

SUGGESTED BEST PRACTICES FOR INDUSTRY OUTREACH PROGRAMS TO STAKEHOLDERS



FEDERAL ENERGY REGULATORY COMMISSION
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TABLE OF CONTENTS

I.	Introduction	3
II.	Stakeholder Outreach	5
III.	Components of a Stakeholder Outreach Program	7
	Management Commitment.....	7
	Internal Collaboration	7
	General Training	8
	Stakeholder Engagement and Education	8
	Documentation and Tracking.....	9
IV.	Implementing Outreach Principles.....	11
	Outreach Levels	11
	Project Development	12
	Stakeholder List.....	12
	Initial Project Briefings	13
	Public Outreach Materials.....	13
	Initial Communications	14
V.	FERC Review Process	17
	Pre-filing.....	17
	Applications.....	22
	Post-Certificate	24
VI.	Ongoing Public Awareness.....	25
	FERC Regulated Activities.....	25
	DOT Programs	26
VII.	Conclusion	27





I. INTRODUCTION

The Federal Energy Regulatory Commission (FERC or Commission) is an independent agency that regulates the interstate transmission of electricity, natural gas, and oil. FERC also authorizes the siting, construction, and operation of facilities for transporting natural gas in interstate commerce, for liquefied natural gas (LNG) import and export terminals, and for non-federal hydroelectric projects.

Over the past decade the natural gas industry has experienced a period of significant growth. This growth, along with increased public awareness of the Commission's review process and heightened controversy over pipeline projects, has resulted in greater public involvement in the development and siting of natural gas facilities. As a result, the staffs of FERC and other federal, state, and local agencies have become increasingly interested in providing guidance for stakeholder involvement both within and outside the agencies. At FERC, we¹ are addressing this issue, in part, by organizing and attending conferences, seminars, public meetings, and workshops designed to explain and explore issues related to siting natural

gas projects. In addition, we routinely work with the project sponsors and stakeholders to identify and resolve issues prior to the filing of an application through use of the Commission's pre-filing process.

The pre-filing process provides an opportunity and a means for the Commission's staff to involve the public early. It also reduces the time it takes to develop the record on which the Commission makes its decision while ensuring the highest levels of environmental protection and public participation.

For several years we have discussed with the natural gas industry the importance of a strong and efficient

¹ "We," "us," and "our" refer to the environmental staff of FERC's Office of Energy Projects.

stakeholder outreach plan that incorporates the use of public outreach tools and involves greater training for industry representatives. Some companies have embraced this idea and established model programs, while other companies have yet to implement a stakeholder outreach program. Consequently, we met with some of the companies with well-established stakeholder outreach programs to review how they plan for and execute outreach on individual projects. We combined the results of those discussions with our own experience to identify some of the best practices for stakeholder outreach.

The purpose of this document is to present those best practices and highlight the tools we believe can be used to effectively engage stakeholders in the application process for siting, construction, and operation of interstate natural gas facilities and LNG terminals.





II. STAKEHOLDER OUTREACH

In our experience, project sponsors have realized substantial benefits from implementing a stakeholder outreach program as part of their project development model. Companies are better able to successfully navigate the Commission’s review processes by creating a respectful, educational, and transparent approach to engaging stakeholders. Although not all projects will experience the same level of benefit, we believe that the absence of public outreach in the planning of a project leads to unnecessary delays. A formal company program for stakeholder outreach, managed by a company representative who is working collaboratively with other project development team managers from the onset of project development, greatly increases the chances that a project will proceed in a timely, efficient, and credible manner.

“Outreach” is generally defined as two-way communication between individuals and/or groups of individuals or organizations focused on information exchange, without expectation of immediate outcomes. The goal is to create and sustain mutually beneficial relationships. As used here, “Stakeholder Outreach” refers to the programs and processes used by companies to communicate with, listen to, and solicit feedback from any entity that could be affected by or is interested

in the planning, construction, and/or operation of a project. Stakeholders include, but are not limited to, potentially affected landowners; nearby residents; concerned citizens; elected representatives; federal, state, and local government officials; non-governmental organizations (local or national advocacy groups and chambers of commerce, etc.); Native American tribes; community leaders; and the media.





III. COMPONENTS OF A STAKEHOLDER OUTREACH PROGRAM

Based on our experience and review of existing stakeholder outreach programs, successful programs incorporate the following components:

- senior management support;
- integrate the thoughts and ideas of the entire project development team;
- training programs for project staff;
- engage and educate stakeholders, including permitting agencies and potential opponents about the industry, as well as the project; and
- utilize technology (e.g. GIS database management systems and interactive web based tools) to manage and document stakeholder interactions.

