
15 standards. And that will require 100 percent of
16 the welds to be inspected. Installed to a proper
17 depth and back filled with suitable material.
18 Hydrostatically tested after installation to 1.25
19 times their maximum operating pressure. Mainline
20 valves to have line break closure system or be
21 able to manually close within one hour.

22 Once the pipeline is placed into
23 service, PHMSA will inspect periodically covering
24 all aspects regulated in 49 CFR 192 regarding
25 operations and maintenance of the pipeline and

1 special permits that may be associated with the
2 project. The operation must establish
3 comprehensive written procedures describing types
4 and frequency of operational activities to ensure
5 the continued safe operation of the pipeline.

6 PHMSA will audit the operator's
7 compliance to these procedures and to the code
8 requirements including the following: After the
9 pipeline is placed in service that the
10 curvature/deformation-type in-line inspection
11 tool be ran within six months. This type of
12 in-line inspection tool will find for dense and
13 settlement areas or frost heave areas. Adequacy
14 of their external corrosion prevention system,
15 typically called the CP system. The operability
16 of pipeline valves and pressure control
17 equipment. Controlling the right-of-way. Leak
18 detection surveys along the pipeline. Control
19 room management procedures for operating the
20 pipeline. Training of operating personnel. And
21 integrity management of the pipeline.

22 If you have any questions on pipeline
23 safety that are not addressed in this meeting I
24 will remain here for a period of time after the
25 meeting to allow you the opportunity to ask

1 questions or pick up my card. I have an office
2 here in Anchorage and you're welcome to send me
3 an e-mail or come in and talk to me at any time
4 about any pipelines that you have questions
5 about.

6 And I would like to take this
7 opportunity to express PHMSA's appreciation for
8 coming in and explaining our responsibilities to
9 this meeting.

10 Thank you.

11 DAVE SWEARINGEN: Okay. Thank you, Bill.

12 Next on our agenda here we are
13 fortunate to have Kurt Gibson who is the director
14 of the Alaska Gas Pipeline Project office. And
15 he's going to say a few words.

16 KURT GIBSON: Thank you, David.

17 My name's Kurt Gibson. I'm the
18 director of the State of Alaska Gas Pipeline
19 Project office. That's the office that was
20 created under the Alaska Gasline Inducement Act,
21 AS 43.90. We're in charge of the responsibility
22 of overseeing application of the state's project
23 capital funding as well as regulatory
24 streamlining among state regulators or state
25 agencies. I appreciate the opportunity.

1 Just briefly add a little bit of
2 clarity to some of the comments and some of the
3 conversations that's been taking place here in
4 the state of Alaska in recent months. As
5 recently as October of this year the Governor
6 made some comments at the Alaska Oil and Gas
7 Association luncheon regarding his interest in
8 seeing alignment behind a single project and
9 encouraging the interested commercial parties to
10 align behind a single project; maintain the
11 Alberta option, which is what this project
12 currently -- the project configuration currently
13 is a project overlaying into Alberta, while at
14 the same time investigating whether or not
15 commercialization of Alaska's North Slope gas may
16 better be pursued through a project to tidewater
17 with liquified natural gas being shipped to
18 overseas markets.

19 The purpose for my comments is to,
20 again, unpack what the Governor said in October
21 and again in January so the people are clear that
22 at no time has the Governor ever indicated that
23 he wants this project to be suspended or stalled,
24 or work to stop on this project. But he also
25 recognizes as to a number of other folks who have

1 been paying close attention to this that markets
2 are dynamic and conditions change in ways that
3 oftentimes require us to reevaluate what is the
4 best way to commercialize North Slope gas. So
5 the Governor was clear when we he said he would
6 like interested stakeholders and major North
7 Slope producers and this project team, the APP,
8 under the framework of the Alaska Gasline
9 Inducement Act to preserve the Alberta overland
10 operation while at the same time investigating
11 the likelihood of an LNG project to tidewater --
12 a tidewater location as yet undetermined.

13 That's the extent of my comments and
14 I appreciate the opportunity.

15 DAVE SWEARINGEN: Thank you, sir.
16 Appreciate you dropping by for that.

17 Any questions? Any questions for
18 Kurt before we move on?

19 Okay. He'll stick around after the
20 meeting for a little bit if you think of
21 something you want to ask. So, again, we want to
22 thank Mr. Gibson for doing that.

23 Okay. Next, I'm going to have Mel
24 Johnson representing TransCanada come up and give
25 a brief overview of the Alaska Pipeline Project.

1 MEL JOHNSON: Thank you very much, Dave.

2 My name is Mel Johnson. I'm the
3 director of pipeline and facilities for the
4 Alaska Pipeline Project. And we would also like
5 to thank the Federal Energy Regulatory Commission
6 for having us along for this scoping meeting.
7 And my role will be to present an overview of our
8 project as we've outlined in our resource reports
9 -- draft resource reports that we filed.

10 I'll be using a PowerPoint
11 presentation which is up here. And if anyone did
12 not pick up a paper copy, there are some copies
13 at the back table if you wanted to follow along
14 that way.

