

Quitman Public Meeting

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FERC MEETING
Docket No. CP08-6-000
MID-CONTINENT EXPRESS PROJECT

Public Hearing

Tuesday, 7:00 p.m. CDT
March 25, 2008
Quitman Depot
Main Street and Railroad Avenue
Quitman, Mississippi

REPORTED BY:
Harvey J. Rayborn, CSR #1274

Quitman Public Meeting

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1 APPEARANCES:
2
3 Shannon K. Jones
4 FERC - Project Manger
5 Wayne Kicklighter
6 Entrix
7
8 Kara Harris
9 FERC
10 Chris Janak
11 Mike Letson
12 Dennis Egger
13 for Kinder Morgan
14
15 Stacy Atella
16 Neil Nixon
17 Shea Cain
18 Julie Rasmusser
19 James Fugate
20 Randolph Perry
21 G. Otega
22 for Mid-Continent Express Pipeline
23
24 The Public

Quitman Public Meeting

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1 P R O C E E D I N G S
2 SHANNON JONES: Good evening everyone.
3 Thank you for coming. My name is Shannon Jones, and
4 I work for the Federal Energy Regulatory Commission.
5 I'm an environmental scientist.
6 This is a public comment meeting on the
7 Draft Environmental Impact Statement that we've
8 prepared for the Mid-Continent Express Pipeline
9 Project. I'm assisting the FERC's environmental
10 project manager, Charlie Brown, who's running a
11 similar series of meetings this week in Texas and
12 western Louisiana.
13 Wayne Kicklighter is here with me tonight.
14 He's representing EntriX. He's an environmental
15 consultant assisting FERC in preparing our analysis
16 for the project.
17 We also have Kara Harris. She's FERC
18 staff. She's at the sign-in table. She's got
19 helpful pamphlets and she's generating the speaker's
20 list if you want to sign up to speak, and the mail
21 list, and feel free to see Kara if you have any
22 questions during the meeting or wish to sign up to
23 speak.
24 We also have some representatives from
25 Mid-Continent here. Just to introduce you to a few

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1 people here in the front, we have Mike Letson,
2 He's from Kinder Morgan, an environmentalist;
3 Chris Janak, Kinder Morgan environmentalist;
4 Stacy Atella with TRC, environmental consultant, and
5 Julie Rasmusser with Kinder Morgan Land Department.

6 I'd like to start with a little bit of
7 background on the FERC for anyone who wasn't
8 familiar with us. The FERC is an independent
9 federal agency that regulates the interstate
10 transmission of electricity, natural gas and oil.
11 We're located in Washington, DC, and headed by five
12 presidentially appointed commissioners, with about
13 1,200 staff members. We review proposals and
14 authorize construction interstate natural gas
15 pipelines, storage facilities, liquefied natural gas
16 terminals, and we also have jurisdiction over
17 hydropower projects and electric transmission
18 corridors. The FERC's primary purpose is to protect
19 the public and energy customers, ensuring that
20 regulated energy companies are acting within the
21 law.

22 The FERC is the lead agency ultimately
23 responsible for approving or denying Mid-Continent's
24 proposal. It's proposed to build approximately
25 504 miles of 30, 36 and 42-inch diameter pipeline

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1 stretching from Oklahoma to Alabama. The project
2 also includes 1 booster and 4 compressor stations,
3 13 meter regulated stations, a 4-mile lateral
4 pipeline in Louisiana, and other pertinent
5 facilities that are necessary to safely operate the
6 pipeline, that includes main line valves and pig
7 stations and that sort of thing.

8 Before the FERC makes any sort of decision
9 on a pipeline proposal, the staff has to conduct an
10 extensive environmental review and that's to comply
11 with the National Environmental Policy Act. So over
12 the past year we've been doing just that. We've
13 been compiling data and analyzing data and comments
14 from the public, all of the letters that we receive.
15 We've been conducting meetings with state, local,
16 and federal resource agencies in individual states.
17 And we've worked in formal cooperation with a number
18 of the agencies, including the Fish and Wildlife
19 Service, the National Park Service, the Natural
20 Resources Conservation Service, the Corp of
21 Engineers, Louisiana Department of Environmental
22 Quality, Texas Parks and Wildlife Department and the
23 Alabama Department of Conservation and Natural
24 Resources, and those agencies have been providing
25 input into our analysis and reviewing our work and

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1 providing comments on it.

2 We've been doing this now for about a year
3 and now we're at a point where we summarize all of
4 our findings and our recommendations in this formal
5 report for the Draft Environmental Impact Statement,
6 and we're here tonight to take your comments on our
7 work and our recommendations. This was issued
8 February 8th, and mailed to everyone that was on our
9 mailing list. So if you didn't get a copy of it,
10 you're not on our mailing list, and you can get on
11 our mailing list tonight by signing up with Kara, or
12 if you write in a comment. That also puts you on
13 our mailing list and that will ensure that you get a
14 copy of the Final Environmental Impact Statement,
15 which will be a revised version of this that
16 incorporates our responses to any comments that we
17 receive during this 45-day comment period and
18 additional information that we've requested from the
19 applicant.

20 So, as I mentioned, there's a 45-day
21 public formal comment period and we're nearing the
22 end of that. It actually ends next Monday, March
23 31st. And there's a couple of ways that we can
24 receive comments on our Draft Environmental Impact
25 Statement. First, you can write verbal comments

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1 tonight, and we ask that you sign up on the
2 speaker's list if you would like to do that.
3 You can also provide us written comments, send them
4 through the mail, or electronically, which we
5 encourage. There are instructions on the first
6 couple of pages that detail how to send us written
7 comments through the mail and there's some pamphlets
8 called The Guide to Electronic Information to FERC,
9 and those outlines are about how you can send us
10 comments electronically if that's easier for you.

11 Let's see. The formal comment period does
12 end March 31st, which is next week. So if you're
13 going to mail comments, we ask you to try and get
14 them in as soon as possible so we'll have time to
15 receive those and prepare appropriate responses.

16 In the revised version of this document
17 called the Final EIS, we designate a section and we
18 list all the comments that we've received and
19 provide responses. So all of these comments are
20 carefully considered.

21 One thing I wanted to note is that our
22 environmental analysis that the staff does is not a
23 decision document. It's prepared to advise the FERC
24 commissioners and to disclose to the public the
25 environmental impact of the proposal by

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1 Mid-Continent. And once we issue our Final EIS, the
2 document is published, it's mailed to everyone on
3 our mailing list and it's forwarded to our
4 commissioners, and the FERC's commissioners will
5 independently consider our analysis of the
6 environmental impacts, along with the
7 non-environmental issues, that other staff at FERC
8 work on, including engineering, market, rates, and
9 individually consider all of that information to
10 decide whether this project is in the public's
11 convenience.

12 So if it is approved, the Commission will
13 provide Mid-Continent what's called a Certificate of
14 Public Convenience and Necessity, which is
15 essentially a permit authorizing the project. The
16 certificate will require that Mid-Continent meet
17 certain conditions to limit environmental impact,
18 and the environmental conditions flow from our
19 recommendations that are contained in this document.
20 There are 49 conditions that we have recommended to
21 minimize environmental impact.

22 If the project is approved, the FERC will
23 have inspectors that monitor the project through
24 construction and restoration. They will perform
25 daily on-site inspections to ensure environmental

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1 compliance with conditions of the certificate.
2 That's it in a nutshell how the process
3 works, and we're now at the part of the meeting
4 where we would like to take comments from anyone who
5 would like to speak, who has concerns or questions
6 about this document here. So I would ask that when
7 I call your name if you would come to the front area
8 of the room and please speak your name and spell it,
9 if it's a difficult spelling, for our transcriber
10 here. If you're a landowner on the pipeline, it
11 would be helpful if you could identify the pipeline
12 mile post if you know that, or provide a general
13 location if you don't know. And if you -- when
14 you're providing your comments, if you have any
15 questions that I think we can readily answer for
16 you, we will try to do that. If we can't, if it's
17 specific information that I just can't answer for
18 you right now, it will be addressed when we provide
19 our revision. As I said, we have a section of the
20 document where we list all of the comments received
21 and provide a response.

22 There is a transcript being prepared
23 tonight so we accurately record everything that was
24 said so that we can address your comments and
25 concerns, and those transcripts will be part of the

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1 public record. They'll be posted on the our web
2 site and they'll be available for review. Our web
3 site is www.ferc.gov. At this point, we will get
4 started.

5 WAYNE KICKLIGHTER: I guess I would like
6 to reiterate a couple of things. One is that we're
7 here to get your comments on the Draft Environment
8 Impact Statement, and that can be verbal, as Shannon
9 has indicated. It can also be written, and they're
10 given equal weight. It's what you're most
11 comfortable with. So if you want to make verbal
12 comments tonight, then we'd like to hear them.
13 If you would like to provide written comments
14 tonight, there are forms over there that you can
15 complete and provide to us, or you can send them to
16 us after you've thought about it some more.

17 Then the other part of this is that there
18 are Mid-Continent representatives here that --
19 I guess I want to just highlight that the public
20 meeting is to discuss the contents of the
21 Environmental Impact Statement.

22 Representatives of Mid-Continent are also
23 here to answer questions you might have in regards
24 to the non-environmental aspect process, especially
25 if you're a landowner. And I'd like to -- I mean,

1 you can make comments for the public record
2 associated with those concerns. But in regard to
3 getting into dialogue on specific locations, it's --
4 I guess I would ask that you do that informally
5 after we've completed the public part of the
6 meeting. And with that said, we only have one
7 speaker.

8 SHANNON JONES: Okay. Paul Bergin.

P1-1

9 PAUL BERGIN: You got it. No, I was
10 interested in how deep y'all are going to put the
11 line. As far as environmentally, there's always a
12 problem with trucks crossing the line, and they say
13 it's going to be 3-foot. Why not put it on in the
14 ground and get it out of the way?

P1-2

15 And these creek crossings, they just want
16 to throw the dirt back up and want bell it and rock
17 it. I don't think they're treating the landowners
18 quite properly there.

19 I think it ought to be done in a way
20 better fashion than what I've seen some of it done.
21 Thank you.

22 SHANNON JONES: Anybody else who would
23 like to provide a comment or ask a question?

P1-3

24 MARTY BERGIN: Why is it 3 feet?

25 COURT REPORTER: Name, please.

P1-1 As described in Section 2.3.1, the depth of the trench containing the pipeline is determined based upon space needed for the pipeline, pipeline bedding, and the minimum amount of top cover required by DOT specifications. The trench would typically be excavated to a sufficient depth to enable the proposed pipeline to be installed at a minimum depth of 3 feet (measured from the top of the pipeline) below the ground surface. The actual installation depth of the pipeline would vary from these minimum depth requirements to a depth required for the safe crossing of a feature such as a road, highway, railroad, or waterbody. The pipeline depth can be increased to accommodate specific landowner needs. Where heavy logging equipment may operate over the pipeline, MEP can work with the landowner to identify crossing locations. In those locations identified as places where logging equipment would cross over the pipeline, the quantity of pipeline cover would be increased. The identification of crossing locations and pipeline depths at these locations would be addressed during easement negotiations.

P1-2 As discussed in Section 3.3.2.2, waterbody crossings would be restored in accordance with the Procedures and COE permitting requirements. Upon construction completion, MEP would restore stream banks to preconstruction contours, install slope breakers, and revegetate disturbed riparian areas and bank slopes.

P1-3 DOT regulations specify that the pipeline be placed a minimum depth of 3 feet (measured from the top of the pipeline) below the ground surface. Please see response to comment P1-1.

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1 MARTY BERGIN: Marty Bergin.
2 SHANNON JONES: Three feet is the standard
3 cover. It might be a DOT requirement. It is
4 generally 3 feet below creeks, road beds and that
5 sort of thing. Sometimes it is provided deeper.
6 Those kind of things.
7 FREDDIE BERGIN: Freddie Bergin. We've
8 got one pipeline going through his property and my
9 property and his property. That's Marty Bergin,
10 Freddie Bergin and Paul Bergin. And every time we
11 want a truck to go across the line, you get a load
12 of timber, y'all make us the Plantation makes what
13 you ramp up. Put more dirt on it at our expenses.
14 You put it deep enough it would be good enough,
15 won't it? Just going to keep saying 3-foot deep.
16 MARTY BERGIN: It's not deep enough.
17 SHANNON JONES: Okay. We'll certainly
18 note your concern about the depth cover and we'll
19 prepare and look into that and prepare a response
20 for you. Yes, sir.
21 GREG JACKSON: Greg Jackson. I don't know
22 if this is a question for the environmental side or
23 Mid-Continent, but I'd like to know more about the
24 hydrotesting procedures in terms of and what
25 pressure pipeline hydrotested and the operating

P1-4

P1-4 See response to comment P1-1.

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1 pressure as well.

2 SHANNON JONES: I don't have those details
3 available to me right now. It may be contained
4 within the document, but I don't have it right now.
5 I know that a number -- do you guys have it at the
6 moment?

7 DENNIS EGGER: The operating pressure is
8 going to be 1480, and the minimum test pressure will
9 be 1.25 times the operating pressure. There's going
10 to be water before we ever introduce gas. So, we
11 hydro test it. We test it with water at a minimum
12 of 1.25 times, and then once that fluid holds with a
13 minimum of eight hours with no leaks.

14 GREG JACKSON: What schedule is that pipe?

15 DENNIS EGGER: Seventy-seven.

16 GREG JACKSON: Then what are you going to
17 displace it with after the hydro test?

18 DENNIS EGGER: We push it with pigs,
19 compressed air.

20 GREG JACKSON: Compressed air. And then
21 you purge it again right before the gas?

22 DENNIS EGGER: Once it's hydro tested, we
23 tie all the sections together and they've all been
24 hydrotested, and then we push out any remaining
25 residual water and dry the pipeline first. And then

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1 once it's dry, then it's ready for completion.
2 GREG JACKSON: How do you know it's dry?
3 DENNIS EGGER: With dryers, just dry air,
4 the pigs and dry air.
5 GREG JACKSON: Seams or seamless?
6 DENNIS EGGER: What's that?
7 GREG JACKSON: The pipes?
8 DENNIS EGGER: What's that?
9 GREG JACKSON: Seams or seamless pipe?
10 DENNIS EGGER: It's spiral, most all the
11 large pipelines are spiral.
12 GREG JACKSON: And how far between
13 connection points?
14 DENNIS EGGER: They're originally 40-foot
15 joints, but we're double jointing them, 80-foot
16 joints.
17 GREG JACKSON: 80-foot.
18 DENNIS EGGER: Is that it?
19 GREG JACKSON: No, I've got more, but
20 I don't want to get in the environmental side.
21 SHANNON JONES: Thank you.
22 GREG JACKSON: Well -- Greg Jackson still.
23 What is your emergency protocol if there is a leak?
24 DENNIS EGGER: During operation?
25 GREG JACKSON: If it's only going to be

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1 buried three feet, what happens if you get a leak?
2 DENNIS EGGER: Operations would have to
3 answer that.
4 GREG JACKSON: How do you know if you've
5 got a leak?
6 DENNIS EGGER: We have a leak detection
7 system with a monitor and it'll automatically shut
8 down if there's a drop in pressure. That's why
9 we've got valves. If there's a drop in pressure,
10 it'll automatically shut down.
11 GREG JACKSON: Smart Pigging.
12 DENNIS EGGER: Smart pigging as required
13 via a computer. It's not every year, but every
14 three years. Three years. We have requirements
15 that we have to follow for that. The government
16 sets up a requirement. That comes over our
17 operations.
18 GREG JACKSON: Corrosion?
19 MR. ORTEGA: That's required --
20 COURT REPORTER: You have to speak up over
21 there.
22 MR. ORTEGA: I said the pipeline will be
23 coded -- (Inaudible) -- corrosion.
24 MARTY BERGIN: When y'all get that right
25 of way for one line and one line only, don't come

P1-5
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P1-5 As stated in the EIS (Section 2.2.2), FERC regulations give primary consideration to the use, enlargement, or extension of existing right-of-ways rather than developing new right-of-ways in order to minimize impacts on potentially sensitive resources. We recognize that collocation with existing utility corridors may in some cases also have negative consequences, such as when landowners' property is or would be affected by multiple rights-of- way. We view each proposed project individually and strive to minimize environmental and landowner impacts to the extent possible through our review of alternatives.