Management Commitment

The establishment and implementation of a successful stakeholder outreach program requires the support and commitment of all levels of management. Without this commitment and adequate resources, even well-

intentioned programs can fail. As a result, even projects that are technically, commercially, and financially sound can be unnecessarily delayed. Incorporating a stakeholder outreach program into the budget of the project elevates its importance and shows management commitment.

Internal Collaboration

Companies should ensure that stakeholder outreach representatives are part of the project development team from the outset and develop the outreach plan to align with project goals and schedules. Public perception can determine whether a project follows a path of predictable success or contentious uncertainty. Early outreach team involvement can ensure that contacts with key stakeholders are made at the appropriate stages in the project development to help maintain schedules (e.g., presenting project details to elected officials first).

General Training

Many companies we spoke with agree that a specific and detailed training program for right-of-way agents is beneficial because the agents usually make the first contact with landowners. Of course, that is not where the communication ends. On any given project, engineers, environmental professionals, surveyors, construction personnel, etc., have contact with landowners and should be prepared to represent the company and the project in a responsible manner. Therefore, part of the strategy to achieve successful public outreach is the training of all project representatives—all company staff and contractors that could come into contact with stakeholders. It is important for project representatives to make a good first impression and then deliver a consistent and clear message throughout the project life. One of the companies we consulted coined the phrase “Ambassador Training”, believing in the long-term benefit of a positive representation of the company. As a result, training is provided to everyone within the company about natural gas, the company’s safety program, and the company’s commitment to the community where they do business. It is also helpful if this training provides an understanding of the various natural gas facility permitting processes. This type of training provides employees with the ability to respond when approached by anyone in the general public to discuss a project or natural gas in general. While many companies presume their employees know the general facts about their company and the industry that they work in, that is not always the case. Providing consistent messaging and timely feedback can improve the level of trust with stakeholders.

Stakeholder Engagement and Education

Companies should be aware that most stakeholders, including many agency representatives, do not have experience with natural gas projects, particularly those projects regulated by FERC. As a result, the project will generally benefit from an offer to provide information and training to those agency personnel regarding the construction and operation of natural gas facilities and the FERC review process. This often results in improved communication and working relationships. The training and education could take the form of workshops, written materials, videos, field visits to proposed facility locations, or visits to active construction areas. The Interstate Natural Gas Association of America (INGAA) website has a collection of useful videos (see ingaa.org).

Along with educating agencies about natural gas facilities, having educational materials for the general public is crucial to an outreach plan. Company websites, routine project mailings, open houses, and additional informational meetings are some effective tools. While most stakeholder outreach focuses on a specific project, many companies have broader outreach efforts related to ongoing operations. This provides a good opportunity to explain the use and benefits of natural gas, and to describe company activities through mass media options such as billboards, television ads, social media, etc.



The Interstate Natural Gas Association of America Commitment to Landowners

The Interstate Natural Gas Association of America member companies agreed to adhere to 8 Commitments and to review them with any personnel expected to be in contact with landowners or other stakeholders on interstate natural gas pipeline projects (<http://www.ingaa.org/Topics/Pipelines101/LandownerCommitment.aspx>). In addition, interstate natural gas pipeline companies are encouraged to perform additional right-of-way agent training to assure issues and questions are addressed in a consistent manner during pipeline project planning.

What are these eight commitments?

1. Respect and Trust
2. Accurate and Timely Information
3. Negotiate in Good Faith
4. Respect the Regulatory Compact
5. Respond to Issues
6. Outreach
7. Industry Ambassadors
8. Ongoing Commitment to Training

Documentation and Tracking

A company should document its public outreach efforts and agency meetings. Some companies use a comprehensive stakeholder database system designed as an open platform and reporting tool. The system enables a company to track and edit stakeholder lists, event records, individual landowner contacts, and issues compiled from public meetings and/or mass mailings. Individual stakeholders can be linked to events to create a comprehensive contact record that is fully searchable by keyword. In addition, reports and/or lists can be generated based on categories such as municipality, organization, or project segment. This type of system can be useful for tracking comments and questions and ensuring timely responses.

Filing this information with FERC throughout the environmental review process creates a record of the company's outreach efforts, allowing for additional transparency. This also aids FERC staff in ensuring that all substantive project issues are addressed.







IV. IMPLEMENTING OUTREACH PRINCIPLES

Numerous opportunities exist within the project development process to implement stakeholder outreach. The tools discussed in this chapter can be used to improve the development of a project.