15 It was also mentioned -- Dave also
16 mentioned that we do have a table in the back
17 with a number of maps and more information on
18 some of the specifics with regards to the project
19 here in Alaska and the location of the project.
20 And we have a number of team members here as well
21 that will be available afterwards if you want to
22 follow up with any of the -- if you have any
23 follow-up questions.

24 So just initially really what I'm
25 going to speak to is information contained in our

1 draft resource report number 1 which is a general
2 overview of the project. And already Dave pretty
3 much outlined the roles of the various regulators
4 involved with the project. So I won't go over
5 that again as well. So I'll just move right
6 along.

7 The project itself -- this is an
8 overview. And on the presentation you can see a
9 map. And the map shows the entire project, which
10 includes a line from Point Thomson gas fields
11 that connects Point Thomson gas to Prudhoe Bay.
12 And then the pipeline in Alaska from Prudhoe Bay
13 down to the Canadian border, which pretty much
14 follows a built up corridor already with
15 highways, connecting to facilities in Canada,
16 then new facilities that would be built from the
17 border with the Yukon and Alaska down to connect
18 with existing pipe facilities in Canada in
19 Alberta. We call this the Alberta option because
20 that's really the connect point for this. And
21 then further the gas is moved from Alberta to all
22 markets in the Lower 48 and North America.

23 Part of the facilities -- and I'll go
24 through them with a bit more detail -- includes
25 the gas treatment plant up at Prudhoe Bay. And

1 then there are also five takeoff points, a
2 minimum of five points, to deliver gas to
3 Alaskans in Alaska.

4 There's a note on this PowerPoint at
5 the bottom which talks about the number of acres
6 that would be affected by the project. And you
7 will see that it says 32,000 acres during
8 construction and just a little over 10,000 in
9 operations. During construction -- and Dave
10 mentioned -- there are a number of temporary uses
11 of land for storage of pipe, for example, and
12 storage of materials, and then for the
13 construction along the right-of-way. We require
14 a wider right-of-way during construction. And
15 then when we move into operations we'll only
16 require a certain portion of that right-of-way.
17 So it'll be a little over 10,000 acres.

18 Just to narrow in on the specifics,
19 the Point Thomson pipeline is approximately
20 58 miles of 32-inch pipe. The wall thickness is
21 just a bit under half an inch. The pipe would be
22 built to transport approximately 1.1 billion
23 standard cubic feet per day and at a pressure of
24 about 1,130 pounds per square inch. We also
25 would receive the gas and it would be cooled

1 below freezing before it enters the pipeline. On
2 this piece of pipe the gas would move really from
3 Point Thomson to Prudhoe Bay with the pressure
4 that it's delivered at and then there'd be some
5 pressure loss along the pipe. But we don't
6 require additional compression facilities for
7 this pipeline -- for the Point Thomson gas
8 pipeline.

9 The gas treatment plant up at Prudhoe
10 Bay is pictured here. You can see in the
11 graphic -- the parts of the graphic that are
12 outlined in yellow represent existing facilities.
13 The orange representation would be new facilities
14 built for the project. And then some of the red,
15 which includes really the road up to the West
16 Dock and then some of the West Dock represents
17 portions of the project that exist today but
18 would be modified for use for the project.

19 The gas treatment plant would be
20 built to process approximately 5.3 billion
21 standard cubic feet of natural gas. So we'd have
22 the Point Thomson gas and what currently is
23 available at Prudhoe Bay. And essentially we'd
24 remove the CO2 and hydrogen sulphide and also
25 compress and chill the gas and then put --

1 deliver about 4.5 billion standard cubic feet
2 through the pipeline which, again, would be
3 transported down. The pipeline, which I'll get
4 to in a minute, would be operated at a
5 pressure -- a maximum operating pressure of 2,500
6 pounds per square inch.

7 At Prudhoe Bay as part of the gas
8 treatment plant there'd be approximately
9 1 million installed horsepower. And that's for
10 the -- both for the parts of the plant that would
11 be removing the CO₂ and H₂S, but it's also for
12 generating the power that's required for the gas
13 treatment plant as well as the compression for
14 the pipeline gas. And then also the compression
15 facilities that would be part of this facility to
16 reinject the CO₂ and gas back into the field.

17 Part of the infrastructure upgrades,
18 as I've just touched on a little bit, is with the
19 West Dock. There'd be a certain amount of work,
20 some dredging and whatnot that would allow us to
21 transport the larger modules into the Prudhoe Bay
22 area.

23 This slide really just depicts a
24 photo of a current facilities up at Prudhoe Bay.
25 And then a graphic of the facilities that would

1 be used for the gas treatment plant.

2 The Alaska mainline then would be
3 approximately 745 miles of 48-inch pipe. The
4 wall thickness for this pipe would be just under
5 one inch and, again, delivering at a pressure of
6 2,500 pounds. The natural gas would be cooled
7 again. Most of the pipe would be buried. There
8 are a couple of aboveground installations and
9 requirements, but most of the pipe would be
10 buried. And the gas is cooled in order to
11 minimize impact to the permafrost and allow for
12 operations.