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P1-5 ↑
1 back two or three years later and say that, well,
2 we've got the right of way, we want to run another
3 one through here. Negative. One line and one line
4 only.
5 SHANNON JONES: Any other questions or
6 comments?
7 PAUL MOSELEY: I'm Paul Moseley with
8 Clarke County Board of Supervisors.
9 SHANNON JONES: Yes, sir.
P1-6 [10 PAUL MOSELEY: When you actually start
11 construction, who's going to be in charge of the
12 construction on our roads? Who do we need to talk
13 to on construction?
14 DENNIS EGGER: I can meet with you
15 afterward and give you my card. We will be boring
16 all the county roads. We won't be open-cutting any
17 road. They'll all be bored.
18 PAUL MOSELEY: Below the pavement?
19 DENNIS EGGER: Well, it's -- it's
20 generally 5-foot below the lowest point. If you've
21 got a ditch 5-foot, below the bottom of the ditch.
22 SHANNON JONES: Okay. Well, we'll all
23 still be here. What I think I will do at this point
24 is conclude the formal portion of the meeting, and
25 we will remain and be available to talk with you

P1-6 Dennis Egger of MEP indicated that he would be the contact person in a verbal response at the meeting. As discussed in Section 3.8.1.8, MEP proposes to cross all major roadways via bore and all crossings would be accomplished in accordance with the Plan and appropriate permits and approvals.

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1 further, and the Kinder Morgan folks will stay a bit
2 so we can answer any questions you might have off
3 line. Unless there are anymore comments for the
4 record --

5 PAUL BERGIN: I'd like to make a comment.
6 What -- what can the land be used for after the
7 pipeline has been dug; the landowner, what can he
8 use if for?

9 SHANNON JONES: What can the landowner use
10 the land for?

11 PAUL BERGIN: (Nods head affirmatively.)

12 SHANNON JONES: There are certain
13 restrictions within the Department of Easement for
14 permit structures and those sort of things. The
15 pipeline company needs to maintain --

16 PAUL BERGIN: Grass -- (Inaudible) --

17 COURT REPORTER: Speak up, please.

18 DENNIS EGGER: -- (Inaudible) --

19 SHANNON JONES: Yeah, pasture and
20 agricultural. That generally goes back to previous
21 land use.

22 PAUL BERGIN: No fruit trees or nothing of
23 that type?

24 SHANNON JONES: The FERC allows to have a
25 plan for vegetation maintenance that we require most

1 companies to follow and that provides for annual
2 mowing of a 15-foot corridor over the center of the
3 pipeline and then the entire 50-foot permanent right
4 of way can be cleared every three years. So there
5 will be ongoing annual vegetation maintenance.

6 PAUL BERGIN: Just grass basically.

7 GREG JACKSON: Once the pipeline is there,
8 if you don't have any valve stations or anything
9 else on your property, if you just have pipe, what
10 do you envision as the frequency of having someone
11 on your property within that permanent easement, or
12 what do you view as a requirement to checking that
13 right of way after the pipe's in place?

14 MR. ORTEGA: We have to go and mow the
15 grass at least once a year --

16 (Numerous speakers at one time.)

17 COURT REPORTER: Speak one at a time.

18 DENNIS EGGER: -- aerial observation and
19 road crossings and things like that.

20 COURT REPORTER: Speak one at a time.

P1-7 [21 PAUL BERGIN: What are you going to do
22 about the topsoil?

23 SHANNON JONES: The topsoil?

24 PAUL BERGIN: On your right of way now.

25 SHANNON JONES: Generally, the topsoil

P1-7 Topsoil segregation would be required in any areas that are actively cultivated or rotated cropland and pasture, residential areas, hayfields, or at the landowner or land managing agency's request. If topsoil segregation is required, a minimum of 12 inches of topsoil would be stripped, if available, and the entire topsoil layer would be segregated in areas with less than 12 inches of topsoil available. Topsoil would not be used to pad the proposed pipeline. Topsoil would be segregated from other materials excavated from the trench and placed in piles that would usually be opposite the working side of the trench. Therefore, heavy equipment would not travel on the piles, and compaction of excavated topsoil would be minimized. Topsoil and subsoil would be tested for compaction at regular intervals in areas disturbed by construction activities. If either the subsoil or topsoil is severely compacted, a paraplow or other deep tillage device would be used to break up the soils. In areas where the topsoil was segregated, the subsoil would also be plowed before replacing the segregated topsoil.

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1 stripping will be stripped by some nature and
2 agricultural and residential area.

3 PAUL BERGIN: I didn't understand you.

4 SHANNON JONES: The topsoil will be
5 stripped and replaced on the right of way during
6 restoration of the land.

7 Anymore questions?

8 TONY FLEMMING: Tony Flemming, Clarke
9 County Supervisor. How big of a right of way is
10 this pipeline are they requiring as far as easement?

11 SHANNON JONES: We've recommended that the
12 construction right of way be limited to a hundred
13 feet wide during construction and permanent easement
14 limited to 50 feet wide.

15 TONY FLEMMING: Fifty feet wide?

16 SHANNON JONES: Yes.

17 TONY FLEMMING: With all that's happening
18 with pipelines nowadays, we've had some situations
19 with pipelines, anything talked, as far as on FERC's
20 end, as far as buffer zones on these pipeline as far
21 as how close someone can come back to that pipeline
22 and build a structure?

23 SHANNON JONES: We don't have any
24 established buffer zones as long as structures are
25 off of that. They just cannot be on top of that

1 50-foot right of way. They can be adjacent to it,
2 but we don't have any established buffers.
3 Yes, sir.

4 PAUL BERGIN: Since you'll got that
5 50-foot, see, there's no more use to the landowner
6 except to grow grass. You can't grow timber.
7 What are you going to get in 20 years? 10 years?
8 But, yet, y'all don't want to pay very much for any
9 existing operation that will be there in 15, 20
10 years. In other words, the landowner has a piece of
11 land that we're paying taxes on that holds one side
12 to the other side. That's all it amounts to. It's
13 just a big void there. Really, what it all boils
14 down to is we're paying taxes for a void area that
15 we can't use. I think we ought to be compensated
16 for some of that also in mind when they buy that
17 easement.

18 SHANNON JONES: I understand your concerns
19 there, and I can only mention that when the FERC
20 authorizes the projects we try to ensure they're
21 cited in such a way that they minimize impact to the
22 landowner. But when it comes to compensation, it's
23 a completely private matter between you and the
24 company and we generally do not intervene in that.
25 A fair compensation, that would be a negotiation

P1-8

P1-8

As described in Section 3.8 and 3.9.5, construction and operation of the proposed Project would result in a permanent conversion of some forested lands to a maintained utility right-of-way. Timber production would be precluded within the permanent pipeline right-of-way, and affected landowners would therefore suffer a loss of economic returns that might otherwise be achieved. As part of the right-of-way procurement process, MEP would negotiate with the affected landowners to obtain an easement agreement that eliminates timber production within the permanent pipeline right-of-way. Compensation for any losses or limitations on future timber production values would be addressed during those easement negotiations. Further, if a landowner thought that the proposed Project, should it be constructed, would reduce the value of their property, he or she could appeal the assessment and subsequent property taxation to the local property taxation agency. If the parcel of land was re-appraised, the landowner would then be responsible for property taxes based upon an appraisal that directly incorporated the easement.

P1-9 [1 between you and the company.
2 TONY FLEMMING: In Clarke County, is there
3 any structures in the path of the right of way?
4 DENNIS EGGER: No.
5 SHANNON JONES: Structures? I don't know
6 that information offhand. That's something we would
7 have to look into.
8 WAYNE KICKLIGHTER: I believe there's only
9 about seven in the State of Mississippi that would
10 be within 50 feet of the pipeline center line, most
11 of those are along the Mississippi.
12 SHANNON JONES: Any other questions?
13 (No responses.)
14 SHANNON JONES: I think at this point
15 we'll conclude the formal portion of the meeting.
16 And, as I said, we'll still be here to speak with
17 anyone who wishes to speak with us.
18 I thank you all for coming tonight, and at
19 this point we will conclude the formal portion.
20 (End of Proceedings.
21
22
23
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P1-9 As shown in Table 3.8.3-1, no residences or businesses would be within 50 feet of the proposed Project in Clarke County.

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1 CERTIFICATE OF COURT REPORTER
2 I, Harvey J. Rayborn, Court Reporter and Notary
3 Public in and for the County of Hinds, State of
4 Mississippi, hereby certify that the foregoing 22
5 pages, and including this page, contain a true and
6 correct transcript of the above-styled public
7 hearing, as taken by me in the aforementioned matter
8 at the time and place heretofore stated, as taken by
9 stenotype and later reduced to typewritten form
10 under my supervision by means of computer-aided
11 transcription.

12 I further certify that I am not in the employ
13 of or related to any counsel or party in this matter
14 and have no interest monetary or otherwise, in the
15 final outcome of this proceeding.

16 Witness, my signature and seal this 7th day of
17 _____ April,
18 2008.

19
20 Harvey J. Rayborn, CSR #1274

21
22 My commission expires: 10/25/2008
23
24

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0080418-0195 FERC PDF (Unofficial) 04/10/2008

In Re: Midcontinent Express Pipeline Project - CP08-6-000
March 25, 2008

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BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

-----X

IN THE MATTER OF: : Docket Number
MIDCONTINENT EXPRESS PIPELINE PROJECT: CP08-6-000
:

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Minden Community House
711 Gladney Street
Minden, LA

Tuesday, March 25, 2008

The above-entitled matter came on for scoping meeting,
pursuant to notice, at 7:00 p.m.

BEFORE:
Charles Brown - FERC Moderator

202-347-3700

Acc-Federal Reporters, Inc.

800-336-6646

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

2 (7:00 p.m.)

3 MR. BROWN: Good evening and thank you for coming
4 tonight. My name is Charles Brown, and I'm from the Federal
5 Energy Regulatory Commission, and I'm the Environmental
6 Project Manager for the Midcontinent Express Pipeline
7 Project.

8 What we have here in front of you, in case you're
9 all wondering, is our Court Reporter. He's going to be
10 filming and transcribing the oral comments.

11 I want to assure me you're not going to put this
12 on You-Tube, because Mr. Parks assured me tonight, I gained
13 some weight, and I don't want to see that.

14 (Laughter.)

15 MR. BROWN: With me here tonight, is Doug
16 Moonihan (ph.), and in the back, is Katie Grange. These two
17 are very talented environmental scientists who work for our
18 third-party contractor, Enterex (ph.) for FERC.

19 The purpose of tonight's meeting, is to take your
20 comments on the Draft Environmental Impact Statement that
21 the Commission issued on February 15th.

22 Right now, we're in the comment period, and that
23 comment period ends on March 31st. The DEIS is the result
24 of an intensive environmental review to comply with the
25 National Environmental Protection Act.

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1 Over the past year, we've been compiling and
2 gathering information, comments and concerns from a variety
3 of sources, including the Applicant, the public, other
4 resource agencies, and our own independent analysis and
5 field work.

6 The Draft was developed in cooperation with Fish
7 and Wildlife Service from two of their districts; the Corps
8 of Engineers from three of their districts; National Park
9 Service; National Resource Conservation Service; and the
10 Environmental Protection Agency.

11 Those are the federal agencies that helped us.
12 We had a lot of state agencies help us: Louisiana
13 Department of Environmental Quality; Texas Parks, Recreation
14 and Wildlife Department; Alabama Department of Conservation
15 and Natural Resources, and Mississippi Fish and Game.

16 All provided comments and all reviewed the Draft.

17 The format for tonight's meeting -- and, right
18 now, we only have one speaker -- is, we'll let the person
19 come up and give his oral comments, and then I'll take
20 questions for me and the company, and we'll put those on the
21 record.

22 Now, if you don't wish to speak tonight, we have
23 forms in the back. You can fill out the form and provide
24 your comment, turn them in to me or Katie or Doug, and we'll
25 make sure that they get into the record.

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1 You can also provide a written letter. It needs
2 to be to us by Monday, March 31st, and with the letter, make
3 sure you have the Docket Number on it. That's CP08-6;
4 that's CP08-6.

5 If you'd like to also file electronically, you
6 can do that also. We have instructions on the back table, a
7 little pamphlet that will tell you how to do that, or you
8 can go to our website, www.ferc.gov, and go to the E-Filing
9 link and follow the instructions.

10 PARTICIPANT: Would you repeat that slowly, that
11 website?

12 MR. BROWN: Ma'am?

13 PARTICIPANT: Would you repeat the website,
14 slowly?

15 MR. BROWN: www.ferc.gov, and she has the
16 pamphlet in the back, too, and it has all that information
17 on it, too.

18 Now, if you got a copy of the Draft
19 Environmental Impact Statement, you'll also get a copy of
20 the Final. Now, if you don't -- if you didn't get one and
21 you want one, we have a form in the back, you can fill that
22 out, and we'll put you on the mailing list.

23 Once the FEIS is complete, it will be forwarded
24 to the FERC Commissioners. Now, the Commission is comprised
25 of five Commissioners appointed by the President of the

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1 United States.

2 They will review the Environmental document,
3 other stuff like engineering, markets, tariffs, and rates.
4 The FEIS, I want to emphasize, is not the decisionmaking
5 document.

6 They compile all this information, and they will
7 either vote to approve or disapprove the project.

8 If they vote to approve the project, FERC will
9 monitor the construction of the project, from beginning to
10 end.

11 Now, that brings me to a point: We will have
12 monitors in the field. This is a 505-mile project and I'll
13 probably have four monitors that will be in the field every
14 day, seven days a week.

15 They can't be everywhere at once. There's only
16 five of them and this is 500 miles. If you see something
17 that needs to be brought to our attention, you need to call
18 me or e-mail me.

19 My phone number is 202-502-8767. You let me
20 know, I'll get a hold of a monitor, I'll have them meet with
21 you out in the field, you discuss your concerns with him,
22 and we'll get anything corrected.

23 With that said, we're going to bring up our first
24 speaker, Mr. Parks.

25 MR. PARKS: Thank you, Mr. Brown. I'm Jule W.

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1 Parks III, and my concerns are about property, which I and
2 my brother own in Sterlington, Louisiana, and MEP's proposed
3 pipeline right-of-way, which crosses this property in
4 Sterlington, Louisiana.

5 I've read the 924-page FERC Draft EIS, which was
6 very lengthy. I was, you know -- certain parts of it, you
7 know, were good, but other parts, like MEP furnishing a map
8 dated January 2008 -- they used an aerial photograph, which
9 had overlaid their proposed -- which they stated was the
10 original pipeline, and the current pipeline, on a map that
11 was 30 -- approximately 35 years old.

12 You know, I think they could furnish a little more
13 up-to-date map, which shows current building and structures
14 throughout the area. You know, this is very misleading.

15 I'm also concerned about, you know, that the
16 project is supposed to have the least environmental impact
17 as possible.

18 Through the Union Parish property, which I own
19 property in Union Parish, as well as Washtaw (ph.) Parish
20 and have other landowners and family members concerned with
21 this right-of-way.

22 MEP has done no overlapping of any of the
23 existing rights-of-way, whether they be pylon rights-of-way
24 or existing pipeline rights-of-way. In fact, reviewing the
25 FERC Draft EIS, it indicates in there, according to FERC's

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P2-1 The FERC produces all Project maps presented in this EIS. Topographic maps are produced by the USGS and may be dated. However, current aerial photographs and site maps have also been used for the assessment of environmental impact presented in this EIS.

P2-2 On November 13, 2007, MEP filed their November 2007 response to the FERC October 24, 2007 supplemental environmental information request on eLibrary. Included in this filing was Table 1-5, which described all portions of the Project that would be collocated and/or overlap existing rights-of-way. Further, this table provided an explanation as to why right-of-way overlap was not feasible in certain areas. FERC reviewed this information and found it to be acceptable. As shown in Appendices C and D, MEP proposes to overlap multiple existing pipeline, low-voltage powerlines, and high-voltage powerlines, in areas where overlap can be done safely. This overlap of rights-of-way in conjunction with the reductions in the Project's temporary and permanent rights-of-way, as recommended in this EIS, would reduce the overall land consumption of the Project resulting in a reduction of both landowner and environmental impacts. As discussed in Section 4.4.1.5, MEP is proposing to overlap the Project with an existing pipeline right-of-way by 5 feet across the Park's Property.