Outreach Levels

Interstate natural gas transmission and LNG projects vary greatly in scope and complexity. Location, facility type and size, construction techniques, sensitive environmental resources, landowner concern, and regulatory agency involvement are just some of the factors that influence the development of a natural gas project. Therefore, a company's outreach program should be tailored to meet the needs of an individual project. To help companies determine the appropriate level of outreach effort best suited for a particular project, we have developed the following three project categories.

Category I

This category includes projects that require an environmental impact statement (e.g., projects

comprised of large diameter pipelines in new rights-of-way and/or with new major aboveground facilities near population centers). These projects often are more likely to be controversial based on substantial stakeholder concern about the project location or effects. An effective stakeholder outreach program for a Category I project will consider all or most of the tools described in this document.

Category II

Generally, construction of projects in this category would not require preparation of an environmental impact statement (e.g., projects comprised of pipeline loops, smaller-diameter lateral pipelines, and/or modifications to existing aboveground facilities). Although smaller in scale than those in Category I, projects in Category II could also be considered controversial. An outreach process that uses a number

of the tools described in this document is appropriate for projects in this category.

Category III

The construction and operation of projects in this category would have little to no potential to significantly impact the environment and/or to be controversial (e.g., projects comprised of activities mostly within existing rights-of-way or at aboveground facility sites). Although projects in this category could be easily referred to as insignificant and/or benign, companies should still have some components of outreach built into the projects.

Project Development

A public outreach program for any project should begin while the commercial aspects and project scope are still being determined. During this early stage of project development, the project team is created. A project team typically consists of individuals who can effectively fulfill the following roles:

- Project Developer
- Engineer
- Project Manager
- Attorney
- Regulatory Agency Representative
- Right-of-Way (Lands) Representative
- Environmental Analyst
- Government Affairs Representative
- Stakeholder Outreach Representative
- Media/Public Affairs Representative
- Local Operations Representative.

The Commission staff suggests that companies consider working with public relations specialists in the project area that are familiar with elected officials and the local

and regional political issues. These firms can assist in disseminating project information to the media and initial key stakeholders and in developing a complete stakeholder outreach plan. It is very important to understand the culture of the project area where a natural gas facility is proposed.

INITIAL KEY STAKEHOLDERS - Will vary by project, but will generally include federal, state, and local elected representatives; permitting agency officials; and other community leaders.

Often, the first public communication occurs while the commercial feasibility and scale of a project is still under development pending the outcome of an open season solicitation. Many companies develop a news release for the open season announcement and send the announcement to a wide range of stakeholders in the general project area. Upon completion of the open season, companies should develop another news release describing the results and any further project definition (i.e., the capacity of the project, more specific project locations, and the overall generic schedule for the project). Be prepared to discuss the open season process at initial briefings, community meetings, and agency meetings.

Stakeholder List

In order to begin presenting a project to the public, the project team should undertake a thorough search to identify all parties who may be affected by or may be interested in the project. Computer programs



are available that can gather information from local databases, which can make developing and updating a list of potential stakeholders much easier, but this information must still be verified. Acquiring accurate data and maintaining the stakeholder list is one of the most important tasks on a project. This will avoid the costs of returned or undeliverable mail, and guard against stakeholder claims that they were not notified. Development of a stakeholder list begins as soon as the project scope has been initially identified (prior to initiation of pre-filing activities at FERC).

A complete stakeholder list includes:

- Affected landowners and businesses
- Federal, State, and Local legislators
- Federally recognized tribes
- County and Municipal elected officials
- Federal, State, and Local Agencies
- Local community leaders (including homeowners associations)
- Local emergency responders
- Local special interest groups
- Non-governmental organizations.

18 CFR 157.6(d)
(2) Defines the stakeholders that need to be identified for a project.

This list will evolve as a project changes, and needs to be updated frequently. The stakeholder list should be commensurate with the level of outreach necessary for a project.

Initial Project Briefings

To help the project team manage expectations, provide a project briefing during an initial meeting with key stakeholders. These briefings educate public officials about the purpose and need of the project, the open season results, the preferred location of proposed facilities, the project schedule, and any public benefits to be realized by project implementation. Preparing for project briefings by gathering information about legacy or emerging issues will aid in focusing meetings on concerns relevant to the project area. Be sure to ask about the desired frequency for future update meetings. Keeping community leaders informed about a project also helps to ensure they are knowledgeable about a company's plans to interact with their constituents and provide them with the capability to respond to inquiries. During these project briefings, it is useful to assess the political climate, issues, and barriers that may affect the project and develop an understanding of any local community perceptions or concerns regarding the company, affiliates, or the industry in general. These initial project briefings provide an opportunity to develop partnerships with special interest groups, municipalities, and community business organizations.