13 The other aboveground facilities that
14 we would have would be meter stations to measure
15 the gas. And then we got major block valves
16 along the pipeline. We've got pig launchers and
17 receivers. Dave, in his introduction, and as
18 well from the PHMSA perspective talked about the
19 maintenance that would be carried on for the
20 pipeline. And that's why we require launchers
21 and receivers to provide the maintenance
22 capability for the pipeline. And then I also
23 mentioned the minimum five offtakes within
24 Alaska.

25 The compressor stations I talked

1 about would be located approximately every 90 to
2 100 miles along the pipe. And that's really just
3 to maintain the pressure profile to keep the gas
4 moving along the pipeline. There would be a
5 design -- we've designed for eight compressor
6 stations along the way. And, again, that's to
7 move the gas along and then also to cool the
8 discharged gas.

9 Each station would require about
10 25 acres per site. And if you look at the
11 graphics, again, the lower graphic is an existing
12 compressor station that we have on our Alberta
13 system right now that's in operation. And that
14 gives you an idea of the size. And then the top
15 graphic, again, is a depiction of what the
16 compression facilities for this pipeline would
17 be.

18 Essentially most of the stations
19 would be a single unit. By that we use aerial
20 derivative gas turbines to provide the
21 horsepower. And they basically turn the
22 compressors to compress the gas. They're about
23 4,500 horsepower turbines that are installed.
24 And most of the facilities would have one
25 turbine. We do have two stations with more than

1 one. And that's for the reliability of the
2 system and to get the compression that we need.
3 The other on-site facilities would include power
4 generation for the facility, again, using natural
5 gas as the fuel.

6 These compressor stations are
7 designed for remote operations but we also have
8 living quarters built in at each site for
9 maintenance.

10 The project schedule, I think most of
11 you have seen this before. And really what I
12 draw your attention to is we -- of course, as we
13 mentioned we're in the pre-filing process. Our
14 intention and our commitment under AGIA is to
15 file the resource reports and the application for
16 the CPCN in October of this year. And then
17 there's a period of time where the draft
18 environmental impact statement is derived as well
19 as the final environmental impact statement. So
20 we would look at approval sometime in 2014.

21 The schedule beyond that, and it's in
22 a different color, really is a function of the
23 commercial support from the shippers for the
24 project, and then the project sanction from a
25 project sponsor. So that's sort of what lies

1 ahead of us.

2 That really is the end of the
3 presentation. It's meant to be a quick overview.
4 Again, what I would draw your attention to is we
5 do have our address there for our Web site for
6 the project. And as well, it is described how
7 you can access the docket from the Federal Energy
8 Regulatory Commission to get information about
9 the project. Our Web site also provides numerous
10 links that will take you to the same draft
11 resource reports as well as provide informative
12 updates on the project and what's happening.

13 So that concludes my remarks for this
14 evening.

15 DAVE SWEARINGEN: Okay. Thank you, Mel.

16 Before we move on to the
17 environmental comments, are there any questions
18 about the project design or the description that
19 Mel just presented?

20 Okay. As I stated before,
21 representatives of the project proponent will be
22 in the back with the maps and stuff, so if you
23 want to go after the formal part of the meetings
24 is over, go talk with them, feel free to do that.

25 Right now we're going to move into

1 the part of the meeting that is kind of the main
2 purpose of meeting, that's to hear whatever
3 environmental comments that you may have that you
4 want to let us know so that we can focus on our
5 environmental analysis and the EIS. I want to
6 say if you want to speak tonight, that's great.
7 We have a couple people who have signed up.
8 After we have these people present their
9 comments, I'll open the floor for other people as
10 well.

11 If you would rather write down your
12 comments, we have comment sheets where you can
13 write the comments down and leave them with us
14 tonight. There is also the option to mail them
15 in to FERC or to use the electronic filing
16 system. And there's a handout in the back that
17 describes that. It was also described in the
18 NOI. It doesn't make any difference to me how
19 you get the comments to me, whether you want to
20 speak tonight or not, so don't feel like if
21 you're on your way home and you think, oh, man, I
22 have this great comment. It's not too late.
23 Just send that to us and we'll give that the same
24 amount of consideration as if you had spoken here
25 tonight.

1 Just a couple of ground rules: As I
2 said before, we have a court reporter here. So
3 for your comments I'll need you to come up to the
4 podium, that way the transcript will be -- will
5 reflect exactly what it is that you want to say.
6 I'd ask that when you come up if you'd state your
7 name and also spell it for the record. And if
8 you are representing an organization or
9 affiliation of some sort that you also give that
10 information as well.

11 The first person we have that has
12 signed up to speak is Robert Brean.

13 ROBERT BREAN: Thanks. Good evening. My
14 last name is spelled B-R-E-A-N. My name is
15 Robert Brean. I'm here in a couple of different
16 capacities. First, I'm a tribal member of the
17 Tanacross Village tribe. I'm also the president
18 of the Tanacross Incorporated Village Corporation
19 in the Upper Tanana region. And then finally,
20 I'm the general manager of an organization called
21 Din e'h, LLC, which is a limited liability
22 corporation that's made up of Dot Lake Native
23 Corporation, Tanacross Incorporated, Tetlin
24 Native Corporation and Northway Native, Inc.,
25 which is the village corporation in Northway.