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1 Draft EIS, it states MEP provided a site-specific
2 explanation of why overlapping existing rights-of-way, would
3 not be feasible.

4 But I didn't see in there, you know, where or
5 why. It just made that statement.

6 You know, I'd kind of like it, if they say it
7 can't -- it's not feasible, which means it can't be done,
8 I'd like to see it.

9 And, for the record, which MEP has looked at
10 today, as well as FERC representatives, I have property in
11 Washtaw Parish, which has numerous pipelines, with other
12 pipelines overlapping existing rights-of-way.

13 That's also across the river in Union Parish,
14 pipelines overlapping existing high-power rights-of-way,
15 pylon rights-of-way, as well as pipeline rights-of-way.

16 So, it is feasible. You know, I sold rights-of-
17 way, negotiated since the late '60s, up until the last one,
18 which was back in 2001, with Southern Gas, and Southern Gas
19 overlapped the existing three rights-of-way, which are side-
20 by-side each other, overlapping.

21 So, I'd like to see FERC require MEP to look
22 further into overlapping, where possible, and this will
23 create less environmental impact, anywhere that they can
24 overlap.

25 My preferences, originally, the right-of-way that

P2-2

P2-3

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P2-3

MEP deviates from the proposed Gulf Crossing Project alignment in Union Parish, Louisiana, to increase the distance of the Project from D'arbonne NWR at the request of FWS. Further, due the extensive wetlands in the Bayou D'arbonne area, MEP proposed to align the Project further north to avoid wetland impacts for the construction and operation of the Perryville Compressor Station.

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1 MEP approached me on, which would cross my Union Parish
2 property, and it's parallel to the Gulf Crossing, current
3 Gulf Crossing right-of-way.

4 MEP said, well, they had had to move it to a
5 different right-of-way, because of certain environmental or
6 certain wetland problems.

7 I'd like to see FERC further investigate why MEP
8 cannot parallel the existing Gulf Crossing right-of-way.

9 You know, my brother and I both went out and
10 looked at it. We talked to Gulf Crossing personnel. No one
11 seems to know why, except other than MEP's druthers are that
12 they want to go this different route now, rather than the
13 initial route.

14 We prefer -- our first preference, my brother and
15 myself, is the parallel right-of-way to the Gulf Crossing
16 project, that is south of Sterlington, Louisiana, and not
17 right through the middle of Sterlington, Louisiana, where
18 the current right-of-way, proposed right-of-way will be.

19 If this is not feasible, then our second
20 preference would be to follow the high-power line that goes
21 through the town of Sterlington, and, in the process of
22 following that high-power line, which is an 80-foot right-
23 of-way, 40 feet from center to -- on each side of center,
24 and overlap this existing high-power line's 80-foot right-
25 of-way.

P2-3

P2-4

P2-4

We evaluate several route variations across the Parks property in Section 4.4.1.5. We found that none of the route variations evaluated would be environmentally preferable to the proposed Project alignment.

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1 And it can be done, as demonstrated, you know,
2 across the river, on one of our Union Parish properties,
3 where several gas lines are on the high-power line right-of-
4 way.

P2-4

5 If this is a last resort, you know, then the
6 current proposed route, with the exception of being on the
7 west side of the four pipelines, put it on the east side, so
8 that it will overlap, so the MEP pipeline will overlap the
9 Southern Industrial Gas Corporation's pipeline, which we
10 sold the right-of-way to, back in 2000 and 2001.

11 And, in conclusion, like I said, our first
12 preference is south of Sterlington, parallel to Gulf
13 Crossing Project; second preference would be the high-power
14 line; and the last preference, which would be the, you know,
15 current route that MEP proposes, with the change from the
16 west to the east side of the pipelines, so that they can
17 overlap the Southern Gas Corporation's pipeline.

P2-5

18 And, like I said, this was installed in 2002, and
19 it's a welded pipeline; it's not collared, and there would
20 be no problems with overlap.

21 And if they don't understand overlapping, it's a
22 way it's done in the pipeline business and my brother and I
23 would be glad to show them how to do it. That's all I have.

24 MR. BROWN: Thank you, Mr. Parks.

25 MR. PARKS: Thank you. One thing I want to add,

P2-5 See response to comment P2-4.

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1 is, in the Final FEIS, we'll have a section dedicated to the
2 comments and FERC's response. Mr. Parks, we will look at
3 all three of those alternatives in the Final. It will be in
4 our section, and you'll be able to see the reason, either
5 why we chose it or why we didn't choose it.

6 MR. PARKS: Okay.

7 MR. BROWN: Okay? Is there anyone else who would
8 like to give oral comments? Please feel free to come up and
9 do so.

10 If not, I'll open it up to questions and answers
11 of myself and the Company.

12 (No response.)

13 MR. BROWN: I know you've got to have some
14 questions out there. Come on, now.

15 Yes, ma'am. Could you come up and give your name
16 for the record, and ask your question?

17 MS. LONG: My name is Clarene Long, and our
18 property is located in Webster Parish. I had a question.
19 How much is the total project cost going to be?

20 I think we received a figure of \$1.5 billion.
21 Has that been revised or is that still the same -- is that
22 still the amount?

23 MR. BROWN: Kevin, do you want to answer the
24 question on the total cost of the project?

25 PARTICIPANT: I believe it's \$1.27 billion.

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1 MS. LONG: And, also, how do you get information
2 on the existing pipeline? I had quite a bit of difficulty
3 trying to find out who owned the pipeline, after I got a
4 notice from Gulf Crossing -- I mean, Gulf South, because
5 both Gulf South and Midcontinent Express are going across
6 our land.

7 So how could I get information on the existing
8 pipeline? I understand that it was put in in 1928.

9 MR. BROWN: There should be markers at the
10 nearest road crossing, to identify that pipeline, and a
11 number where you can contact them. They have to do that, by
12 regulation of the Department of Transportation.

13 That pipeline has to be identified at some
14 crossing, so what I would do, is, go to the closest crossing
15 you can find, and that information is on a -- usually it's
16 an orange post right there on the road.

17 It will tell you who owns it and a contact
18 number.

19 MS. LONG: Okay, because I'm from California, and
20 I don't really know about our land, so I'll do what you just
21 said.

22 MR. BROWN: Also, it should be on your deed.
23 Shouldn't it be on your deed? It should be on your deed of
24 trust.

25 MS. LONG: We don't have a trustee. My

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1 grandfather got on the ship in 1931, and so there's nothing
2 on the deed about a pipeline or anything else. It just has
3 the measurements.

4 MR. BROWN: It should have been recorded as soon
5 as they cross your land. They have to record the deed,
6 because they have to have an easement to cross your land.

7 PARTICIPANT: A right-of-way brief.

8 MR. BROWN: Right, it has to be there. If they
9 don't, then kick them off.

10 PARTICIPANT: That's right.

11 (Laughter.)

12 PARTICIPANT: If they don't have a right-of-way.

13 MS. LONG: Okay, that's another thing that I can
14 check on.

15 And how long is it going to take, the actual
16 construction? I have that DEIS, but it's at home. So how
17 long is that going to take? How long do you anticipate?

18 MR. BROWN: I believe, start to finish, it should
19 take about six to seven months to finish from that started
20 clearing and actually restoration. It should take six to
21 seven months. They build these things pretty quickly.

22 PARTICIPANT: And the plan is, starting in the
23 middle of August, and finish up in the beginning of March.

24 MS. LONG: Okay, and will you be working, like
25 seven days a week, or -- and for how many hours per day, do

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1 you anticipate?

2 MR. BROWN: They generally work ten to 12 hours a
3 day, six days a week, and if they're running behind, because
4 of inclement weather, they'll work on Sundays.

5 This -- and I want to say one thing: This is not
6 FERC's project. All we're doing, is monitoring it and
7 evaluating the impacts. We'll keep an eye on these guys, so
8 you don't have to worry about that.

9 MS. LONG: Okay, thank you, for now. If
10 something else comes up, may I --

11 MR. BROWN: We'll be here after the meeting. If
12 you think of something, please come up and ask.

13 MS. LONG: All right, thank you very much.

14 MR. BROWN: Okay, yes, ma'am? I believe you had
15 a question in the back?

16 MS. ROACH: I'm Susan Roach. I'm from Lincoln
17 Parish. I own land in Highco (ph.), and I have a couple of
18 questions.

19 Actually, I was trying to get my comments
20 together, and I'm so scattered with them, I don't think I
21 could give them.

22 But I do have some questions about some
23 statements in the EIS and a couple of others that have come
24 to me as a result of the person's question about going with
25 other rights-of-way.

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1 First of all, can the pipeline be run in an
2 electric right-of-way?

3 PARTICIPANT: Of course, it can.

4 MS. ROACH: It can? There's not any kind of
5 problem with running the two together?

6 MR. BROWN: Can it be run in an electric right-
7 of-way?

8 MS. ROACH: Can it be run with an electric power
9 line right-of-way?

10 PARTICIPANT: Yeah, it can. It presents and
11 engineering solution. We need to mitigate for the current
12 that would come off of the power lines, but it can be done,
13 yes.

14 MS. ROACH: I didn't know if that was possible.
15 Also, I was curious, in the EIS -- and I don't
16 know the exact -- I think it was on page 3-182, about the
17 high consequence area. What is an identified site in
18 relation to that?

19 MR. BROWN: Repeat your question, please?

20 MS. ROACH: I would like to know about the HCAs,
21 the high consequence areas that were mentioned in the EIS,
22 in regard to what is an identified site? It was sort of
23 vague, and I wasn't clear.

24 It sounded like things or places where there was
25 going to be extra care taken, maybe because of people that

P2-6

P2-7

P2-6 HCA identified sites are described in 49 FR §192.903 and in Section 3.12.1 as "a facility that is occupied by persons who are confined, are of impaired mobility, or would be difficult to evacuate". Examples of these facilities include, but are not limited to, hospitals, prisons, schools, day-care facilities, retirement facilities or assisted-living facilities. Identified sites do not typically include private residences. Section 3.12.1 has been updated to clarify the definition of an identified site.

P2-7 See response to comment P2-6.

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1 didn't have mobility and that sort of thing.

2 MR. BROWN: Do you want to address the high
3 consequence area, about DOT regulations?

4 PARTICIPANT: Yeah. I mean, the area is
5 calculated. It's an engineering calculation, based on the
6 diameter of the pipe, the wall thickness, and the maximum
7 allowable operating pressure in the area.

8 What that does, is, it gives you a diameter, a
9 circle that we run up the pipeline, and if we find
10 structures -- businesses or -- and I don't have the exact
11 definition of what an HCA is, but when you run into an area
12 where there is a gathering of people over some number, then
13 that's identified as a high consequence area.

14 And maybe observations are more -- I mean, you
15 know, we don't do anything special in those areas, as far as
16 doing anything different, but it is an area that we look at
17 more closely and try to avoid.

18 MS. ROACH: If I can add one more question, I
19 would like to have an explanation of what it means to be a
20 party to the proceeding, and an Intervenor, if that's the
21 same thing, and if one has to have a lawyer to do that, and
22 what one's responsibilities and --

23 MR. BROWN: You know, you --

24 MS. ROACH: -- be from doing that.

25 MR. BROWN: You can be an Intervenor, and

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1 Intervenor status brings a lot of responsibility. That
2 means that anything you file with the Commission, you have
3 to file with everybody on the mailing list.

4 There's over, I think, 5,000 names on this
5 mailing list, so you'd have to serve every person on that
6 mailing list, and, at 40 cents a pop, that's quite
7 expensive.

8 It gives you the right to request a rehearing, if
9 you don't do anything. You can become an Intervenor, but if
10 you -- it gives you the right to request a rehearing.

11 MS. ROACH: A rehearing by the Commission?

12 MR. BROWN: By the Commission, right. In other
13 words, you're going to request -- if you don't agree with
14 the decision the Commission makes, you'll have to request a
15 rehearing. You will need an attorney for that.

16 MS. ROACH: Okay. So, the attorney would be the
17 one to file that sort of thing?

18 MR. BROWN: Right.

19 MS. ROACH: I'm very concerned, because this
20 pipeline, which we just found out about in early February,
21 was intending to cross our land. They had called us a year
22 ago, to ask about, you know, maybe they could come do some
23 surveying or something, and I had spoken to them.

24 The land is owned jointly with my sister, an
25 undivided estate that we inherited from our grandparents and

P2-8

As shown in Appendix J, MEP has adopted a route variation that would avoid the Roach property, including avoidance of all environmental and cultural resources present on the property. FERC encourages pipeline companies to cooperate in a professional manner with individual landowners regarding survey permission, landowner notification, and easement negotiations. FERC has made every effort to address landowner complaints and issues as the FERC is made aware of problems.

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1 father. And it's our family land. My mother lives there in
2 an 1880s historic home. You know about those around here.

3 And she's living alone, still able to maintain
4 herself at age 91. This pipeline comes within 200, probably
5 220 yards of her house, and I'm sure the dust is going to
6 affect her allergies from the construction, so I feel like
7 she will probably have to move when this construction would
8 happen.

9 It will cross the whole front of our 40 acres,
10 and not on the edge of our property, but into the middle of
11 the property. It will come across a wetland natural pond, a
12 natural spring, a creek, and it will run along the creek
13 bed, and cross the creek at one point.

14 And we found out just after I got this call from
15 MEP in early February of this year, that MEP had come across
16 our land, had surveyed, had put stakes up, had cut trees up
17 to this big around, without permission to come on our land
18 at all, because when they had told me a year ago, when they
19 asked if they could come on to do a little surveying for
20 some property, that they were going -- that was adjacent to
21 ours, they didn't think they were going to put it on our
22 land.

23 And I said, if you come on there, you call me 24
24 to 48 hours in advance, because my mother gets alarmed when
25 people come on the land, if she sees them. I said, I can't

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1 promise what she'll do.

2 But, at any rate, we never heard from them, but
3 they had been on our land, done the surveying, and had not
4 contacted us at all. And I'm very alarmed to find out that
5 this was their intent, maybe all along, and they just hadn't
6 let us know.

7 I contacted other neighbors, and they told me
8 that they had been contacted six months ago. In fact, the
9 one that adjoins our land, has already gotten money from
10 FERC for her easement.

11 Now, I thought this was not supposed to be a done
12 deal, until the Environmental Impact is done.

13 MR. BROWN: If they go out and purchase an
14 easement, before they get a certificate, and the Commission
15 turns it down, they lose. It's at their risk. They're
16 taking the risk when they go out and purchase these
17 easements.

18 If the Commission denies this project, or if the
19 Commission decides they want to go another route, they lose.
20 They're at risk.

21 And there's not anything the Commission is going
22 to do about that. I mean, that's the way their stance is,
23 they're at risk.

24 Yes, sir?

25 MR. PARKS: This is what my brother and I were

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1 made to believe. Then, all of a sudden, we find out that
2 they're out purchasing rights-of-way and properties and
3 houses, and, you know, in adjoining acres.
4 MR. BROWN: They can do that at their risk.
5 MR. PARKS: And they don't tell you about, you
6 know -- well, the mention overlapping. Is there a current
7 high-power line right-of-way or other gas line right-of-way
8 near your property?
9 MS. ROACH: They're not on my -- well, there's a
10 power line that runs down the road.
11 MR. PARKS: Ask FERC.
12 MS. ROACH: And there is a Gulf Crossing and, I
13 believe, a Gulf South. Why we need so many big pipelines,
14 is beyond me, but, at any rate, those are over on land
15 adjacent to us.
16 They could have run down that. In fact, that
17 would make a lot more sense, because they wouldn't be
18 destroying a wetland.
19 I'm trying to develop more extensive information
20 on that.
21 MR. PARKS: Well, ask FERC.
22 MS. ROACH: But, at any rate, I just wanted to
23 bring that up.
24 It seems to me, from people I've talked to up in
25 my area, and from the few comments we have here, that people

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P2-9 As shown in Appendix J, MEP has adopted a route variation that would avoid the Roach property, including avoidance of all environmental and cultural resources present on the property.