Public Outreach Materials

Before a project can be introduced to the public, companies should develop outreach materials specific to the project. Depending on the project category (see pages 11-12), the variety of public outreach materials and scope of information presented may differ. At a minimum, public outreach materials should include information about the company, FERC, specific project

information, and any key messages that are important to relate to stakeholders.

In developing public outreach materials, give extra consideration to materials for widespread use. For example, project fact sheets/cards should not only be provided to the stakeholders, but to all personnel (e.g., contractors, surveyors) who may come in contact with stakeholders.

This helps to ensure that consistent information about a project is communicated to the public. A project website can effectively describe the project to stakeholders and be a valuable resource to store and convey information. All Category I and most Category II projects should have a project website. A project website can include many of the public outreach materials suggested below. Most importantly, include a toll-free hotline number and e-mail address on the website and on all public outreach materials so that stakeholders can easily access additional information and contact a company representative that will respond to questions or concerns. To ensure the public is aware of project developments, we suggest that companies update outreach materials frequently and disseminate them as necessary.

Public Outreach Material Examples

- Project-Specific Website
- Press Release
- Project Summary
- Landowner Letters
- Company Asset and Market Area Maps
- Project Maps (including individual landowner maps)
- Project Fact Sheets/Cards

- Project Brochures
- Power Point Slides for Presentations
- Construction Methods Graphics
- Compressor Station Fact Sheets
- Safety Brochures
- Regulatory Steps Information Sheet
- FERC Process Flowchart
- FERC Landowner Brochure
- FERC Upland Erosion Control, Revegetation, and Maintenance Plan
- FERC Wetland and Waterbody Construction and Mitigation Procedures
- FAQs
- Information on the purpose and benefits of the project, especially local benefits

Initial Communications

Introductory Letter

Once a project is defined and the input gained from the initial project briefings has been considered, companies should prepare an introductory letter to send to all stakeholders. This letter provides the basic project information discussed previously. If available, it is beneficial to include individual parcel maps for landowners that might be impacted by a project.

Community Meetings

After holding initial project briefings with key federal and state public officials and announcing the project, it is often useful to present the project at local meetings such as: city; county; township; parish; borough; rotary club; homeowner associations; chamber of commerce



etc. At this time the community may have only begun learning about the project and it is important to reach out early and provide stakeholders with information. Ideally, these meetings would be held prior to beginning survey work so that landowners have the opportunity to ask questions of and get answers from the company before anyone approaches them to seek permission to come onto their land to conduct a survey. Stakeholders routinely request that the companies themselves hold a formal question and answer meeting to address their questions during the early stages of a project. Commission staff believes this is beneficial. Often a local elected official or a local agency will conduct these meetings; the company and FERC staff may attend to answer stakeholder questions, as appropriate. These types of meetings are generally

more productive when hosted and moderated by a local entity acting as/serving as a neutral party.

Agency Meetings

Companies should present projects to key permitting agencies as early as possible (a requirement if utilizing the Commission pre-filing process). Introductory agency meetings provide an opportunity to outline the project, establish relationships with agency staff, discuss the FERC process and recent/past project experiences, and identify potential issues early in the process. Early involvement with the key permitting agencies can improve the overall efficiency of the many review processes and help keep a project on schedule.







V. FERC REVIEW PROCESS

Pre-filing

The FERC pre-filing process is designed to engage federal and state agencies, tribes, landowners, non-governmental organizations (NGO), and any additional stakeholders to identify and resolve issues at the earliest stages of project development. The process is mandatory for LNG terminals but voluntary for pipeline and storage projects, although the Commission encourages the use of the pre-filing process for all major pipeline projects. The pre-filing process provides an opportunity for constructive discussions about potential issues and environmental concerns, and early consideration of alternative pipeline routing and aboveground facility locations. Further, it allows for FERC staff and all stakeholders to review and discuss the company's draft resource reports and additional environmental information before the company files an application. If used effectively, the pre-filing process can streamline the review once an application is filed. It allows the Commission to focus on any remaining

significant issues, and to make more timely decisions.

Unlike the traditional filing process, where FERC staff starts its environmental review after the filing of an application, the pre-filing process involves staff devoting significant resources to the potential project prior to the filing of an application. While the pre-filing process is best suited to Category I and II projects, companies are encouraged to consult with FERC staff when making the decision on whether or not to use the pre-filing process.

The pre-filing regulations at 18 CFR 157.21(c) require an initial consultation with the Office of Energy Projects (OEP). During the initial consultation, the company and FERC staff will discuss the scope of the project, the public participation plan, the content of the pre-filing request, and the items required to complete the pre-filing request.