1 My comments are going to really be
2 addressed to the eastern part of the project in
3 the Upper Tanana region specifically, and then
4 some comments on the resource reports that have
5 been filed.

6 Generally, just a little background
7 information, the Din e'h, LLC, represents
8 approximately 120 miles of right-of-way from the
9 western perimeter of Dot Lake Natives to the
10 eastern perimeter of Northway -- Northway Native
11 Corporation near the Canadian border. So we have
12 a bit of a vested interest in the project.

13 First, I would like to talk about the
14 reports that have been filed and get on the
15 record with regard to some comments from the
16 group in the Upper Tanana representing those four
17 entities. Section 2 of the Alaska Native Claims
18 Settlement Act states that Congress finds and
19 declares that the settlement should be
20 accomplished rapidly, with certainty and
21 conformity with the real economic and social
22 needs of Natives without litigation, with maximum
23 participation by Natives in decisions affecting
24 their rights and property.

25 ANCSA was later supplemented by the

1 Alaska National Interest Lands Conservation Act.
2 Section 302(8)(b) of that Act provides that
3 Tetlin National Wildlife Refuge was created for
4 the purpose of the opportunity for continued
5 subsistence use by local residents among others.

6 The people of the Upper Tanana region
7 formed Din e'h, LLC, in 2009 for the specific
8 purpose of providing information, administrative
9 and support service related to the proposed
10 Alaska natural gas pipeline, including
11 negotiating real property transactions on behalf
12 of the company's members and other development
13 possibilities.

14 Din e'h believes that the best way to
15 mitigate the adverse effects of the gas pipeline
16 development is to preferentially include local
17 labor and encourage local contracting
18 opportunities for activities on their lands. Din
19 e'h is a strong supporter of the Alaska Pipeline
20 Project but only if it is done in a way to
21 enhance the social, economic and political
22 well-being of the people it represents.

23 Din e'h, LLC, has been meeting with
24 the Alaska Pipeline Project since 2009. The APP
25 has been invited as a regular participant in

1 those meetings. In Appendix 1N in the resource
2 reports summary of stakeholder outreach meetings,
3 shows nine separate meetings between May 15, 2010
4 and May 26th of 2011. And in fact, there have
5 been more meetings both before and after those
6 dates.

7 Two themes thread through the APP's
8 brief summary of the concerns raised in those
9 meetings. One is Din e'h's willingness to
10 discuss access issues and, two, contracting
11 opportunities. We have not found APP's response
12 to the concerns raised in those meetings in the
13 resource reports. We believe that APP should be
14 required to not only note concerns from the
15 communities, but describe how those concerns have
16 been or should be mitigated.

17 In all of these meetings we didn't
18 hear about any Upper Tanana alternative route.
19 Only once did APP invite Din e'h to discuss the
20 land access issues, and that meeting ended with
21 APP's stated intent to hold a workshop for
22 members of Din e'h on contracting and employment
23 opportunities. And that workshop has not been
24 scheduled. However, I have been in discussion
25 with people from APP and am looking forward to

1 scheduling something here in the next couple
2 weeks.

3 The Denali project readily negotiated
4 a fee to access land belonging to Din e'h and
5 engaged shareholders and tribal members as labor.
6 Din e'h was told that APP had a company policy
7 prohibiting payment for access to land for survey
8 work prior to construction. Apparently that
9 policy is selective as APP has reimbursable
10 service agreements with at least state agencies
11 and at least one private conservation group. We
12 have heard from the pipeline -- Alaska Pipeline
13 Project office that such fees are qualified for
14 reimbursement under AGIA.

15 Din e'h asks FERC to ask APP for its
16 response to the concerns expressed in community
17 outreach meetings. Specifically, Din e'h asks
18 APP to explain the reasons it has refused to
19 engage Din e'h in meaningful discussions on
20 issues of land access in the Upper Tanana region
21 and to include that in the final resource
22 reports.

23 Another concern is the failure of
24 resource report number 5 on socioeconomics to
25 recognize the Upper Tanana as the home of a

1 people with unique culture living in a unique
2 environment.

3 Because of the data in resource
4 report 5, socioeconomics is reported on the basis
5 of the Southeast Fairbanks Census District. The
6 effect of construction, operation, and
7 maintenance activities on the people of the Upper
8 Tanana is masked by being included with the more
9 populous Delta Junction, Salcha and Fairbanks
10 Southeast Census District. As a matter of
11 environmental justice Din e'h requests that the
12 socioeconomic indicators for the Upper Tanana be
13 reported separately.

14 Further work on the socioeconomic
15 effects on the region should be presented. The
16 data presented is essentially a compilation of
17 U.S. census and other government-generated
18 information. For example, sample air quality
19 data is presented in fairly mind-numbing detail
20 in Appendix 9A. Surely, the effect of
21 construction on the human environment is as
22 important as the effect on air quality.