P2-10 The proposed Project has not been Certificated or approved by the Commission. In the past, proposed projects have been denied by the Commission or withdrawn prior to construction. Natural gas pipeline companies do not have federal authority from the Natural Gas Act to use Eminent Domain until they receive a certificate from the FERC approving the project. Depending on individual state law, the pipeline companies may petition for eminent domain under state jurisdiction. It should be noted that this procedure is "at risk" should the Commission not approve the project or require a route variation.

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1 feel like the comment period is useless, and that it's a
2 done deal. That's what everybody has told me, just try to
3 get what you can, because they're going to do it anyway; you
4 don't really have a choice.
5 And it seems to me a really sad state of affairs
6 for our country to be in.
7 MR. BROWN: Thank you. Ms. Roach, could I talk
8 to you after the meeting? Okay, thank you.
9 Anybody else?
10 MR. PARKS: Can I make one more comment?
11 MR. BROWN: Sure. We have plenty of time.
12 MR. PARKS: You know, of course, everybody that I
13 know, the landowners and everybody else experiences the same
14 thing. This poor lady's experience now, it appears MEP is
15 only interested in the easiest right-of-way for them and the
16 least expensive.
17 They're not concerned about environmental impact.
18 They could care less about the landowners.
19 But, you know, nothing in there addressed why,
20 you know, MEP can't use some of their current rights-of-way,
21 upgrade their existing pipelines, and, you know, either
22 expand the current right-of-way or replace these old
23 pipelines with these 42-inch pipelines, or 53-inch,
24 whatever they want.
25 But there was nothing mentioned about possible

P2-10

P2-11

P2-12

P2-11 MEP and the FERC have worked with numerous landowners and local, state, and federal agencies to minimize Project-related impacts to sensitive environmental resources and to landowners. As shown in Appendix J, MEP has adopted numerous route variations to minimize Project-related impacts to environmental resources and to accommodate landowner requests. Further, we evaluate and recommend the adoption of several route variations in Section 4.4.1 to further minimize Project-related impacts to landowners and environmental resources.

P2-12 We evaluated several existing and proposed system alternatives in Section 4.2. An NGPL System Alternative is discussed in Section 4.2.1.1. The NGPL System Alternative would require over 200 miles of looping and the system alternative would not preclude new construction or the expansion/modification of other pipeline systems extending from eastern Texas to the proposed Project terminus in Alabama. Overall, we conclude that the NGPL System Alternative would be longer than the proposed Project and would result in additional environmental impact. Kinder Morgan and/or its subsidiaries (such as NGPL and MEP) do not operate other pipelines in the Project area. In addition to the evaluation of the NGPL System Alternative, we evaluate the feasibility of using several other companies' existing and proposed pipeline systems to meet the MEP Project objectives. We found none of these existing or proposed system alternatives to be feasible.

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1 upgrading versus going out and establishing a whole new
2 right-of-way. This would be the last environmental impact.

3 MR. BROWN: If you go to our alternatives
4 section, I think we go into a pretty in-depth discussion
5 about especially the larger pipe, the looping, the impact.

6 It's a different market where this gas is going,
7 so --

8 MR. PARKS: Now, remember the one-line concept.

9 MR. BROWN: The one-line concept? If you go to
10 the alternatives section, we do cover that.

11 MR. PARKS: I'll go back to that.

12 MR. BROWN: Okay. And if you want to make a
13 comment to that effect, go on and make it, and we'll make
14 sure --

15 MR. PARKS: I'd appreciate it, if FERC would look
16 into the possibilities of requiring MEP to either upgrade or
17 expand existing current rights-of-way that they own, or
18 replacing current pipes with other, larger pipes, to meet
19 their needs of this expected 19 percent increase of volume
20 by 2030.

21 It looks like we're rush-rushing everything, to
22 get everything done by February or March of 2009, and all
23 this need is not going to come about and it's not going to
24 start until 2020, and then it won't hit the additional 19
25 percent. This is all anticipated by 2030, so why the rush-

P2-12

P2-13

P2-13 Please see response to comment P2-12. MEP has participated in the FERC's Pre-Filing process and the proposed Project has undergone the standard FERC environmental review and timeline.

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1 rush?

2 MR. BROWN: There's a market for the gas, or they
3 wouldn't be building this project, trust me.

4 MR. PARKS: Okay, but I talked to, like, you
5 know, Gulf South and some of the other pipelines, and they
6 said, we can handle, you know, that, so it's pipeline versus
7 pipeline, is what it amounts to.

8 So you've got other pipelines that are not at
9 capacity, that they could handle it already, but then you're
10 coming in with this additional line, and taking up all this
11 land, when the needs could probably be met by other
12 pipelines, and existing lines have already been constructed.
13 That's doesn't seem to be considered, but it was
14 considered.

15 MR. BROWN: Most of the existing lines out there,
16 are at full capacity now. Right now, everything's at full
17 capacity, and the market determines whether this project is
18 going to be built, and that's the Commission's stand on
19 this.

20 We don't get involved in whether they need to
21 build it or not. If the market is not there, they're not
22 going to build it, and that's the Commission's stand on
23 that.

24 MR. PARKS: Okay. Well, you know, I would
25 appreciate them taking a further look at, you know, updating

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P2-13

P2-14

P2-15

P2-14 MEP has shown have a sufficient number of customers and the need for natural gas is discussed in Section 1.1. As discussed in Section 4.1, nationwide consumption of natural gas is projected to increase by approximately 19 percent by 2030. Based upon this and other reasons discussed in Section 4.1, we reject the No-Action Alternative. Further, we evaluate the feasibility of using several other companies' existing and proposed pipeline systems to meet the MEP Project objectives. We found none of these existing or proposed system alternatives to be feasible.

P2-15 See response to comment P2-14.

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P2-16

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1 and replacing.

2 MR. BROWN: Okay, we'll look at that in the

3 Final. How's that?

4 MR. PARKS: Okay. I appreciate it. The poor

5 lady there, you know, with the power line, ask them to take

6 a look at overlapping on that power line right-of-way.

7 That's what we're trying to do. Thank you.

8 MR. BROWN: Sure. Any other questions?

9 (No response.)

10 MR. BROWN: Okay, we'll be staying around here --

11 well, come on. Do you want to come back up? Come on.

12 MS. LONG: Clarene Long again. Now, I have some

13 questions here. What is the service life of the pipeline,

14 like, how many years do you expect it to last?

15 PARTICIPANT: The new pipelines today, are

16 probably designed to last 100 years.

17 PARTICIPANT: Typically, they say 50 years, but,

18 yes, the new pipelines today will, with the protections, the

19 coatings, the steel, they'll last far beyond that.

20 MS. LONG: Okay, now, our family is -- our land

21 is like forest land, so how deep would the pipeline be?

22 Would it be, like four feet? I think the booklet says four

23 feet.

24 PARTICIPANT: Three feet.

25 MS. LONG: Three feet?

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P2-16 As shown in Appendices C and D, MEP proposes to overlap multiple existing pipeline, low-voltage powerlines, and high-voltage powerlines, in areas where overlap can be done safely.

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1 And my other question is this: When you assign
2 the track numbers and so on, could you also notify us of
3 what the mile post number is? The only reason I ask that,
4 is, when I was going through the Gulf South DEIS, I kept
5 looking at all the tables and reading all the information,
6 and I thought, I need to know the mile post number on here.

7 So, about three weeks ago, I called them to find
8 out what the mile post number was for that, and I think
9 here, ours is supposed to be between 37 and 38. I called
10 Jason Steinbock and I think our particular mile posts are --

11

12 PARTICIPANT: Well, we have maps here, so they
13 can pinpoint it for you before you leave.

14 MS. LONG: Okay. And someone mentioned about the
15 time to go through the DEIS. So, my request would be, could
16 they say that we would postmark our remarks and comments by
17 March 31st, because, a long time ago -- and I -- in business
18 law, if you -- if it was postmarked by a certain date, then
19 it was considered received.

20 So, I think all of us kind of like need more
21 time.

22 MR. BROWN: If you miss that March 31st date, and
23 as long as it gets in within five to seven days after that,
24 I'll accept the comments, not a problem.

25 See, what's happening now, is, we've got to start

P2-17

P2-17 The FERC will take into consideration those comments postmarked by the end of the Draft EIS comment period.

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1 doing the final document, and we're set on a schedule right
2 now, and we issued a scheduling notice, and this final
3 document has to be done by June 13th.

4 So, at some point, I have to stop taking
5 comments and we have to go to a final document.

6 MS. LONG: Okay. I live in California, so could
7 we have, like, a 30-day notice of when you anticipate
8 starting construction at a particular tract, because I need
9 time to make travel arrangements, and get a cheaper airfare.

10 MR. BROWN: I think that's something that MEP can
11 do with their land agents. That's a reasonable request.

12 MS. LONG: If somebody else has some more
13 questions, that's good, and then I'll have some more myself.

14 (Laughter.)

15 MR. BROWN: Yes, sir? Is this going to be a
16 question or a comment?

17 MR. DEMOSS: Question -- two questions. I'm
18 David Demoss. I'm a resident of Webster Parish, but a
19 landowner in Union Parish.

20 And I'm sorry I was late getting here, but this
21 is the proposed location of the pipeline?

22 MR. BROWN: Yes, sir.

23 MR. DEMOSS: Is that firm?

24 MR. BROWN: That's the proposed location for
25 right now, unless you give us a reason to have it relocated

P2-18 Specific landowner notifications must be agreed upon during the easement negotiation process. FERC does not get involved with negotiations between the pipeline companies and the landowner.

P2-18

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1 that's more feasible than what's in there.
2 MR. DEMOSS: My question is, my land is between
3 the crossroads on Highway 2, and I'm concerned a little bit
4 about the Perryville compressor station you have labeled
5 here as Perryville, but that's, of course -- Perryville is
6 a different location or city.
7 But is that location firm now, also?
8 MR. BROWN: The Perryville compressor station?
9 MR. DEMOSS: Yes.
10 MR. BROWN: Yes.
11 MR. DEMOSS: Okay, so it's not -- if the
12 pipeline location changes, that compressor station is still
13 firm?
14 MR. BROWN: It's still firm.
15 PARTICIPANT: There could be changes on either --
16 there could be minor changes on either side of it. The
17 location of the pipeline will come up and go through that
18 compressor station.
19 MR. DEMOSS: I'm only a mile or so from the
20 compressor station. I don't mind the pipeline crossing our
21 land; it's just that I don't feel the same about the
22 compressor station, because this is pretty high powered and
23 will take up a lot of space.
24 But the compressor station is firm, is what
25 you're saying.

P2-19

P2-19 The Perryville Compressor Station would not be located within the Perryville City limits, but in Union Parish, Louisiana.

P2-20

P2-20 If the Commission granted a Certificate, the proposed Project alignment and proposed aboveground facilities (including compressor stations) are depicted in Appendix B of the Final EIS. Any route variation or changes in aboveground facility locations after receiving the Certificate would be subject to both FERC and landowner approval.

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1 PARTICIPANT: Right.
2 MR. BROWN: Is there any particular concerns you
3 have about the compressor station, I mean, that you'd like
4 to bring up, like a concern about noise, concern about
5 visual effects? Are you concerned about air quality?
6 MR. DEMOSS: Well, my dad was in the compressed
7 gas business all his life, so I'm pretty familiar with gas
8 and compressor stations.
9 I lived in a village and was raised in a
10 village, so I'm very familiar with it. It's just that --
11 I'm not as concerned about the noise, as I am about
12 utilizing as much of my land.
13 I'm really not excited about that other pipeline
14 crossing.
15 It's just that I don't want to sacrifice a bunch
16 of land for a compressor station location, and I'm real,
17 real close to it. That was my question.
18 MR. BROWN: Okay.
19 MR. DEMOSS: I was just wondering if this has got
20 a potential to change.
21 MR. BROWN: So, your basic comment is, you're
22 worried about devaluation of your land around a compressor
23 station?
24 MR. DEMOSS: Correct.
25 MR. BROWN: Okay, I just wanted to make sure that

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P2-21 We evaluate an alternative location for the Perryville Compressor Station in Section 4.5.3. We conclude that the alternative site would not be preferable to the proposed location. If the Project were to receive a FERC Certificate, MEP would not be able to alter the location of the proposed compressor station site without prior FERC approval. The FERC makes efforts to ensure that potential visual effects from aboveground facilities (see Section 3.8) and noise effects from compressor stations (see Section 3.11.2) to adjacent landowners are avoided or adequately minimized.

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1 we were clear on what your concern was.

2 Are there any other questions?

3 (No response.)

4 MR. BROWN: Okay, if not, we're going to be
5 around for awhile, if you want to come up and look at the
6 right-of-way sheets.

7 The Company will be here.

8 So I'll officially close this meeting, and I want
9 to thank everybody for coming.

10 Again, if you have any questions, you can call me
11 at FERC, or, if they start construction on your property and
12 you have any questions or concerns, please let me know, and
13 I'll have monitors out in the field all the time.

14 Thank you for coming.

15 (Whereupon, at 7:35 p.m., the scoping meeting was
16 concluded.)

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CERTIFICATE OF OFFICIAL REPORTER

This is to certify that the attached proceeding before the
FEDERAL ENERGY REGULATORY COMMISSION in the Matter of:

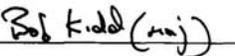
Name of Proceeding: Midcontinent Express Pipeline Project

Docket No.: CP08-6-000

Place: Washington, DC

Date: Tuesday, March 25, 2008

were held as herein appears, and that this is the original
transcript thereof for the file of the Federal Energy Regulatory
Commission, and is a full correct transcription of the
proceedings.



Official Reporter

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FERC MEETING
Docket No. CP08-6-000
MID-CONTINENT EXPRESS PROJECT

Public Hearing

Wednesday, 7:00 p.m. CDT
March 26, 2008
Eudora Welty Library
300 North State Street
Jackson, Mississippi

REPORTED BY:
Harvey J. Rayborn, CSR #1274

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2

1 APPEARANCES:
2
3 Shannon K. Jones
4 FERC - Project Manger
5 Wayne Kicklighter
6 Entrix
7
8 Kara Harris
9 FERC
10 Chris Janak
11 Mike Letson
12 Dennis Egger
13 Kinder Morgan
14
15 Stacy Atella
16 Neil Nixon
17 Shea Cain
18 Julie Rasmusser
19 James Fugate
20 Randolph Perry
21 G. Otega
22 Mid-Continent Express Pipeline
23
24 The Public

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3

1 P R O C E E D I N G S
2 SHANNON JONES: I think we're going to get
3 started here. Hopefully, everybody can hear me.
4 I'll speak loud enough. Please let me know if you
5 can't hear me.
6 Good evening. Welcome. Thank you for
7 coming. My name is Shannon Jones, and I'm an
8 environmental scientist at the Federal Energy
9 Regulatory Commission, also referred to as the FERC.
10 This is a public comment meeting on the
11 Draft Environmental Impact Statement that we've
12 prepared for the Mid-Continent Express Pipeline
13 Project. I'm assisting FERC's environmental project
14 manager, Charlie Brown, who's running a similar
15 series of meetings this week in western Louisiana
16 and Texas.
17 Wayne Kicklighter is here with me tonight.
18 He's representing Entrex, which is an environmental
19 consulting firm that's been assisting the FERC.
20 We also have Kara Harris with the FERC
21 staff who's at the sign-in table. She has some
22 helpful pamphlets and is also generating the
23 speaker's list for tonight's meeting. So if you'd
24 like to sign up to speak, I ask that you see Kara.
25 She's also available to answer any questions you

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1 might have during the meeting.

2 There's also a number of representatives
3 from Mid-Continent here tonight from the
4 Environmental Land Department. In general, they're
5 sitting here on the front row. If you could raise
6 your hands.

7 (Representatives comply.)