A company's request to use the pre-filing process must contain the information described in 18 CFR 157.21(d),

which includes a:

- **Project Description** – The project description describes all planned facilities and their location(s), all project efforts to date (surveys completed, etc.), and any outreach efforts made prior to filing.
- **Public Participation Plan** – This plan outlines how the public will be kept informed prior to construction and for the life of the project, as discussed further in this document.
- **Stakeholder List** – This list includes names and addresses of all project stakeholders. Based on the project, this list may change, but a working list should be submitted to FERC staff with the pre-filing request. See the discussion below of §157.21(f)(3) for more information.

The FERC pre-filing starts once the Director of OEP approves the request to enter pre-filing. There are certain outreach efforts that are required by FERC pre-filing regulations. Any previous outreach efforts should continue and will serve to supplement the FERC pre-filing regulations.

A pre-filing docket number (using the PF prefix) will be assigned to the project when the company files its pre-filing request letter. This docket number is an important part of the pre-filing process and enables stakeholders to stay informed of all information filed or issued on any given project. The Commission encourages all applicants to let stakeholders know to take advantage of the eLibrary and eSubscription services to track projects. More information on how to participate in the Commission process can be found at www.FERC.gov.

Open Houses

Generally, open houses are held within 30-45 days after receiving a PF docket number. An open house allows the applicant to publically and formally introduce a project to stakeholders. The format of the open house allows stakeholders, especially those that could

18 CFR 157.21(f)(1):
Within 7 days of pre-filing approval, and after consultation with Commission staff, establish the dates and locations at which the prospective applicant will conduct open houses and meetings with stakeholders (including agencies) and Commission staff.

be directly affected by the project, to engage with various applicant representatives and have one-on-one discussions. In addition, FERC staff or its consultant attends the open house to educate the public about the Commission's pre-filing and application review process and its responsibilities

regarding the siting and construction of jurisdictional natural gas facilities. For this reason, coordination with FERC staff on the location, date, and logistics of each open house meeting is important.

The number of open houses held for each project depends on the size and scope of the project and the facilities associated with it. One open house is typically held for each pipeline loop or for each county depending on the scope of the project. It may be appropriate to hold additional open houses at a later date if the project scope or route changes.

Consider soliciting input about appropriate locations



and timing from local/municipal officials and public relations firms when scheduling an open house. This will assist with dissemination of information to the community and possibly maximize turnout. Things to consider in choosing locations include minimizing driving distances, timing of other local events, and seasonal activities such as harvest periods.

Prior to the open house, the applicant should:

1. Develop an Open House Checklist—decide on format and staffing levels.
2. Mail a letter to stakeholders notifying them of the scheduled open house (date, time, and location) and indicate that FERC staff will be in attendance.
3. Develop media kits to notify the media and the public prior to an open house. Include newspaper advertisements or press releases (sent one week prior to the open house), posters in town halls, and a media advisory notice 24 to 48 hours before the event.
4. Ensure the project website has been updated with the date, time, and location for each open house.
5. Provide appropriate written and graphic materials including:
 - Project Fact Sheet
 - General and detailed maps (e.g., pipeline system map, project area map, aerial maps, USGS quadrangles). Large, clear maps/alignment sheets showing potential pipeline routes and aboveground facility locations along with hard copy mapping illustrations. A program utilizing Google Earth or similar technologies using a computer or TV monitor is very beneficial
 - Corporate materials, including information about existing infrastructure in the area.

- Include similar materials for each company involved if the project is a joint venture
- Typical right-of-way and construction method drawings
 - Facilities models and diagrams (e.g., images/simulations of typical compressor stations, meter stations, valves, and pigging facilities and visual impact simulations for aboveground facilities that include views from the surrounding areas)
 - Construction/restoration or natural gas facilities photos
 - Company contact information
 - Permit/Approval process list
 - FERC Landowner Brochures
 - Videos (e.g., before, during, and after construction)
 - Media kits (including news releases)
 - Social media links
 - Informational signs with company logo
 - Company information on safety records, easement negotiations, construction, and operations.

Stakeholder Contact

18 CFR 157.21(f)(3):
Within 14 days of pre-filing approval, contact all stakeholders not already informed about the project, including all affected landowners as defined in paragraph 157.6(d)(2).

Applicants are responsible for maintaining a stakeholder mailing list and updating the list as required (e.g., returned mail, pipeline reroutes, alternatives). Applicants should

notify anyone not previously informed about the project within 14 days of entering pre-filing. Applicants should send a letter to local agencies and officials notifying them of the project.

To keep stakeholders informed, consider issuing a newsletter on a regular basis (at least monthly during pre-filing) and provide updates on the project, upcoming events, milestones, etc.