23 Notably lacking in this resource
24 report is any analysis of the data or predictions
25 of change and effect. One of the best sources

1 for information on the effects of the TransAlaska
2 Pipeline, TAPS, is missing from the reference
3 list. Mim Dixon, an anthropologist with a Ph.D
4 from Northwestern University, spent two years
5 studying the effects of TAPS in a book called
6 What Happened to Fairbanks? The Effects of the
7 Trans-Alaska Oil Pipeline on the Community of
8 Fairbanks, Alaska, printed in 1978. It offers a
9 comprehensive model for analysis of how a complex
10 society adapts to changes in its social
11 complexity. Din e'h believes that this report
12 should at least be considered as the model for
13 predicting socioeconomic effects of the gas line.

14 There are also reports from Fairbanks
15 Town and Village Association that are archived at
16 the University of Alaska Fairbanks that also
17 depict a number of conversations that occurred in
18 the region in 1979 when Northwest Pipeline
19 Company was attempting to build the same project.
20 I think those documents in the archives at the
21 University would be of help to the process.
22 There are some issues there that haven't changed
23 since 1979. There are other items that would
24 need to be updated, but it's a good source of
25 information that hasn't been referenced and we

1 think should be included.

2 DAVE SWEARINGEN: The reference that you
3 mentioned, can you give me the title again?

4 ROBERT BREAN: They're socioeconomic
5 impact reports from the Fairbanks Town and
6 Village Association.

7 DAVE SWEARINGEN: And the one you said the
8 author's --

9 ROBERT BREAN: The title of the Mim Dixon
10 book is What Happened to Fairbanks? The Effects
11 of the Trans-Alaska Pipeline on the Community of
12 Fairbanks, Alaska.

13 And I'll turn these written notes
14 over to you for the record as well.

15 The amount of freight, the expected
16 number of single-axle loads going through the
17 Upper Tanana, the number of workers, staffing for
18 facilities; all this is information that could
19 help predict the effect of the gasline on the
20 Upper Tanana.

21 And let me just preface this
22 conversation at this point about socioeconomic
23 impacts. We can't talk about the environment in
24 the Upper Tanana region without talking about the
25 people who own the land, who have a subsistence

1 culture, a subsistence lifestyle. So any use of
2 the resources on the land and the resources, the
3 fishing resources, are directly attached to the
4 environment. For us it is impossible to have a
5 conversation about the environment without
6 talking about the people. The use of those
7 animal resources have religious and spiritual
8 significance to our people. And, again, we don't
9 believe we can have a conversation about the
10 environment without talking about the people, the
11 affects of negative socioeconomic impacts and how
12 to mitigate those impacts.

13 The next item of concern for our
14 people is the Tetlin National Wildlife Refuge
15 land exchange. Again, Section 2 of the Alaska
16 Native Claims Settlement Act states that Congress
17 find and declares that the settlement should be
18 accomplished rapidly, with certainty, in
19 conformity with real economic and social needs of
20 Natives without litigation, with maximum
21 participation by Natives in decisions affecting
22 their rights and property.

23 ANCSA was later supplemented by the
24 Alaska National Interest Lands Conservation Act.
25 Section 302(8)(B) of the Act provides the Tetlin

1 National Wildlife Refuge was created for the
2 purpose of, quote, the opportunity for continued
3 subsistence use by local residents, among others.
4 Further, should there be opportunity for
5 profit-making visitor services associated with
6 the refuge, the Native people who traditionally
7 used the area, such as Northway Natives, Inc.,
8 are afforded the first preference for providing
9 visitor services.

10 It's hard to imagine that anyone
11 failed to understand the critical path needed to
12 connect the Alaska Pipeline Project to the
13 pipeline easements on the Canadian side until
14 August of 2011. Perhaps they were aware before
15 then but indications don't show that. Please see
16 figure 10.4-1 for your ready reference. Surely
17 APP recognized that the easement across the
18 Tetlin National Wildlife Refuge would require an
19 early attention into the process.

20 By failing to put this issue on the
21 table in a timely fashion, the appearance of
22 urgency has been created and this urgency is laid
23 solely on the backs of U.S. Fish and Wildlife
24 Service personnel. These well-meaning people
25 have taken the path of least resistance to the

1 land exchange that has grave consequences for
2 Northway and other Native people in the Upper
3 Tanana. It also attempts to circumvent Title 11
4 of ANILCA which Alaska Native tribes and
5 corporations agreed to abide by. So the
6 significance of this event has the potential to
7 get the attention of every village, tribe and
8 corporation in the state of Alaska that agreed to
9 an ANILCA process for the processing of lands in
10 our state.

11 Din e'h requests that the
12 "alternatives" section outline the alternative
13 routes for joining the TransCanada pipeline
14 easement. This discussion should include the
15 reason that these alternatives were dismissed and
16 why this alternative was selected.