8 SHANNON JONES: They'll all be here
9 throughout the meeting and afterwards as well.
10 If you have specific questions about your property
11 or specific land issues you want to discuss with
12 them, they'll stay here after the formal portion of
13 the meeting and they'll be happy to talk with you.
14 We will stay here as well if you have specific
15 questions about your parcel or detailed issues that
16 you want to discuss.

17 I'd like to start with a little bit of
18 background on the FERC and our process in case
19 you're not familiar with our organization. The FERC
20 is an independent federal agency. We regulate the
21 interstate transmission of electricity, natural gas
22 and oil. We're located in Washington, DC, headed
23 by 5 presidentially appointed commissioners with
24 about 1,200 staff members. We review proposals and
25 authorize construction of interstate natural gas

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1 pipeline, natural gas storage facilities and
2 liquified natural gas terminals. We also have
3 jurisdiction over the licensing and inspection of
4 hydroelectric projects and some electric
5 transmission corridors. The first primary purpose
6 is to protect the public and energy customers
7 ensuring that energy companies are acting within the
8 law.

9 The FERC is the lead agency responsible
10 for ultimately approving or denying Mid-Continent's
11 proposal. Mid-Continent proposes to build
12 approximately 504 miles of 30, 36 and 42-inch
13 diameter pipeline extending from Oklahoma to
14 Alabama. The project also includes 1 booster and
15 4 compressor stations, 13 meter and regulated
16 stations, a 4-mile lateral pipeline in Louisiana,
17 and other appurtenant facilities that are necessary
18 to safely operate the pipeline. That involves above
19 structures, main line valves and pig launchers and
20 receivers that are to run inspection tools to the
21 pipeline.

22 But before the FERC makes any decisions on
23 whether to approve or deny the project, the staff
24 conducts an extensive environmental review to comply
25 with the National Environmental Policy Act, and

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1 that's what we've been working on for about the past
2 year. We've been compiling and analyzing data,
3 comments and concerns from the applicant, the public
4 and other resource agencies on the local, state, and
5 federal level and our own independent analysis and
6 field work. We've worked in formal cooperation with
7 Fish and Wildlife Service, The National Park
8 Service, Natural Resource Conversation Service,
9 Corp of Engineers, Louisiana Department of
10 Environmental Quality, Texas Parks and Wildlife
11 Department, and the Alabama Department of
12 Conservation and Natural Resources. These agencies
13 have assisted in providing input and review of our
14 work and analysis.

15 We're now at a point in the review process
16 where we've summarized our findings and
17 recommendations in this formal report called a
18 Draft Environmental Impact Statement, and we're here
19 tonight to take your comments and concerns on our
20 work and our analysis.

21 The Draft EIS was issued on February 8th,
22 and mailed to everyone on our mailing list. If you
23 got a copy of this document, you are on our mailing
24 list and you'll automatically receive a copy of the
25 Final, which will be a revised version of this. If

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1 you did not get a copy and you would like to be on
2 our mailing list, please see Kara and make sure you
3 get signed up with her to receive our final copy of
4 the EIS.

5 We are now nearing the end of the 45-day
6 formal comment period on this document. The comment
7 period actually ends next Monday, which is
8 March 31st. So there are a couple of ways that we
9 can take your comments. We can receive those
10 verbally here tonight. If you don't wish to speak,
11 you can provide your written comments either a hard
12 copy through the mail or electronically. Written
13 comments and verbal comments are considered equally
14 in our analysis and review, so it really just
15 depends on what you're comfortable doing.

16 Instructions on how to provide written
17 comments are provided in the first few cases of the
18 Draft EIS. We have some pamphlets on the table that
19 provide you the instructions on how to send us
20 comments electronically, and we also have some
21 comment forms that you can just hand right in and
22 hand to us tonight and we'll take those back with
23 us.

24 The formal comment period is ending soon.
25 It is ending March 31st. So if you're planning on

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1 mailing us comments, we ask that you please try to
2 get those in as soon as possible so that they will
3 arrive at the FERC at the close to March 31st, as
4 soon as possible. We need time to analyze your
5 issues and make sure we have enough time to
6 appropriately respond to them.

7 All of the comments that we receive from
8 you, either verbally or written, will be addressed
9 in a revised version of this document called a Final
10 EIS. There will be a section in the back of the
11 document where we list all the comments that we
12 receive and provide a specific response to those
13 comments or concerns.

14 It's important to note that the staff
15 analysis and that the Environmental Impact Statement
16 is not a decision document. It's prepared to advise
17 FERC's commissioners and to disclose to the public
18 the environmental impact of constructing and
19 operating proposed projects. Once our Final EIS is
20 complete, the document is published, mailed to those
21 on our mailing list and then forwarded to our
22 commissioners. The commissioners independently
23 consider the environmental information and the EIS
24 along with other non-environmental issues such as
25 engineering, markets, and rates, and they determine

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1 whether or not to authorize the project.

2 If the project is approved, the Commission
3 will provide Mid-Continent with what we call a
4 Certificate of Public Convenience and Necessity,
5 which is essentially a permit from the FERC
6 authorizing the project. That certificate will
7 require that Mid-Continent meet certain conditions
8 to limit adverse environmental impacts, and we have
9 recommended what FERC's staff believes those
10 conditions should be in this document. There are
11 about 49 conditions that we have recommended.

12 The FERC environmental staff will monitor
13 the project through construction and restoration, if
14 it is approved, performing on-site inspections to
15 ensure environmental compliance with all of the
16 conditions of the FERC certificate.

17 That's our overview of our process, and if
18 there's any questions on that, when you provide your
19 comments I'll be happy to try to answer those.

20 I'm going to start with our list of
21 speakers now, and I'll ask that when you -- I'll
22 place this microphone at the podium, and I ask that
23 when you come up to speak if you could state and
24 spell your name for the transcriber and identify any
25 organization you might represent. If you are a

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1 landowner along the pipeline, it would be helpful if
2 you could identify the pipeline mile post if you
3 know that; if you don't, just a general location
4 will be fine. If you have questions when providing
5 your comments that can easily be answered by anyone
6 here at this table, we will try to do so. If we
7 can't answer it right away, we will take that back
8 to the office and analyze it and we will address it
9 in our Final Environmental Impact Statement.

10 We have a transcriber here tonight because
11 we need to have an accurate record of the comments
12 and concerns so that we can address them. Those
13 transcripts will be placed in the public record at
14 the FERC, which can be accessed through the web site
15 if you want to review those transcripts. There are
16 some pamphlets at the sign-in table and Kara will
17 provide instructions on how to access our web site
18 and download information for this project.

19 We will start with the first speaker on
20 our list. Holly Bridges-Wiggs.

21 HOLLY BRIDGES-WIGGS: Hi, my name is
22 Holly Bridges-Wiggs. That's H-O-L-L-Y, Bridges,
23 B-R-I-D-G-E-S, Wiggs, W-I-G-G-S.

24 I'm here tonight on behalf of my parents,
25 Billy and Janie Bridges. They are landowners for

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1 MS2.5 to MS3.1. Does that make it clear? In
2 Vicksburg, Mississippi, Warren County.
3 My parents are not able to be here due to
4 job requirements, and I'm here on their behalf.
5 They have already filed, hopefully it gets
6 there in time, with -- with the FERC's comments.
7 They sent a letter March the 15th, but wanted to
8 make sure that their comments and concerns were
9 heard, so I am here on their behalf.
10 They have several concerns regarding their
11 property, which they are being forced to host
12 approximately 2,500 feet of the Mid-Continent
13 Express Pipeline Project in Warren County,
14 Mississippi. Although, we do believe that there are
15 significant negative impacts that the project is
16 going to have on their life and their environment
17 and the value their property. We understand that
18 the point here tonight is the environmental impact
19 statement, and, so, that's what the limitation of
20 our comments are.
21 The Mid-Continent Express Project will
22 have a significant negative impact on the
23 environmental resource of this property. The
24 Bridges' property is currently managed for wildlife
25 and natural resource enhancement. It has been for

P3-1



P3-1 Comment noted.

P3-1

1 about 25-odd years that they've lived there. Their
2 purpose has always been to maintain the wildlife and
3 natural environment. This can be evidenced by their
4 stewardship of the land, which is the wildlife food
5 spots that are placed throughout the land, a lake
6 with wood duck boxes, and the very large mass
7 producing trees that have not been harvested but
8 have been left for the very purpose of the wildlife
9 habitat.

P3-2

10 They have approximately five concerns.
11 The first one is, it's -- it's really the timing,
12 how all of this, the comments and everything are
13 expected to end by March the 31st. This, of course,
14 is March the 26th. They filed a comment or sent a
15 comment off in the mail on March the 15th.
16 But the problem is, there's not a
17 confirmed route of the pipeline on this piece of
18 property. Therefore, it's pretty difficult to
19 produce all of their comments and concerns in a
20 summarily or an intelligent way prior to the
21 March 31st deadline, which brings me to the second
22 concern, which is the routing of the pipeline
23 itself, the route that is proposed for the
24 Mid-Continent pipeline.
25 In their whole push, their concerns, their

P3-2

Comment noted. We evaluate several route variations across the Bridges' Property in Section 4.4.1.6. In this evaluation, we consider the presence of forested lands and wildlife habitat in addition to landowner impacts. We recommend the adoption of the Bridges Route Variation II, which would allow for the Project to be safely constructed in this area while minimizing forest and wildlife impacts to the maximum extent practical.

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P3-2

1 statement about what they're going to do is to
2 co-locate it along the existing and recently
3 constructed Gulf South Pipeline which is also along
4 this property line.

5 And the maps and the property -- the
6 property maps that are shown in the book indicate
7 one route. However, based on conversations with the
8 construction supervisor, the engineer for the site,
9 as well as the right-of-way agent, this is not what
10 they plan to do. Instead of paralleling the Gulf
11 South pipeline, they are actually moving their
12 pipeline and it does not abut to the current right
13 of way for the Gulf South pipeline. This is
14 contrary to their original statement and their
15 concept that was introduced in order to get this
16 project passed, and it's contrary to what this
17 agency has been looking at to determine whether or
18 not the project should be approved.

P3-3

19 The reason that we believe this is the
20 environ -- three reasons: The environmental
21 resources that are affected. The deviation from
22 traveling adjacent to the Gulf South pipeline right
23 of way. They've moved it. I guess it's to the
24 west. As a result, this may ease their construction
25 of the pipeline, but instead it leaves a 20-acre

P3-3 See response to comment P3-3.

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P3-3

1 difference between the two pipelines. As a result,
2 it has a negative impact, a much more severe
3 negative impact on the environment around it.

P3-4

4 Now, your statement, the Draft
5 Environmental Impact Statement, indicates in Section
6 3.5.32, it discusses Extensive Forested Tracts
7 crossed by the proposed Mid-Continent Express
8 Pipeline Project, and this is the only area in
9 Warren County that you mention in your table
10 3.5.1-2. So as a result, you've already noticed
11 that these are extensive forested tracts of land.

12 You've identified this particular property as
13 extensive forested tracts of land.

14 You've also indicated that there are
15 things that should be done to mitigate the effect on
16 the environment, such as narrowing right of ways;
17 such as permanent and temporary, the construction
18 right of way and the permanent right of ways.
19 Instead of doing that, the pipeline's just been
20 moved. As a result, it's going to affect the
21 wildlife habitat in this area.

22 This fragmentation of this forested
23 habitat and the loss of the mass producing trees in
24 this area will significantly impact the large
25 population of wildlife that is resident in this

P3-4 See response to comment P3-3.

Jackson Public Meeting

1 area.
2 We have all -- so many of the wildlife
3 that you have mentioned. Some that my dad's
4 mentioned is the white tail deer, turkeys, ducks,
5 squirrels, pileated woodpeckers and so many more
6 that are listed in your group of recognized wildlife
7 in this area.

8 Another area of concern is the woodlands
9 themselves. This property contains both mature
10 bottom land and upland hardwoods, and these are not
11 going to be able to be replaced during the design
12 life of this project. We're talking about 150 year
13 old oak trees that they're now planning to take
14 down. There are many other irreplaceable woodland
15 resources and these will be much more negatively
16 impacted on the current route that they're looking
17 at for the pipeline on this property. It'll impact
18 not only the scenic and environmental enjoyment of
19 our family for the rest of our lives, but it'll also
20 impact the environment and the wildlife that are
21 there now.

22 So observation is that although we
23 recognize that this is just a draft and that you are
24 taking comments, we urge you to reconsider certain
25 areas, especially this particular parcel of land.

P3-4

P3-5

P3-6

P3-5 See response to comment P3-3.

P3-6 See response to comment P3-3.

P3-6



1 Consider how it's actually going to be used as
2 opposed to how it's been presented to you that it
3 will be used.

4 There are numerous gaps in the
5 information that you've been given, and there's
6 numerous gaps in the pipeline of where they intend
7 to place it. And there are numerous changes that
8 are being made, I understand that along the pipeline
9 route, but we already know that there are changes
10 taking place on this particular parcel of property.

P3-7



11 We ask that you consider, reconsider your
12 look on these areas, that with -- this is a changing
13 document, that it's difficult to keep up with the
14 changes that they are making on a constant basis
15 survey that's already going on, on the properties,
16 and we ask that you use your ability in looking at
17 the environment to help keep this project along the
18 lines that it was proposed to you. The proposal
19 that was made in order to get this project passed,
20 and that is to keep the pipeline along the
21 preexisting Gulf South pipeline and not allow it to
22 be moved up into the hardwoods and the -- it still
23 will affect us, but this is even farther, and not
24 leave these 20-acre gaps in between the two right of
25 ways, and we ask that you look at the maps again to

P3-7 See response to comment P3-3.

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P3-7



1 make sure that you're looking at the actual
2 intention of the pipeline rather than what's just
3 been presented. Thank you.
4 SHANNON JONES: Our next speaker is Wayne
5 Petry.
6 WAYNE PETRY: I'd like to wait until
7 later, please.
8 SHANNON JONES: Okay. Edward Mahol --
9 EDWARD MAHOLLAND: Maholland.
10 SHANNON JONES: Maholland.
11 EDWARD MAHOLLAND: You say we can ask
12 questions also?
13 SHANNON JONES: If I can answer it. If
14 it's very specific to your property, I won't know
15 those details right off. It may be something we can
16 discuss later, but if you --
17 EDWARD MAHOLLAND: I'd rather do that
18 later.
19 SHANNON JONES: Okay. Whatever you're
20 comfortable with.
21 DAVID BRIGERS: Do you have to be on the
22 list to ask a question?
23 SHANNON JONES: No, sir. But I do have
24 one more speaker here that I'd like to give an
25 opportunity, and that is Robert Jones.

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1 ROBERT JONES: My name is Robert Jones.
2 I'm at 4650 Myers Road, Terry, Mississippi, along
3 the near MS35 pipeline. This is going to lead.
4 I guess, into your question and answer session, but
5 I have specific questions that I'm going to ask both
6 you and the Mid-Continent folks here and hopefully
7 get some clarification. This is directly related to
8 the Draft Environment Impact Statement.

9 My question's in regard to the Twin Lakes
10 route variation, which I proposed in my comment
11 letter to FERC dated May 22nd, 2007, in which FERC
12 recommended in Section 4.4.1.5 of the Draft
13 Environmental Impact Statement, which it says on
14 page 4-42: "4.4.1.5 Twin Lakes Route variation.
15 The Twin Lakes route variation was developed to
16 minimize project-related impacts to a planned
17 residential development in Hinds County,
18 Mississippi."

19 And after providing details on the Twin
20 Lakes route variation and in relation to the
21 proposed project route, the section ends with the
22 following, and I quote again: "Therefore, we
23 recommend that prior to the end of the Draft
24 Environmental Impact Statement comment period
25 MEP should incorporate the Twin Lakes route

P3-8

P3-8 Comment noted.

P3-8

1 variation as described in the Draft Environmental
2 Impact Statement into its proposed. If MEP asserts
3 that it does not -- that it's not practical or
4 preferable to adopt this route variation, MEP should
5 file with the secretary a detailed description of
6 the technical or environmental reasons why this
7 route variation is not practical or preferable
8 compared to the corresponding segment of the
9 proposed project."