Typically, applicants will contact the following entities regarding the project:

- Governor's office
- Legislators representing the project areas
- Local/municipal officials in the project areas
- Members of Congress (and key staff) representing the project areas
- Congressional delegation representatives in state offices
- Affected and adjacent landowners
- Federal, state, and local resource agencies
- Native American tribes
- Public Utility Commissions
- State, local, and municipal administration officials, including economic and development and energy officials
- Community leaders
- Environmental groups
- Non-governmental organizations
- Local/neighborhood associations
- Business leaders
- Other interested parties.

Applicants should ensure that the stakeholder mailing list is as up to date as possible. It should then be submitted directly to the FERC environmental project

18 CFR 157.21(f)(4):
Within 30 days of pre-filing approval, submit a stakeholder mailing list to the Commission staff.

manager. The Commission will include entities on the stakeholder list on its mailing list for the project.

- Applicants should clearly identify any changes made to the mailing list (e.g. crossed out, highlighted, or otherwise clearly identified).
- Applicants should submit updates to the mailing list to Commission staff on a monthly basis.

Applicants should also consider filing all outreach mailings with FERC, which will place them in e-Library, as a means to reach the widest possible audience with its outreach materials.

Before a company files a formal application with FERC or another agency, it should consider additional stakeholder outreach activities, such as providing key stakeholders with information about the formal filing process, and issuing a news release to designated media outlets.

Status Reports and Agency Meetings

18 CFR 157.21(f)(6):
On a monthly basis, file status reports detailing the applicant's project activities including surveys, stakeholder communications and agency meetings.

During pre-filing, applicants should summarize all project activity including stakeholder outreach activities in a monthly report and file it with the Commission. This status report, in addition



to regularly scheduled conference calls, keeps FERC informed of progress and ensures that staff is aware of any issues as they arise. It also ensures that appropriate outreach is occurring with agencies tasked with reviewing a project. FERC staff may also hold agency meetings for the project. The purpose of these meetings is to gain expertise from the agencies and encourage cooperation in FERC's National Environmental Policy Act review.

Applicants may be asked to attend meetings between FERC staff and other agencies and should be prepared to provide a brief overview of the project and discuss any agency-specific issues.



Scoping Meetings

Scoping meetings for a project are held at the discretion of FERC staff. A scoping meeting is a FERC-run formal meeting that provides an opportunity for stakeholders to orally comment (oral comments hold

18 CFR 157.21(f)(7):
Be prepared to provide a description of the proposed project and to answer questions from the public at the scoping meetings held by OEP staff.

the same weight as written comments), present written comments, and to receive information about the project and FERC's review process. Oral comments are transcribed and placed into the FERC's Public Record.

Prior to the scoping meeting, applicants should:

1. Communicate with the FERC environmental project manager about the logistics and FERC staff's expectation of the applicant at the meeting.
2. Update the project website with the date, time, and location of each scoping meeting.
3. Arrive approximately one hour before the FERC scoping meeting begins with project materials (maps, alignment sheets, aerials, etc.) and be prepared to answer landowner questions before and after the meeting.
4. In some cases you may be asked to prepare a **brief** presentation (5-10 minutes) about the project and to answer project-specific questions on the record during the FERC scoping meeting. The company employee(s) responsible for the presentation should be familiar with the project, construction details, and have experience speaking with the public (i.e., a company executive is not always the best choice).

§157.21(f)(9):
Within 14 days of the end of the scoping comment period, respond to issues raised during scoping.

Responding to scoping comments is extremely important and can set the stage for judging the effectiveness of the pre-filing process. If the applicant is willing and able to make adjustments or accommodations to address

issues raised during scoping, site visits, or stakeholder meetings, applicants should widely publicize them. In addition to filing the information with the Commission, consider sending relevant information directly to affected landowners and posting it on the project website.

Site Visits

157.21(f)(8):
Be prepared to attend site visits and other stakeholder and agency meetings arranged by the Commission staff, as required.

Site visits provide an opportunity for FERC staff and stakeholders to see the project area first hand, and for FERC staff to hear about local issues. Notes from these meetings are put in the public record. They are not conducted for every project.

These visits also provide another opportunity for applicants to:

- Speak with the interested stakeholders that attend to explain construction procedures in the field.
- Describe how the project will be constructed,

especially to landowners of affected properties.

- Discuss unique situations and/or environmental concerns with agencies and stakeholders.

Applicants should have alignment sheets and any site specific mapping available during the site visit.

Applications

At the end of the pre-filing process, the company sponsor will file a formal application with the Commission. Commission staff will review the application within ten business days to ensure that the application meets the minimum filing requirements in 18 CFR 380.12. The Commission will subsequently issue a Notice of Application and FERC staff will begin its preparation of the environmental document and other non-environmental information to inform the Commissioners at FERC when they make a decision on a project.