17 Further, Din e'h asks that the final
18 report explain why the land exchange is being
19 contemplated outside the auspices of AGIA.
20 Further, how are national, state, and local
21 interests served by conveying what is arguably
22 the key parcel of land to be acquired for this or
23 any other trans-Canadian pipeline to a national
24 environmental group and a non-revocable easement
25 to a single company?

1 Another item of concern is the list
2 of planned developments on Din e'h partner lands
3 in resource report 8, land use, recreation and
4 aesthetics. Din e'h has not had an opportunity
5 to review the location of the pipeline,
6 facilities, material sites, and compressor
7 stations against its land title records. Thus,
8 comments on this aspect of the report will be
9 deferred until later, but we plan on submitting
10 more detailed reports before the February 27th
11 date.

12 There are several planned projects in
13 the region that will or could occur within a
14 quarter mile of the pipeline right-of-way. Thus,
15 table 8.3-1 should be updated to include biofuels
16 energy projects, any proposed hydroelectric
17 projects, partially completed land conveyance to
18 villages and trail upgrades for all four
19 tribes -- corporations.

20 Additions to 8.5.6, construction and
21 operation impacts and mitigation in resource
22 report 8. Section 8.5.6 should be revised and
23 expanded. The report is incorrect, APP will not
24 cross or affect any federally or state designated
25 trails. Easements reserved under 17(b) process

1 of ANCSA were designated and are largely managed
2 by the BLM. 17(b) easements require APP to do
3 more than simply taking the time and trouble to
4 restore the trails to their current level of
5 development. These trails have specific widths,
6 purposes and limitations on use. These
7 restrictions on use should be mapped and made
8 available to contractors as the landowners will
9 hold contractors and subcontractors responsible
10 for violations of their use.

11 Because the data on cultural
12 resources is not publicly available it is
13 difficult to assess its accuracy and adequacy.
14 However, there are several natural areas in the
15 Upper Tanana that require consideration. One
16 example is the pump station hill near Tok
17 junction. Milepost 648.5 has special meaning to
18 the original people in the Upper Tanana. It is
19 also frequented by residents from the area and
20 special mitigation and routing measures might be
21 needed to avoid any negative impacts on this
22 area. And there are others including
23 specifically items related to the land exchange
24 right at the Canadian border that I mentioned
25 earlier that's within the Tetlin Wildlife Refuge.

1 The Upper Tanana route alternative.

2 As mentioned above, the Upper Tanana alternative
3 is a complete surprise to Din e'h and not a
4 welcome one necessarily. The route would
5 negatively affect the traditional and current
6 hunting, fishing and subsistence activities in
7 the Upper Tanana; issues involving trespass,
8 littering, dumping, theft of resources and
9 important cultural locations and items. It is
10 hard if not impossible to imagine that
11 significant research has gone into this route to
12 make it a viable alternative under existing
13 deadlines. As long as this alternative's on the
14 table, Din e'h asks that it be given complete
15 environmental and economic review.

16 Din e'h would like to see additions
17 to table 11.4.1-1, high-consequence areas. There
18 are a couple of locations that are in close
19 proximity to the pipe. To our knowledge, for
20 example, one of the locations is the intersection
21 near the village of Tanacross on the Alaska
22 Highway, milepost 643.5. We have approximately
23 20 structures located within fairly close
24 distance. We would think that those should be
25 sited as a high-consequence area if in the event

1 there was an accident relative to a pressurized
2 gas pipeline going through that area.

3 And then finally we found that the
4 filing was very difficult to use. It's a lot of
5 information, lots of data. But we found it
6 difficult to use and we would assume that it
7 would be even more difficult for users that are
8 unfamiliar with FERC's numbering system on the
9 filings. Even for those well-versed in the
10 system, we couldn't predict the contents based on
11 file names. A table of contents of each Acrobat
12 file and an index at least by resource report if
13 not the entire submittal should be included in
14 the final report. And we have some comments
15 about the layout and the -- perhaps some
16 suggestions about the layout that accommodate
17 public review of the documents should be filed a
18 little better.

19 I do appreciate the fact that a hard
20 copy and CD disks are available with the filing.
21 It certainly helps trying to wade through that
22 data.

23 As I said, this is just kind of our
24 first take on the resource reports. And we'll
25 file more detailed information before the 27th

1 representing our position on the data that's in
2 those reports.

3 And then finally I'd like to read
4 into the record correspondence recently occurred.
5 This will give you an idea of what our
6 perspective is on this project.

7 Din e'h, LLC, represents the villages
8 formed under the Alaska Natives Claims Settlement
9 Act in the Upper Tanana, Dot Lake, Tanacross,
10 Northway and Tetlin. Together the villages own
11 over 120 miles of pipeline easement under the
12 current alignment.

13 APP has repeatedly questioned Din
14 e'h's capacity, asked Din e'h to submit vendor
15 applications and ignored the interests of the
16 people represented by Din e'h. The first barrier
17 was that APP demanded proof that Din e'h spoke
18 for the ANCSA corporations in the Upper Tanana
19 region despite the fact that the presidents of
20 those corporations attended all the meetings of
21 and constitute the membership of Din e'h, LLC.
22 APP stated it would be non-responsive until each
23 village corporation provided a signed letter
24 attesting that Din e'h represented them for
25 discussion purposes. However, providing these

1 written letters did not result in any
2 demonstration that APP was now interested in
3 greater communication or cooperation.