10 So my first question for Mid-Continent,
11 I recognize one gentleman, Dan?

12 DENNIS EGGER: Dennis.

13 ROBERT JONES: You actually came out to my
14 property.

15 DENNIS EGGER: Yes, sir. I met with you
16 and we set down and tried to reroute to try to
17 minimize the damage to your lots.

18 ROBERT JONES: Great. This was a little
19 different route than --

20 DENNIS EGGER: I'm familiar with it.

21 ROBERT JONES: So my question to you guys:
22 Does Mid-Continent plan to incorporate the
23 Twin Lakes route variation as described in the
24 Draft Environmental Impact Statement into its
25 proposed project; and, if not, has anything been

P3-9

P3-9 We recommend the adoption of the Twin Lakes Route Variation II, as depicted in Section 4.4.1.8. We would recommend that the FERC Commissioners include all of our recommendations made in the Final EIS be included as conditions of the FERC Certificate, should they decide that it be granted.

P3-9 ↑
1 filed with FERC, its detailed descriptions of its
2 reasons why it doesn't plan to do so?
3 DENNIS EGGER: We have. This is Dennis
4 Egger. I'm a construction manager. We have
5 prepared a response to that back to the FERC stating
6 that we feel that that is not the best route because
7 it is longer and more environmental impact. We're
8 awaiting a response back.

P3-10 [9 ROBERT JONES: Okay. Then my question now
10 is to either you or FERC. May I get a copy of that
11 response? I would like to review it.
12 SHANNON JONES: Anything that -- the
13 questions that -- that we ask Mid-Continent to
14 provide us more information on in this document, all
15 of their answers will be filed with us and it will
16 be publicly available for everyone to look at. And,
17 certainly, I would imagine that they could provide
18 you a personal copy of that, and then we will
19 analyze that information and our evaluation of their
20 response will be in the Final. So, certainly,
21 you'll have an opportunity to see that and provide
22 your own comments on that as well and we'll take
23 all of that into consideration.

P3-11 ↓ 24 ROBERT JONES: Okay. Now we'll get down
25 in the weeds a little bit and that'll probably lead

P3-10 All MEP filings to the FERC have been and will be made public under the MEP docket number (CP08-6-000) on eLibrary, either through postings of MEP filings or through memorandums to the record.

P3-11 The Twin Lakes Route Variation III, as depicted in Section 4.4.1.8 of the Final EIS, has been corrected to show the route variation alignment as originally intended. The intent of the Twin Lakes Route Variation evaluation in the Draft EIS was to evaluate a route variation that would circumvent the Twin Lakes Development and collocate with an existing pipeline right-of-way.

1 into some of your objections, but I've noted very
2 significant differences that exists between the
3 Twin Lakes route variation, as described in the
4 Draft Environmental Impact Statement, and the route
5 as it was originally proposed in my comment letter
6 to FERC dated May 22nd, 2007. I plan to detail my
7 observations on these differences in my next comment
8 letter to FERC, which I will e-file before the end
9 of the comment period on March 31st, 2008.

10 However, for the purposes of this meeting,
11 I want to read an excerpt of that draft letter to
12 clarify these differences that I see:

13 "Upon review of Section 4.4.1.5, we note
14 several very significant typographical errors in the
15 text in Table 4.4.1-5 and in Figure 4.4.1-5.
16 In reading the text, it is clear to me that FERC's
17 intent was to essentially adopt my suggested
18 alternate route as it was originally proposed in my
19 comment letter.

20 In the route depicted in Figure 4.4.1-5,
21 it is, in fact, shaped like the route I suggested.
22 However, it is drawn on a much smaller scale and as
23 drawn it does not actually co-locate with the
24 existing right of way as recommended in the text,
25 and I'll quote: "Approximately 40 percent of the

P3-11

P3-11

1 route variation would be co-located with an existing
 2 right of way."
 3 Also as drawn, it would still cross the
 4 interior of our property which is in conflict with
 5 the text, and I'll quote again: "The Twin Lakes
 6 route variation would avoid the interior portion of
 7 the proposed residential development."
 8 Furthermore, the values listed in
 9 Table 4.4.1-5, and the text itself suggests a much
 10 shorter alternate route. And, again, I quote:
 11 "The Twin Lakes route variation would be
 12 approximately 0.1-mile longer and approximately
 13 encumber 0.6-acres more than the proposed project
 14 route."
 15 However, in my proposed route from page 8
 16 of my FERC comment letter dated May 2nd, 2007,
 17 I estimate the Twin Lakes route, as we proposed it,
 18 is approximately 1.3-miles longer than proposed.

P3-12

19 My first question is to FERC: Am
 20 I correct in asserting that it was FERC's intent to
 21 recommend my suggested alternate route as it was
 22 originally proposed in my comment letter on
 23 May 22nd, 2007?
 24 SHANNON JONES: In order to accurately
 25 respond to your questions, we would have -- we'll

P3-12 We evaluate three Twin Lakes Route Variations in Section 4.4.1.8 and recommend the adoption of Twin Lakes Route Variation II, which would align the Project inside the northern boundary of the Twin Lakes development and then travel south across one lot within the Twin Lakes development and along the Twin Lakes property line.

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23

1 have to go back to those maps and your comments and
2 look and see if there are some discrepancies and
3 work with you on that. It's not something that,
4 with the information that I have here, that I could
5 do accurately, and I don't want to provide you with
6 any misinformation. So what I would ask that we do
7 here tonight is if you can provide any other
8 concerns you have about what you're seeing in that
9 document and we will look at those and we'll analyze
10 those maps in detail and we will get you an answer.

11 ROBERT JONES: Okay. Well, I'll continue
12 then.

13 SHANNON JONES: Okay.

14 ROBERT JONES: Thank you. The next
15 question is for Mid-Continent: Has Mid-Continent
16 taken into account the very significant differences
17 that exists between the route as described in the
18 Environmental Impact Statement as compared to the
19 route as it was originally proposed in my comment
20 letter on May 22nd, 2007; and does Mid-Continent
21 plan to incorporate the Twin Lakes route as
22 I originally proposed it? I think you may have
23 answered that in --

24 DENNIS EGGER: We did notice that your
25 route was different than FERC's route, and it didn't

1 fit with your subdivision. That was one of our
2 comments too. This isn't really going to help you
3 that much. In some cases it hurts you. But that's
4 the reason we responded back saying that, you know,
5 our route, we think, is a better route and we're
6 waiting to hear back what they respond to.

7 ROBERT JONES: Okay. Fair enough.

8 DENNIS EGGER: You're correct in what you
9 say.

10 ROBERT JONES: This is another general
11 question and you may or may not be able to answer
12 it, but there are three landowners. There will be
13 three landowners heretofore unaffected by this
14 project that will be impacted by the Twin Lakes
15 route as proposed. But there will also be two
16 previously impacted landowners who would be spared
17 the pipeline crossing their respective property.
18 What impact, if any, will this fact have on the
19 eventual outcome as related to the Twin Lakes route,
20 and that's for you?

21 SHANNON JONES: Again, we will have to sit
22 down and look at those maps and analyze them.
23 I just don't have that information tonight to answer
24 that. That is a lot of the -- that is a lot of the
25 purpose of this meeting. These are very complex

P3-13

P3-13 The FERC takes many factors into account when evaluating route variations. One of these factors is the number of new landowners impacted by the route variation and if new landowners are amenable to having the Project cross their land. As discussed in Section 4.4.1.8, the adoption of the Twin Lakes Route Variation II would impact two new landowners. MEP has indicated that these landowners are amenable to having the Project crossing their property.

1 projects with a lot of routing issues. That's why
2 we have a document so large. Unfortunately, we
3 can't answer all the detailed questions tonight, but
4 we will take your concerns, we will analyze the maps
5 and we will work with you to address your issues.

6 ROBERT JONES: Very good. Well, I'll --
7 and, again, I'll send a comment letter.

8 SHANNON JONES: Yes, sir.

9 ROBERT JONES: Thank you.

10 SHANNON JONES: Thank you. Mr. Petry?

11 WAYNE PETRY: My name is Wayne Petry. I'm
12 representing my wife who owns the property. It's
13 mile marker MS9 in Warren County.

14 SHANNON JONES: Okay.

15 WAYNE PETRY: It's just a general comment
16 about FERC. I realize it's Mid-Continent and we
17 just finished dealing -- or I have not yet finished
18 dealing with Gulf South, who took us to court, it
19 was a very unpleasant experience, and to date we've
20 spent over \$20,000 defending our property and we've
21 received zero compensation from them. That's
22 another issue. I realize they're private companies
23 and have a job that they want to do and are going to
24 do it. But, two pipelines that they keep telling us
25 will not affect our property values, which I can't

P3-14



P3-14 The FERC does acknowledge in Section 3.9.5 that a variety of factors could affect the resale value of land. Potential property value loss would be addressed during easement negotiations. The FERC does not get involved in landowner negotiations with the pipeline company.

P3-14 1 get anybody else to agree with; one on one side of
2 us, 200-foot power line right of way and the other
3 on the other side.

P3-15 4 If FERC is truly committed to
5 environmental impact, why can't these be closer
6 together? Why can't they be some -- I think they're
7 -- they're cutting down another hundred feet of
8 trees. I assume they'll want the same size right of
9 way that Gulf South did.

P3-16 10 We feel like this is just a formality.
11 And after the previous experience, you know, I've
12 got -- really, I have no faith that the individual
13 landowners -- they're -- they're going to get their
14 approval. I'm really disillusioned, and I just want
15 to say that. We feel like we have really no rights
16 at all.

17 Our previous employee of Gulf South did
18 not tell to me directly but told someone who told
19 me, which is, I understand, is hearsay, that Gulf
20 South was going to do everything they could to make
21 an example of us because we had to go to court and
22 not pay us anything. So that -- that's our
23 experience with dealing -- we have no one to turn
24 to. I think they've essentially taken away the
25 right of most people to fight them in court if they

P3-15 As stated in the EIS (Section 2.2.2), FERC regulations give primary consideration to the use, enlargement, or extension of existing right-of-ways rather than developing new right-of-ways in order impacts on potentially sensitive resources. As shown in Appendices C and D, MEP proposes to overlap multiple existing pipeline, low-voltage powerlines, and high-voltage powerlines, in areas where overlap can be done safely. This overlap of rights-of-way in conjunction with the reductions in the Project's temporary and permanent rights-of-way would reduce the overall land consumption of the Project resulting in a reduction of both landowner and environmental impacts.

P3-16 The FERC is not involved in the actual landowner/Company right-of-way easement negotiations, but the FERC has made every effort to address landowner complaints and issues as the FERC is made aware of problems. As shown in Section 4.4, FERC has evaluated and recommended several route variations in response to landowner concerns.

P3-16



1 disagree with their opinion. Thank you.
2 SHANNON JONES: At this point that is the
3 end of the speakers that I have on my list.
4 Yes, sir, would you --
5 DAVID BRIGERS: I have a question.
6 SHANNON JONES: Would you please come up
7 and state your name.
8 DAVID BRIGERS: I'm David Bridgers, and
9 we're at MS8 and MS9. This is my wife, Marsha.
10 I'm not prepared to ask anything about this because
11 tonight is the first time I've seen it. But I have
12 a question and I think it's pertinent in this
13 situation, because most everybody that's come up has
14 indicated that they're having the same situation or
15 problem that we are, and this is the -- concerning
16 small reroutes. I realize that this is a major
17 document and y'all are concerned with the major
18 route of the pipeline. Just about each of us that
19 own land have certain problems that we're dealing
20 with the pipeline company, or have commented to FERC
21 about, and I was speaking with this gentleman, I'm
22 sorry, I did not remember your name, but I was
23 asking, you know, is our reroute in here and he said
24 probably not because it's small. I thought
25 I understood you to say that may be something

P3-17



P3-17 The FERC makes every attempt to evaluate all specific route variations presented in comment letters or public comment meetings in Section 4.4.1. As seen in Table 4.4-1, we evaluate multiple route variations that were requested by landowners. Further, we conditioned the adoption of several route variations in the Draft EIS that were incorporated into the proposed route, which are not depicted in Table 4.4-1 of the Final EIS. The Bridgers Route Variations are evaluated in Section 4.4.1.7.

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P3-17 ↑

1 that'll be worked out with the pipeline company?
 2 WAYNE PETRY: Right. On your parcel of
 3 land.

P3-18

4 DAVID BRIGERS: Okay. Well, in saying
 5 that, does that mean the pipeline company just gets
 6 to do to us whatever they want to concerning that
 7 reroute, that small little route which will have a
 8 gigantic impact on us as individual landowners,
 9 maybe not a large enough impact to be in this book,
 10 but I know just on our particular property we're
 11 talking about ponds, whether they go under them or
 12 through them. If they go through them, that means
 13 that they drain the lake, the fish are gone, and I'm
 14 talking about managed fish ponds.

P3-19

15 I'm talking about livestock. If they move
 16 them around one way or the other, they cut off the
 17 livestock from the watering sources. These are very
 18 small problems as they relate to FERC and the master
 19 plan, but to us they're very important problems.

P3-20 ↓

20 And my question is, and I voiced this with
 21 FERC, I've had several communications with Mr. Brown
 22 from FERC regarding my own little problem, but at
 23 what point -- the first thing, none of us, and
 24 I know we hadn't but I heard Ms. Bridges, and
 25 I don't remember her maiden name, I'm sorry, but

P3-18 See response to comment P3-18. We evaluate several route variations across the Bridgers property in Section 4.4.1.7. Amongst the factors considered in this evaluation was route variation length, land uses impacted, pond crossings, and distances to residences.

P3-19 We recommend the adoption of the Bridgers Route Variation I in Section 4.4.1.7, which would increase collocation, but would impact ponds on the Bridgers' property. MEP would be required to restore affected ponds. Further, we recommended that MEP provide adequate water to livestock on this property during construction.

P3-20 See response to comment P3-17. We also encourage MEP to work closely with landowners regarding possible route alternatives.

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P3-20

1 I know your mom and dad, you know, we've got these
2 reroutes that are being talked about and looked at
3 and decided on and we don't know anything about
4 what's going on with them. We don't know -- we
5 don't have any maps that show it. It seems like --
6 I think all of us are probably worried about
7 something being approved by FERC that is completely
8 opposite from what we're trying to get done with our
9 reroutes or get done with the -- get the pipeline
10 company to do to ease our pain.

P3-21

11 So my question is: At what point and with
12 who will we have to deal to get these smaller
13 problems of ours answered, and are we going to be
14 just throne at the mercy of the pipeline company?
15 We're not going to argue about them coming across
16 our land, because we know we can't stop that.

17 But, I am going to argue about them
18 draining my ponds and cutting my livestock off from
19 water. And, you know, those -- those are small,
20 small environmental impacts, but they are
21 environmental impacts. So, who's going to answer
22 these questions for us and who's going to tell us
23 what's going to happen? That's my question.

24 SHANNON JONES: Yes, sir. And I --

25 DAVID BRIGERS: On the small level, who's

P3-21 See response to comment P3-17.

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1 going to answer that for us?
2 SHANNON JONES: Although the maps that are
3 provided in this document for reference are large
4 scale --
5 DAVID BRIGERS: Right.
6 SHANNON JONES: -- and they just show a
7 single line of the route, we do look at each
8 individual parcel. We do look at where the line is
9 being routed around or through ponds. We consider
10 that. And when the final -- we do ask and expect
11 that the pipeline companies will work with
12 individual landowners to -- for minor variations in
13 the route to minimize impact to you and your
14 operation.
15 DAVID BRIGERS: But it's been our
16 experience so far in that dealing with these small
17 issues the pipeline company is basically interested
18 in one thing and that's building that pipeline as
19 cheaply as possible, and I think all of us that have
20 dealt with them have run into the same thing.
21 I don't know if FERC is aware of that or not, but
22 if -- I don't believe any of us want to be thrown to
23 the mercy of what the pipeline people want to do and
24 are willing to pay us to do. So, I mean, what's our
25 defense for that?

P3-22

P3-22 See responses to comments P3-16 and P3-17.