Public Notification

In addition to satisfying the Commission's landowner notification requirements described in 18 CFR 157.6(d), we recommend that applicants continue to implement stakeholder outreach efforts initiated in the project development and/or pre-filing phases of the project. Maintaining contact with key stakeholders, many of whom represent or are charged with acting in the interest of the public, can improve the relationships crafted earlier in the development phase of the project.

The Commission maintains a publicly available administrative record; applicants should encourage stakeholders to take advantage of the Commission's



eLibrary and eSubscription services to access and monitor that record. However, applicants should not assume that stakeholders are tracking the project through the Commission's administrative record. Continue updating websites, issuing press releases, providing supplemental mailings/notices and direct communications as necessary to ensure stakeholders and the general public are aware of the progress of the project through the Commission's process and any state processes.

There may be other site visits and stakeholder meetings that occur after the filing of the application that could be held by the applicant, local officials, or FERC staff. Applicants should continue every effort to aid in making notifications to stakeholders. The Commission's environmental project manager will also play a part in this process by mailing periodic project updates to the Commission's stakeholder mailing list. These project update brochures are particularly important when there are several months between key milestones during our project review.

Agency Correspondence

As described previously, federal, state, and local agency representatives (government officials) are considered key stakeholders due to their resource expertise and/or permitting authorities. In addition to directly notifying these key stakeholders via phone, mail, or email when an application is filed, applicants should provide or be prepared to provide agencies with copies of the application including all materials, appendices, and maps.

Continual communication is a vital component of

any public outreach program and this must include permitting agencies. Agencies often tell FERC staff that after filing an application, communications from the applicant are greatly reduced. Maintaining frequent and open communication is crucial to ensure all parties are aware of issues that could affect the schedule. An applicant should convene agency meetings with federal, state, and local agencies following the filing of an application to ensure agency representatives understand the contents of the application, and in turn, the applicant fully understands the agency review processes that will follow. An applicant should answer all questions about the application, confirm that the agencies know who the appropriate project contacts are, and ensure that the agencies are fully aware of how the project will proceed.

Throughout the application review process, especially following the issuance(s) of an environmental document (EA or EIS), applicants should maintain communication with the agencies. Be aware that public disclosure rules vary greatly and applicants should know the restrictions on their communications.

Issuance of Environmental Documents

Once we issue an environmental document, the applicant should update its website accordingly to help inform the key stakeholders of this milestone. The public comment period for an EA is normally 30 days, starting from the date of issuance. For a draft EIS, the public comment period is at least 45 days, which starts when the Environmental Protection Agency publishes the Notice of Availability in the Federal Register. If we hold one or more public comment meetings, we will announce the date, time, and location of the

meeting(s) either in the environmental documents or in a later notice. Comment meetings provide the public with a forum, very similar to the scoping meeting discussed above, to give comments on the analysis and conclusions of the environmental document and to ask questions about our processes and next steps. An applicant should review the comments FERC receives and consider filing a response if it has substantial and constructive information to address a concern. In addition, we may request an applicant to respond to certain comments, if we think additional information is needed.

Post-Certificate

If a project is approved by the Commission, the applicant should inform key stakeholders and affected landowners of the approval, and before construction provide as appropriate:

- project schedule including construction and restoration activities;
- other agency permits and conditions;
- a description of the environmental inspection program, including inspections that may be performed by FERC and others;
- the project's single point of contact for landowner issues and an outline of the applicable complaint resolution process, including the Commission's "Helpline"; and
- the land agent contact information (if different from land acquisition) that will be responsible for their property.

In addition to maintaining stakeholder involvement, an applicant's outreach program should also strive to maintain resource agency involvement, especially

through project construction and restoration. As described previously, an effective stakeholder outreach program informs the public and agencies about the various construction-related activities including pre-construction meetings, permit requirements, construction schedules, environmental inspection procedures, reporting commitments and requirements, and measures that would be implemented to address environmental issues (i.e., non-compliance, landowner complaints). Stakeholder outreach can also be beneficial as applicants work to obtain any remaining/outstanding permits.

During construction and restoration of the project, public contact will most likely occur in the field. Therefore, all field personnel are potentially subject to public interaction and should be considered part of the stakeholder outreach program and process. Field personnel should be trained about appropriate public contact and refer questions to the designated company representative(s). It is critical, especially in any contested proceeding, that the requisite training and construction kickoff programs include the company's procedures and policies for handling questions and complaints in the field. Be prepared to address affected property owners' questions/issues which may include next steps, easement negotiations, eminent domain, and construction practices.

During construction it may be useful to summarize construction progress and permitting and compliance activities in regular updates to stakeholders.