4 APP's actions to date indicate a
5 consistent lack of interest and lack of respect
6 when dealing with the original peoples of the
7 Upper Tanana region. Some examples are:
8 Refusing to negotiate in good faith on access to
9 Din e'h lands by claiming a company policy not to
10 pay for access fully knowing that these fees
11 would be expenses qualified for reimbursement
12 under the Alaska Gasline Inducement Act, AGIA,
13 and knowing that similar reimbursable service
14 agreements exist with the State of Alaska and the
15 conservation fund.

16 Failing to involve Din e'h or its
17 members in meaningful discussions on land
18 exchange involving the Tetlin National Wildlife
19 Range including the opportunity to exchange
20 in-holdings in the refuge, identifying Northway
21 Native Village Council as the possible trustee,
22 and giving the opportunity for a major donation
23 to a non-profit in the Upper Tanana.

24 Using state money to contract with a
25 state agency to fund another state agency to

1 study our people's use of our subsistence
2 resources on our lands in our region without
3 offering Din e'h meaningful participation in the
4 study.

5 Failing to organize the workshop
6 discussed at the meeting of September 22nd which
7 was supposed to occur the end of October of 2011
8 and focus on meaningful participation in the
9 project by the Alaska Native landowners in the
10 Upper Tanana region. I have stated we did get a
11 quick response from APP people and plan to
12 schedule something in the next couple of weeks,
13 and I look forward to that.

14 Awarding numerous contracts to
15 companies from outside of the region and state to
16 perform work in the Upper Tanana region during
17 the period of time Din e'h, LLC, consistently
18 engaged APP in dialogue and requested meaningful
19 opportunity to participate.

20 Failing to notify and discuss the
21 Upper Tanana route alternative with Din e'h
22 despite our invitations to share information,
23 numerous meetings and attempts to engage APP in
24 meaningful discussion.

25 Din e'h wants the Alaska Pipeline

1 Project to move forward. It has repeatedly
2 explained this to APP over the last two years or
3 more that the greatest mitigation for social and
4 economic impacts on the people of the Upper
5 Tanana region is to create wealth and build
6 capacity through local contracts and jobs.
7 There's no form of local government out there.
8 It's in the Unorganized Borough. So building
9 that capacity through local contracts and jobs is
10 significant.

11 Din e'h, LLC, represents the people
12 of the Upper Tanana region consisting of both
13 shareholders and tribal members that are one and
14 the same people. Din e'h, LLC, has unlimited
15 capacity to perform contracts in the same way
16 that any other company does, including
17 ExxonMobil. It will partner with a know-how
18 contractor to perform the work professionally,
19 timely and efficiently. This position has been
20 stated to APP multiple times over the last two
21 years, as reflected in our meeting minutes. Yet
22 we've been told by members of the APP team and
23 most recently on January 14th, 2012, that without
24 identifying our capacity APP is unable to
25 consider Din e'h, LLC, for work on the project.

1 Din e'h, LLC, is not just another
2 contractor. Its members are landowners of a
3 significant portion of the pipeline right-of-way
4 and has access to on-site gravel resources which
5 no other contractor can bring to the table. None
6 of them. As such, Din e'h, LLC, hereby requests
7 ExxonMobil/TransCanada to come to the table for
8 meaningful discussions about how Din e'h, LLC,
9 representing the landowners, can participate in
10 building the Alaska Pipeline Project. This
11 position, by the way, has also been stated to APP
12 multiple times over the last two years.

13 In conclusion, this letter is a
14 re-statement of prior factual events, statements
15 and conversations that have transpired up to this
16 point in time. This letter is also a formal
17 statement of Din e'h, LLC's, continued
18 willingness and ability to actively participate
19 in building the Alaska Pipeline Project.

20 So I would just like to offer these
21 two documents into the record and just say that
22 we will have more specific comments that we will
23 file in the resource reports by February 27th.

24 DAVE SWEARINGEN: Okay. Thank you,
25 Mr. Brean.

1 Next we have Cindy Roberts.

2 CINDY ROBERTS: Good evening. My name is
3 Cindy Roberts. I'm here as a private citizen. I
4 have no attachments to any organization or local
5 group at all, but just questions and concerns
6 regarding your process.

7 First of all, I would like to thank
8 you, FERC, for doing this series of scoping
9 sessions and having this spread across the state
10 and giving the people that actually live here a
11 chance to interact both with your organization
12 and with APP's process.

13 My concerns are that TransCanada has
14 yet to disclose the results of the open seasons
15 that were held in Alaska, the Yukon and British
16 Columbia that were completed July 30th, 2010.
17 And as of the AGIA package on 43.90.130, Section
18 D, et cetera, et cetera, there was stipulation
19 that the first binding open season would be
20 concluded 36 months after granting of the AGIA
21 license. That date, according to different
22 things, was December 5 of last year. Although
23 this has not been enforced by the state of
24 Alaska, the EIS public scoping process is being
25 carried forward by your agency.