1 SHANNON JONES: I can tell you that if
2 you've voiced your concerns to the FERC --
3 DAVID BRIGERS: I have.
4 SHANNON JONES: -- if you have discussed
5 them with Charlie Brown, we will -- we do look at
6 individual parcels. I know we portray the big
7 picture in this document because it is a summary,
8 but we are more than willing to work with you and to
9 work with you and the company to arrive at a route
10 variation that minimizes impact to you, so I hope
11 that you have provided those concerns and --
12 DAVID BRIGERS: I've provided them and I'm
13 just wondering if something is going to get approved
14 without somebody calling me and saying, "Look, this
15 is what we think we've got to do."
16 SHANNON JONES: Our final analysis and any
17 -- and minor route variations and those sorts of
18 things will be detailed in this document, and
19 I imagine we can have some communications with you.
20 You've voiced your concerns here tonight, and you
21 said you sent letters and such, so we will -- we
22 will get back with you on that issue and you will
23 have an opportunity to see the final routing before
24 it does get approved.
25 DAVID BRIGERS: Okay. Thank you.

P3-23

P3-23 See response to comment P3-17. If the Commission were to accept the recommendations contained within the Final EIS and grant a Certificate, the proposed Project alignment depicted in Appendix B would be the final alignment approved by the Commission. Any route variation after receiving the Certificate would be subject to both FERC and landowner approval. The FERC has attempted to coordinate with affected landowners within the bounds of ex parte requirements.

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P3-24 [1 WAYNE PETRY: Where will they have it sent
2 to? Because it's my understanding there's no
3 comment period after the final document comes out?
4 SHANNON JONES: After the -- the final
5 routing is provided to the FERC, we can provide you
6 those maps. You can also receive those maps
7 directly from the company, and I imagine that you
8 would need to see those final details before you
9 would come to any easement agreement.

P3-25 [10 WAYNE PETRY: Gulf South has finished the
11 pipeline on my property and we haven't come to any
12 easement agreements. What you're saying sounds real
13 good, but that's not the way it happens. It's not
14 the way it works. It may be totally different with
15 Mid-Continent, but on my previous experience with
16 the other pipeline company, that's not what happens.
17 SHANNON JONES: Well, yeah, in occasions
18 where there is no easement agreement there must be
19 some sort of easement obtained either through
20 negotiation or corporate proceedings before
21 construction takes place.
22 WAYNE PETRY: My point exactly.
23 SHANNON JONES: Correct. So there is an
24 established route before construction takes place.
25 WAYNE PETRY: Yes. At least there was.

P3-24 There is typically a minimum 30-day period prior to the Commission meeting to decide whether or not to approve the Project Certificate. The FERC will accept comments on the Final EIS during this period.

P3-25 Comment noted.

1 SHANNON JONES: Yes, sir. Is there
2 further questions. I'm not sure if I have answered
3 for you.

P3-26

4 WAYNE PETRY: We want somebody helping us
5 as individual landowners, and it does not seem like
6 it's happened. If there's anybody with -- in Gulf
7 South experience, we're the same people for the most
8 part, since they're so close to one another, if
9 there's anybody with a different experience, I would
10 like to hear it.

P3-26 See responses to comments P3-16 and P3-17.

11 SHANNON JONES: And this is the
12 appropriate forum to hear these concerns. So --
13 we've heard your concerns and we will absolutely be
14 looking at your parcel and -- and determine whether
15 the route is appropriate to minimum impacts to you.

P3-27

16 WAYNE PETRY: In the big picture, why are
17 two projects less than a year apart, two totally
18 separate right of ways both 200 more feet of leasing
19 CRP, hundred year old oak trees? Why doesn't FERC
20 look at that? When is the end to it? If another
21 pipeline comes up -- is it on and on and until
22 finally we're gone?

P3-27 The FERC considers a variety of factors when evaluating potential pipeline routes proposed by applicants. One of these factors, but not necessarily the predominant factor, is collocation with existing utility corridors. Selection of a route that is collocated with an existing and maintained right-of-way may have several advantages over a route in an undisturbed "greenfield" area, including reduction in fragmentation of forested habitats, an expansion of an existing land use (i.e. maintained right-of-way) instead of introduction an entirely new one, less impacts to wildlife species found primarily in undisturbed habitats, and less visual impacts. We recognize that collocation with existing utility corridors may in some cases also have negative consequences, such as when landowners' property is or would be affected by multiple right-of-ways. We view each proposed project individually, and strive to minimize environmental and landowner impacts to the extent possible through our review of alternatives.

23 SHANNON JONES: The FERC doesn't propose
24 projects. We review proposals that the market
25 essentially determines when there is a need for

1 energy and for structure, when there's a need for
2 gas, customers, and gas has to go from A to B
3 points. Each individual project is derived based on
4 market need and customers' need. We have to
5 evaluate them independently, and I couldn't forecast
6 what might happen in the future. It's based on our
7 market and overall national need for gas and energy.

8 WAYNE PETRY: On the previous, again,
9 I'm not speaking for Mid-Continent, we've had some
10 contact but not very much, with Gulf South from
11 point A to point B in Warren County, they were
12 trying to go through, I believe, Hinds County, if
13 you drew a map on a line -- if you drew a line on a
14 map, it was a short, more direct route. It passed
15 through less property. It passed through farmland
16 and flood plain, not through many residential areas,
17 and we brought that up and it was ignored. They
18 said, no, it's longer. But all you needed was a
19 ruler to see that it wasn't longer. And that kind
20 of whole -- that's where we are as individual
21 landowners. The government is not helping us here.
22 It isn't helping our environmental concerns. It's
23 looking at the big picture. That may not be true,
24 but that's how we feel. That's how we felt on the
25 last project. It may not happen with Mid-Continent.

P3-28

P3-29

P3-28 We evaluated the Taylor Route Alternative in Section 4.3.6, which is similar to the Tallulah-to-Florence Route Alternative evaluated in the East Texas to Mississippi Expansion Project Final EIS. The Taylor Route Alternative would be similar in length to the proposed Project alignment, but would impact more forested wetlands and streams, would not be as extensively collocated and would impact more residential areas, resulting in a transference of Project-related impacts to other landowners.

P3-29 See responses to comments P3-16 and P3-17.

P3-29 ↑ 1 We got rolled over in the last one.
2 SHANNON JONES: I appreciate your
3 frustration and I can only hope that you have a
4 better experience this time around.
5 WAYNE PETRY: This time and the next time
6 and the next time.
7 HOLLY BRIDGES-WIGGS: May I ask a
8 question?
9 SHANNON JONES: Yes, ma'am.
P3-30 [10 HOLLY BRIDGES-WIGGS: Once the actual
11 routes are determined, because we've all agreed that
12 they're not yet, once they're actually determined,
13 is there another look that you do in the
14 environmental impact? Because, obviously, I mean,
15 you're doing what you can with the information that
16 you have, but, obviously, the information is
17 changing.
18 SHANNON JONES: We've asked for some --
19 for Mid-Continent to look at some -- at the route
20 variations in this draft as well. It is an evolving
21 process. Routing is difficult. There's a large
22 scale routing changes, and then there are a lot of
23 very minor ones that happen per landowner needs.
24 But, ultimately, we're trying to evaluate between
25 now and the final any of those adjustments that need

P3-30 FERC attempts to examine all changes in routing that have occurred since the issuance of the Draft EIS. We take into account the environmental and landowner impacts of all adopted route variations depicted in Appendix J.

1 to be made and the final document will layout the
2 agreed routes and we'll detail any changes that have
3 been made between this document and the final.

P3-31

4 HOLLY BRIDGES-WIGGS: So have we done what
5 we need to do to let you know that things are not as
6 they seem in your maps, that things are different
7 than what you've got, the information that you have?
8 Have we done what we need to do to let you know that
9 it's different?

10 SHANNON JONES: Yes, ma'am. We will look
11 into that. Absolutely. Yes, sir.

12 CLYDE MCGEAGE: I'm in Warren County as
13 well and --

14 COURT REPORTER: Name, please.

15 CLYDE MCGEAGE: Oh. Excuse me.

P3-32

16 Clyde McGeage. M-C-G-E-A-G-E. Environmentally, is
17 there a legal distance between where Mid-Continent
18 and Gulf South can put their pipelines against an
19 existing resident's house? And, for instance, like
20 my livestock barn, they're proposing 12-foot off my
21 barn. Originally, it was going under my barn, and
22 30 feet off the front door of my house. You know,
23 I'm having a pipe bomb in my front yard.

24 SHANNON JONES: I don't think there are --
25 we have recommended -- we request that companies

P3-31 In response to the Bridges comments, we evaluate several route variations across the Bridges' Property in Section 4.4.1.6.

P3-32 The FERC encourages pipeline companies to avoid residences and residential areas to the maximum extent possible. As depicted in Appendix J, MEP has adopted several route variations that would avoid residential areas. MEP has provided site-specific residential crossing plans for all residences within 25 feet of the proposed Project.

1 attempt to obtain at least a 25-foot offset from
2 residences and anything --

3 CLYDE MCGEAGE: Only 25 feet?

4 SHANNON JONES: That's the general
5 recommendation. Of course, we tried -- I mean,
6 ideally, pipelines would avoid residences and
7 residential areas all together entirely, but it's
8 just in some cases it's just not possible when --

9 CLYDE MCGEAGE: Not feasible. That's
10 right.

11 SHANNON JONES: But if a pipeline is --
12 I think there's a minimum distance that pipes --
13 plans that we can look at those -- look at those
14 design plans more closely and ensure that the
15 construction in proximity, the residence, the
16 structure is going to be minimum any disturbance to
17 the landowner.

P3-33 [18 CLYDE MCGEAGE: So you're saying it's safe
19 for me to have a 36-inch pipe off my front porch?

20 SHANNON JONES: There are pipelines that
21 run through the middle of neighborhoods all
22 throughout the northeast and it's --

P3-34 [23 CLYDE MCGEAGE: What am I supposed to do
24 with my livestock while this is being done? You
25 know, I'm not going to be able to get to my barn

P3-33 The available data show that natural gas pipelines continue to be a safe, reliable means of energy transportation. Based on approximately 301,000 miles in service, the rate of public fatalities for the nationwide mix of transmission and gathering lines in service is 0.01 per year per 1,000 miles of pipeline. Using this rate, the proposed Project might result in a public fatality every 198 years. This would represent a slight increase in risk to the nearby public.

P3-34 Construction through pastureland could temporarily affect some livestock operations, and some landowners could incur additional costs for supplemental livestock feed. Compensation for such losses would be accomplished through the easement negotiation process. To ensure the safety of livestock during construction, MEP would either construct temporary fencing to keep livestock away from construction areas or develop a grazing deferment plan in accordance with MEP's Plan. Additional measures beyond what are described here, such as temporary livestock housing, would be determined during easement negotiations between the landowner and the company.

Jackson Public Meeting

P3-34 ↑
 1 because the pipe is literally 12-foot off my barn,
 2 you know.
 3 SHANNON JONES: Yes. I understand there
 4 are concerns of that and that is very valid, and
 5 I don't -- and I believe our document does address
 6 some individual measures that Mid-Continent would
 7 employ to minimize livestock operations, but I don't
 8 have those details on me right now, but that's
 9 something that we could discuss further after the
 10 meeting.
 11 CLYDE MCGEAGE: Thank you, ma'am.
 12 SHANNON JONES: Yes, sir.
 13 WAYNE PETRY: I'd like go give one more
 14 example, and, again, it's not Mid-Continent. We had
 15 to fence in a whole new area for our horse, at our
 16 expense, because Gulf South just refused. They cut
 17 their trench and cut off half of its grazing and
 18 refused to do anything about it. We had to put up a
 19 fence in an additional area and they said you can do
 20 whatever you want, we're putting down our pipeline.
 21 CLYDE MCGEAGE: The same thing. I have
 22 Gulf South over here still trying to get the erosion
 23 problem straitened out and now I have Mid-Continent
 24 coming in here in September, supposedly, and still
 25 hadn't got, you know, my horses, all my livestock

P3-35 ↓

P3-36 ↓

P3-35 MEP has committed to construct temporary fencing to keep livestock away from construction areas or develop a grazing deferment plan in accordance with the Plan. If issues arise during Project construction, restoration, or operation, landowners are encouraged to call the FERC enforcement hotline (1-888-889-8030). If a report is made during construction, FERC will dispatch an environmental inspector to the location to investigate the issue.

P3-36 See response to comment P3-34. In accordance with the Plan, grazing deferment plans are to address agricultural impacts during both construction and the restoration.

P3-36 ↑

1 to be moved somewhere else because I will have no --
 2 no access to my barns or my pastures because they
 3 can't get the erosion problem straightened out. Now
 4 we're fixing to have more erosion problems. You
 5 know, they're taking everything away from me.

6 SHANNON JONES: We'll have to look at your
 7 parcel specifically and look at those concerns for
 8 you.

9 CLYDE MCGEAGE: Thank you, ma'am.

10 SHANNON JONES: Yes, sir.

P3-37 ↓

11 EDWARD MAHALITC: My name is Edward
 12 Mahalitic, E-D-W-A-R-D, Mahalitic, M-A-H-A-L-I-T-C.
 13 I'm just -- I don't know what -- which mile marker,
 14 but in the same neighborhood these people are, and
 15 I'm just east of them a little, and they're
 16 proposing the -- one of the compressor sites on my
 17 property, and, I mean, what -- who says -- there's
 18 nothing in this proposal that I've seen about a
 19 compressor station on the property.

20 SHANNON JONES: I do know that there are
 21 four compressor stations proposed with this project,
 22 but I'm not familiar with your particular parcel.
 23 It would be something I would have to look at.

24 EDWARD MAHALITC: I'm the last end of it
 25 on Warren County on the Big Black River in kind of a

P3-37 The timing for construction of the Phase II facilities, including the proposed Vicksburg Compressor Station, and expansion to the fully proposed transport capacity would be based on shipper demand. MEP reports that a contractual obligation with one of its shippers could trigger the anticipated 100,000 Dth/d capacity increase in Zone 1 within the first 5 years of in-service operations. Although the proposed 200,000 Dth/d capacity increase in Zone 2 is not currently contracted, MEP anticipates that sufficient natural gas would be stranded in the Perryville area and seeking a path to market to support that Project expansion within the first 5 years of in-service operations as well.

1 low area. And I have a problem just like everybody
2 else. I'm a landowner too, and we don't have
3 nothing, none of us have any say-so. The City of
4 Vicksburg has got more authority than we -- the
5 landowners do. I just, you know, it's just --
6 everything we get told, none of it happens. I've
7 still got Gulf South sitting there, you know, with
8 their problems too. They're blaming it on the
9 weather and, you know, the rain we got, which I can
10 understand.
11 But when the sun shines, just like right
12 now it's pretty decent weather, and they're still
13 abandoning me. I've got a road going through my
14 property that they supposedly are laying some gravel
15 on. They dumped gravel there and just left it piled
16 up. Now the Corp of Engineers had come in there to
17 get to their site. They drive around the piles of
18 rock and made a new road on the side, additional
19 road, because the rocks are piled up in the road.
20 And I've done called them several times and all
21 I get told is that "I'm going to take care of it.
22 I'll get it seen about." I talked to the gentleman
23 again today. Still nothing. They say the
24 landowners. We don't have no say-so. All they do
25 is mention the pipeline and we're just pushed out of

P3-38

P3-38 If the Project is authorized, MEP has agreed to support a third-party ECMR Program during construction. The ECMR Program would involve the use of full-time, third-party compliance monitors representing the FERC (independent of MEP) at each construction spread to monitor compliance with Project mitigation measures and requirements throughout construction. The monitors would provide continuous feedback on compliance issues to us, as well as to MEP's personnel. Additionally, the monitors would track and document the progress of construction through preparation and submittal of reports to our staff on a regular and timely basis. If issues arise during Project construction, restoration, or operation, landowners are encouraged to call the FERC enforcement hotline (1-888-889-8030). If a report is made during construction, FERC will dispatch an environmental inspector to the location to investigate the issue.

Jackson Public Meeting

P3-38



1 the way and you deal with it however you want to.
2 We coming through.

3 SHANNON JONES: Sir, if you feel like your
4 concerns aren't being addressed, you're certainly
5 welcome to call FERC's enforcement. We have an
6 enforcement hotline, and you're welcome to do that
7 and we'll run the issue down for you.