If the project schedule is delayed, project sponsors should inform all stakeholders and update public outreach materials.





VI. ONGOING PUBLIC AWARENESS

FERC Regulated Activities

After the project is built and in operation, outreach efforts should not stop—it is a good practice to continue to engage stakeholders about your facilities. In fact the majority of activities that occur on pipeline facilities within any given year are category III projects. Blanket, Section 2.55, and maintenance projects fall under this category. These activities are required to maintain and operate natural gas facilities, and involve right-of-way activities that often require communications with stakeholders. All projects that involve ground disturbance require landowner notification, and in addition, just as when starting a new project, operations personnel should consider:

- Issuing regular newsletters;
- Developing and maintaining appropriate briefing materials for recurring and periodic activities;
- Providing regular updates to: governors' offices; landowners; municipal and county officials in areas with proposed facilities; congressional

- delegation representatives in both federal and state offices; legislative leaders in areas with proposed facilities; other key legislators and staff; public utilities commissions; tribes; appropriate federal and state agency officials; municipal planning boards; community leaders; local associations; neighborhood groups; environmental and other non-governmental organizations; state, county, regional, and municipal economic development officials; business leaders and chambers of commerce;
- Identifying other parties interested in the project, meeting with them to address concerns, and providing them with periodic updates;
- Responding honestly and in a timely manner to concerns raised by public officials;
- Developing opportunities for partnerships with municipalities and civic and business organizations; and
- Participating in various business and civic organizations.

DOT Programs

The U.S. Department of Transportation - Pipeline & Hazardous Materials Safety Administration (PHMSA) regulates the safety of natural gas pipelines during their operation. PHMSA regulations require pipeline operators to develop and implement public awareness programs that follow the guidance provided by the American Petroleum Institute (API) Recommended Practice (RP) 1162. These public awareness programs are required to provide pipeline safety information to the affected public, emergency officials, local public officials, and excavators. Pipeline operators must also provide information about how to recognize, respond to, and report pipeline emergencies, the importance of using the one-call notification system prior to excavation, and the location of transmission pipelines to enhance emergency response and community growth planning. Additionally, PHMSA regulations require pipeline operators to periodically evaluate their programs for effectiveness and enhance programs as necessary, in intervals of no more than four years. For more information please visit: <http://primis.phmsa.dot.gov/comm/PublicAwareness/PublicAwareness.htm>.

Through its Community Assistance and Technical Service (CATS) program, PHMSA works to advance public safety, environmental protection, and pipeline reliability by facilitating clear communications among all pipeline stakeholders, including the public, the operators, and government officials. An important aim of the CATS program is to reach out to all pipeline safety stakeholders. Responsibilities of CATS managers include:

- Communicating information to help communities understand pipeline risks and improve pipeline safety and environmental protection

- Fostering effective communications regarding pipeline safety among PHMSA, other federal agencies, state pipeline safety regulators, elected and emergency officials, pipeline operators, and the public
- Serving as “honest brokers” in facilitating permits required for safety-related pipeline repairs.

CATS managers are located within each PHMSA region and contact information can be found at: <http://primis.phmsa.dot.gov/comm/CATS.htm>.

Pipelines and Informed Planning Alliance

The Pipelines and Informed Planning Alliance (PIPA) *Best Practices for Risk-Informed Land Use & Development near Transmission Pipelines* is a stakeholder initiative led and supported by the PHMSA. PIPA's goal is to reduce risks and improve the safety of affected communities and transmission pipelines through implementation of recommended practices related to risk-informed land use and development near transmission pipelines. PIPA's report, *Partnering to Further Enhance Pipeline Safety In Communities Through Risk-Informed Land Use Planning*, contains recommended practices which describe actions that can be taken by key stakeholders, including local governments, transmission pipeline operators, property developers/owners, and real estate commissions (www.pipa.info.com). We recommend companies support this effort and work with PHMSA to achieve PIPA's goal.





VII. CONCLUSION

The development of stakeholder outreach programs and the successful implementation of those programs throughout the “life” of a project (i.e., from project inception to abandonment) has become increasingly important as public awareness of and involvement with these projects continues to grow. As outlined in this document, numerous opportunities exist to strategically apply outreach principles and tools to ensure all involved parties understand the actions affecting them. Additionally, stakeholders will be able to provide valuable insight and comments. Ultimately, we believe better communication and education will lead to decisions and actions that ensure the highest levels of environmental protection, provide opportunities for public participation, and improve timely processing for infrastructure projects in order to meet the public demand for energy.

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SUGGESTED BEST PRACTICES FOR INDUSTRY OUTREACH PROGRAMS TO STAKEHOLDERS

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