1 So my question is more on
2 procedurally as to when the EIS process will be
3 conducted for the other alternate route listed
4 under AGIA and the paperwork that was started
5 with you as an intent to file on August 5th of
6 2011. I've concentrated only on the Alberta
7 route destination. And I would appreciate
8 clarification as to when the AGIA discussion and
9 the EIS for the other route will also be part of
10 your process.

11 DAVE SWEARINGEN: Well, right now the
12 proposal is for the Alberta option. So the EIS
13 will -- you know, that is considered to be the
14 project being proposed by the applicant. So if
15 at some point the applicant then decided that
16 they will, you know, change the route or change
17 their approach and they decide to go forward with
18 an LNG option, then we would have to re-scope.
19 We would have to basically stop the process that
20 we're on now and say, okay, that is now your
21 proposal. Then we would have to open up a new
22 scoping period and get new initial resource
23 reports to reflect that option.

24 So right now that's a hypothetical.
25 What we have working -- what we have in front of

1 us to work on is a proposal, it's still in
2 pre-filing. Assuming that the application later
3 this year proposes the Alberta option that will
4 be what the EIS will focus on.

5 Now any EIS will look at alternate
6 routes but they will be looked at to the
7 extent -- you know, we have certain thresholds
8 that we look at. Alternate routes, whether or
9 not -- you know, the first and foremost is, will
10 it meet the project objective? So if the project
11 objective is to send the gas through the Canadian
12 system, then the alternative going to Valdez,
13 we're not going to meet that particular
14 objective. So that will not be looked at as a
15 viable robust alternative.

16 But that's -- right now that's, you
17 know, up to the applicant. What they file with
18 us is what we will review as the proposed action.
19 Right now it's looking like it's going to be the
20 Canadian option.

21 CINDY ROBERTS: Do you have information
22 regarding the success of the open seasons in
23 those areas?

24 DAVE SWEARINGEN: I do not. What my staff
25 is working on and the staff that I represent is

1 working on is the environmental analysis. And
2 the results of the open season is outside the
3 scope of our environmental analysis.

4 There are times when projects come
5 before us that at some later date, you know, it's
6 determined that they're not viable. But until
7 that date comes we process our environmental
8 analysis until the applicant either withdraws
9 it or at some point the Commission will either --
10 you know, after the environmental analysis is
11 done if the applicant then moves forward, that's
12 up to them.

13 So our job is to process the
14 environmental analysis under NEPA based on the
15 information that is under file. Right now that
16 is the Alberta option. And I'm not privy to the
17 results of the open season.

18 CINDY ROBERTS: So if I understand you
19 correctly, at some point the Governor may
20 actually encourage the AGIA recipients and the
21 APP group to explore the other option or --

22 DAVE SWEARINGEN: No, I have no idea what
23 the Governor may or may not do. That is well
24 outside the scope of what I do and what I know.
25 You know, I don't know what the Governor or the

1 Alaska legislature will do with regards to the
2 Valdez option. Right now that is a hypothetical.

3 What we have on the table in front of
4 us is the Canadian option, so that's what we're
5 working on. But like I said before, if something
6 does happen, whether from the Governor or from
7 the applicant itself, you know, looking at the
8 markets and changing their approach, if they do
9 that and tell us that they're changing then we
10 will react to that. And if that involves new
11 routing and new facilities then we will have
12 to -- the schedule that we're on will of course
13 be moot at that point and we'll have to re-scope
14 the new facilities and establish a new schedule
15 based on that.

16 CINDY ROBERTS: All right. Thank you,
17 sir. Glad you're here in Alaska.

18 DAVE SWEARINGEN: Okay. Those were the
19 only two people that signed up. However, this is
20 your meeting and if you thought of something that
21 you have a concern about that's, you know, a
22 potential environmental impact or something
23 regarding the project, now is the time to raise
24 your hand and we'll have you come up and say
25 that. If not, you know, you can write it down,

1 like I said, or go home and do that. I'm here
2 for you so now's your chance.

3 Okay. I don't see anymore takers.
4 So what I'm going to do is close the formal part
5 of the meeting. Like I said, I'm going to stay
6 around. Representatives of APP will stay around
7 also if you want to talk off the record or ask
8 some additional questions.

9 Anyone wishing to purchase a copy of
10 the transcripts can make those arrangements with
11 the court reporter.

12 Within the FERC Web site,
13 www.FERC.gov, there's a link called eLibrary.
14 And you can use eLibrary to gain access to all
15 the information that's on the public file,
16 whether it's submitted by the applicant or issued
17 by the FERC. That was explained in the NOI.
18 There was also a handout at the table as you came
19 in that kind of explains how to use the FERC Web
20 site to get that information.

21 So on behalf of the Federal Energy
22 Regulatory Commission and PHMSA, I want to thank
23 you all for coming here tonight.

24 Let the record show that the
25 Anchorage scoping meeting concluded at 8:14 p.m.

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Thank you.
(Scoping meeting concluded at 8:14 p.m.)