P3-39



8 DAVID BRIGERS: I would appreciate one
9 thing. If FERC would require Mid-Continent to deal
10 with these livestock issues with us and deal with
11 them to our satisfaction, they don't really -- I was
12 told, you know, concerning mine, I have 80 head of
13 cows and horses, a lady told me "we'll bring hay out
14 there if they need hay." You know, bringing hay out
15 there on a flatbed truck don't come close to solving
16 all the problems that you incurred when you're
17 talking about cutting off -- cutting off this
18 livestock from two of your watering sources. And.
19 I realize you can't spend time on each and every one
20 of our individual property, because you can tell
21 them to -- because it does have an impact. You want
22 them to deal with us in a satisfactory manner. When
23 it comes to we have livestock dropping dead out
24 there in the pasture because the drink -- the
25 remaining hole's dry, then there will be some

P3-39 See response to comment P3-19.

P3-39

1 environmental impact then and that sort of stuff.
2 They don't really understand all the problems that
3 go along with livestock and don't really seem to
4 care too much about it as long as they bring hay out
5 there. That would solve a lot of our problems if
6 they dealt with us and our livestock in a reasonable
7 fashion.

8 SHANNON JONES: I appreciate that, and
9 I thank you for bringing that up. Thank you.

10 LARRY BERG: May I come up and speak.

11 SHANNON JONES: Yes. Please.

P3-40

12 LARRY BERG: My name is Larry Berg,
13 B-E-R-G. This question is to both parties. A
14 little different situation. I'm a wetlands
15 mitigation bank owner in the Pearl River and the
16 Big Black River basis watershed, and my question is,
17 and it may very well be on CD or in the book, I have
18 not had a chance to go over that yet, but what are
19 your wetlands mitigation plans particularly in those
20 two watersheds?

21 SHEA CAIN: I know that we are working
22 with the Corp of Engineers. We're developing work
23 on a mitigation plan right now. I don't know
24 specifically about those two watersheds, but if
25 after the meeting I can get your information I can

P3-40 As described in Section 3.4.4, MEP would complete wetland permitting with the Vicksburg COE in the Pearl River and Big Black River watersheds. Included in the wetland permitting is the development of on-site mitigation and/or measures for off-site compensatory mitigation for all wetland impacts.

Jackson Public Meeting

1 check in with our counsel in developing all of that.
2 LARRY BERG: Who is your consultant?
3 SHEA CAIN: The group that's doing the
4 wetland mitigation is SWCA.
5 EDWARD MAHALITC: SWCA. Okay. And y'all
6 are mitigating through the Vicksburg office?
7 SHEA CAIN: Correct.
8 LARRY BERG: Okay. All right.
9 SHANNON JONES: Is there anybody else who
10 would like to voice any concerns tonight?
11 JEFF FATHERY: Let me ask a general
12 question? What's --
13 COURT REPORTER: Name, please.
14 JEFF FATHERY: -- what's the time frame
15 or when --
16 COURT REPORTER: Name, please.
17 JEFF FATHERY: -- is the -- will be issued
18 and when is it --
19 COURT REPORTER: I need your name, please.
20 JEFF FATHERY: Jeff Fathery. And when is
21 the estimated time of the final permit and
22 construction site?
23 SHANNON JONES: I believe we're looking to
24 revise this document and issue it in June, around
25 the June time frame. And, generally, once the FEIS

P3-41

P3-41 Construction start dates are planned for August 2008. Actual construction start dates cannot be determined until after the Commission approves the project's certification.

Jackson Public Meeting

1 is issued, somewhere between 60 to 90 days after
2 that, the commission will consider and vote on a
3 project and then the company will have to file with
4 us an implementation plan which will detail exactly
5 how they propose to meet all of the conditions. And
6 once that is settled, the FERC will analyze that and
7 then provide the company permission to begin
8 construction.

P3-42 [9 JEFF FATHERY: What's your best estimate
10 of when that construction would begin?

11 SHANNON JONES: The company, they have a
12 proposed construction schedule which begins in mid
13 August, September.

P3-43 [14 JEFF FATHERY: Do you think all the
15 paperwork will be done by then?

16 SHANNON JONES: I couldn't say that for
17 sure. Does that answer your question, sir?

18 JEFF FATHERY: Not really.

19 SHANNON JONES: It really doesn't provide
20 exacts, but it's the best that I can do. I can't --

21 JEFF FATHERY: Maybe these people can.
22 When do y'all anticipate --

23 NEIL NIXON: It's contingent upon us
24 getting the proper authority from FERC. So the
25 process that Shannon described, I mean, once we get

P3-42 See response to comment P3-41.

P3-43 FERC issued a *Notice of Schedule for Environmental Review of the Midcontinent Express Pipeline Project* on January 10, 2008, and a *Revised Notice of Schedule for Environmental Review of the Midcontinent Express Pipeline Project* in May 2008. The Project review will be done in accordance with the schedule published in the Revised Notice of Schedule for Environmental Review. If another schedule change becomes necessary, an additional notice will be provided so that the relevant agencies and public are kept informed of the Project's progress.

Jackson Public Meeting

45

1 the go ahead and the various permits and permission,
2 that's when the construction will start in --

3 JEFF FATHERY: How many months are we
4 talking?

5 DENNIS EGGER: We plan to be finished by
6 March of next year.

7 JEFF FATHERY: One year from now?

8 DENNIS EGGER: Yes, sir.

9 SHANNON JONES: So right now we just have
10 an estimated and projected time frame, but I could
11 never guarantee exactly how the commission is going
12 to act or when they will exactly act, so we can only
13 deal with estimates at this point.

14 I saw some additional hands in the back.
15 If you could come to the front and provide your name
16 for the transcriber.

17 REBECCA BURR: I just have three quick
18 questions.

19 SHANNON JONES: Okay. And your name is?

20 COURT REPORTER: Come on up.

21 REBECCA BURR: Rebecca Burr.

22 SHANNON JONES: Okay.

23 COURT REPORTER: Rebecca what?

24 REBECCA BURR: B-U-R-R. I live in Terry.
25 I came in late. Maybe this question was answered.

Jackson Public Meeting

P3-44 [1 But when do we get maps? When do we know, you know,
2 when -- where this pipeline is going to go in
P3-45 [3 relation to our own property. And, two, that big
4 book, who paid for that book to be published and
5 mailed?
6 SHANNON JONES: The federal government
7 did, ma'am.
8 REBECCA BURR: You mean we did?
9 SHANNON JONES: Every taxpayer --
10 REBECCA BURR: Right. Exactly.
11 SHANNON JONES: -- in the United States.
12 UNIDENTIFIED SPEAKER: I didn't get one.
13 REBECCA BURR: You can have mine.
14 SHANNON JONES: Actually, FERC is -- FERC
15 is one of the rare federal agencies that we actually
16 do receive, through certain industry fees, we do --
17 a lot of our budget comes through fees that are paid
18 by energy applicants.
19 REBECCA BURR: Okay.
20 SHANNON JONES: I don't know the specifics
21 of how our budget is worked out, but -- I -- I do
22 believe a lot of our operational costs --
23 REBECCA BURR: Yeah.
24 SHANNON JONES: -- are covered by fees
25 from applicants.

P3-44 If the Commission granted a Certificate, the Project alignment depicted in Appendix B would be the final alignment approved by the Commission. Any route variation after receiving the Certificate would be subject to both FERC and landowner approval. MEP indicated that they contacted Ms. Burr after the Jackson comment meeting to show the proposed pipeline alignment in relation to her property. The Burr property would not be impacted by the proposed Project.

P3-45 The production of the EIS and the associated mailing costs are paid for by the FERC.

Jackson Public Meeting

P3-46 1 REBECCA BURR: Okay. Also at the last
2 meeting I asked the pipeline company people how much
3 was this costing just to set this up, and they said
4 they weren't allowed to tell me. Why aren't they
5 allowed to make public something that's impacting
6 the public?
7 SHANNON JONES: The costs to?
8 REBECCA BURR: To the company? To the
9 pipeline? Mid-Continent Express?
10 SHANNON JONES: I'm not sure I understand
11 your question.
12 REBECCA BURR: Well, they're obviously
13 spending a lot of money to -- to just do the PR and
14 to lay the groundwork and to smooth out, you know,
15 the way for themselves to do whatever they will, and
16 to me they should be accountable to the public.
17 They said they don't have to be and I'm wondering
18 why?
19 SHANNON JONES: I couldn't answer that
20 question either. I would imagine that the cost of
21 doing business includes that necessary to obtain
22 permits and --
23 REBECCA BURR: No, I know, but it's
24 involving the public. It's involving -- this is
25 just time and representation of all the people and

P3-46 In the public meeting held in Minden, Louisiana, on March 25th, 2008, a MEP representative indicated that the Project cost would be approximately 1.27 billion dollars. The transcripts of all public meetings have been made available to the public through eLibrary.

P3-47 The FERC is a federal agency that represents the interest of the public. MEP is accountable to the FERC during the environmental review and construction periods of the Project. Operation of the Project would be under DOT jurisdiction, another federal agency. Further, the scoping and Draft EIS comment periods are designed to gather public input.

P3-48 See response to comment P3-46.

P3-48 ↑

1 businesses and, you know, it's a very small
2 representation. Obviously, there's a lot -- the
3 public is involved, so who would I ask? Who would
4 I ask to find out why we can't know what they're
5 paying to do this?

6 SHANNON JONES: I can't answer that
7 question, ma'am. I just --

8 REBECCA BURR: I know, but who would
9 I ask? Who could I ask? That's what I want to
10 know? Who could answer that question?

11 SHANNON JONES: You would have to -- only
12 the company themselves could answer the question --

13 REBECCA BURR: But they won't answer it.
14 They've already said they won't answer it because
15 they don't have to and I'm just wondering by what
16 law do they not have to since the public is
17 involved? This is -- this is something that's
18 presented to us as something for the public, for the
19 public good, the public wants. This is to the
20 public, the transcripts, the documents. I didn't
21 see one document that said we really think this is a
22 good idea. One party thinks it's a good idea
23 because they're making billions of dollars
24 eventually out of it, out of this dinosaur
25 technology. So, we're involved and I'd like to know

↓ P3-49

P3-49 See response to comment P3-46. We have received several letters in support of the proposed Project from local and state governments. MEP has shown have a sufficient number of customers and the need for natural gas is discussed in Section 1.1. As discussed in Section 4.1, nationwide consumption of natural gas is projected to increase by approximately 19 percent by 2030. Although energy conservation measures will be important elements in addressing future energy demands, they would not be able to meet more than a small fraction of that demand within the foreseeable future. Thus, energy conservation would not preclude the need for natural gas infrastructure projects like that proposed by MEP.

Jackson Public Meeting

P3-49 ↑ 1 what they're spending to create this?
2 SHANNON JONES: Okay. I --
3 REBECCA BURR: I'd like to know --
4 SHANNON JONES: -- appreciate you --
5 REBECCA BURR: -- who to talk to. No,
6 don't appreciate me. I appreciate you. You guys
7 are doing a great job. You're doing what you're
8 supposed to be doing and I know that -- that, you
9 know, some understanding of the whole big picture on
10 the part of you guys and Mr. Brown and all the
11 people and your group, and I appreciate you, but
12 don't appreciate me. I just need to know who would
13 I ask this question?
14 SHANNON JONES: I suppose you would have
15 to ask Mid-Continent and --
16 REBECCA BURR: I did.
17 SHANNON JONES: -- it sounds as though you
18 already did. Then there's nothing further I can do
19 to help you with that. I'm sorry.
20 REBECCA BURR: You can't -- I mean, what
21 would be the legislation? What would be the law
22 that says they don't have to tell the public what
23 they're doing to the public?
24 SHANNON JONES: The whole process is a
25 public process. This --

P3-50 ↓

P3-50 MEP's application for the proposed Project, subsequent submittals, and comments on the proposed Project are all available on the FERC's public eLibrary system, except for sensitive information such as the location of cultural resource sites and critical energy infrastructure information which is intended to protect the public from sabotage of energy facilities.

Jackson Public Meeting

P3-50

1 REBECCA BURR: Right. So we should -- we
2 should know these things. We should be able to know
3 these things. There's no clarity here.
4 SHANNON JONES: The environmental analysis
5 and the impact upon the public, environmentally,
6 through the routing and construction of the pipeline
7 are analysis of that and are decision-making as a
8 public process --
9 REBECCA BURR: I understand that.
10 SHANNON JONES: -- and the inter finances
11 of -- of gas corporations is not something I'm privy
12 to --
13 REBECCA BURR: So you have no clue where
14 to go for that information? It should be somewhere.
15 Don't you agree?
16 SHANNON JONES: I have no comment on that.
17 UNIDENTIFIED SPEAKER: Doesn't the Freedom
18 of Information Act apply in any of this?
19 SHANNON JONES: That only applies to
20 federal government agencies.
21 REBECCA BURR: And when should we have
22 some idea of exactly where the pipeline goes in
23 relationship to our properties?
24 SHANNON JONES: I would imagine that you
25 should have that mapping. As I said, there are

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1 minor route variations that are happening --
2 REBECCA BURR: No. There's something in
3 that -- in that book that -- but it's a very
4 unreadable and it's also very broad. No.
5 SHANNON JONES: It is a summary.
6 REBECCA BURR: Yeah. But, I mean, as far
7 as everybody's individual property so people can
8 make plans.
9 SHANNON JONES: We can get you those
10 individual maps. The company should be able to
11 provide --
12 REBECCA BURR: Well, I don't --
13 SHANNON JONES: -- those to you. We have
14 maps that we can provide to you as well, but --
15 REBECCA BURR: Then who do we contact in
16 our agency to get a map so that we know
17 approximately where -- I mean, before they said we
18 couldn't have maps because those lines were going to
19 change. But everybody who inquired about it, and a
20 number of people did, wanted to know, okay, well,
21 where -- where is the proposed line so that we can
22 argue this or discuss it, and no, we weren't allowed
23 to have those maps. Like, I contacted the
24 Mid-Continent people and all they did was send me
25 some crappie little thing that you couldn't read

P3-51



P3-51 See response to comment P3-44.

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P3-51

1 again with a line down it that didn't identify the
2 property boundaries or anything. It was just
3 something that was very insulting. So who in your
4 agency would we contact to get a real map, a real
5 idea?

6 SHANNON JONES: If you could stay after
7 the meeting concludes, we'll talk further on that
8 and make sure that you got an appropriate map.

9 REBECCA BURR: Okay. Thank you.

P3-52

10 WAYNE PETRY: I do have a request of
11 Mid-Continent. Again, based on previous
12 experiences, we're still picking up Coke cans right
13 after the project; human feces, toilet paper, paper
14 towels, and they've riding through our wildlife
15 grass, and if they could respect our property a
16 little more.

17 NEIL NIXON: We want to do that, sir.
18 Again, I know you've had, obviously, a bad
19 experience with another project, but we're not that
20 project. And I can understand certainly how that
21 would jaundice the view of anyone who has now
22 another project coming on the property, but we're
23 going to work really hard not to have those impacts
24 on your property and we certainly take what you're
25 saying in the spirit of which that's intended.

P3-52 Comment noted. If issues arise during Project construction, restoration, or operation, landowners are encouraged to call the FERC enforcement hotline (1-888-889-8030). If a report is made during construction, FERC will dispatch an environmental inspector to the location to investigate the issue.

1 EARNEST PERRY: Earnest Perry, P-E-R-R-Y.
2 I'm representing a property that me and my wife,
3 Shirley Easely Epps, in Hinds County, in Terry on
4 Jones -- I don't know the mile marker or what have
5 you. I got a question, but, first I got a comment.
6 We purchased the property in February of
7 2007. Obviously, this project been going on way
8 before that. Now, when you -- when there are -- a
9 landowner change, the communication is very, verry
10 poor. We didn't know anything about a project.
11 I go down to cut the grass. I see stakes where
12 surveyors had came and cut some of my trees to get,
13 you know, their line through. So I contacted FERC
14 and they said, you know, I should have been
15 notified. But, I wasn't. If I see anybody else,
16 charge them for trespassing. I setted and waited on
17 people. I didn't see anybody because that was
18 what I was going to do.
19 But, in the meanwhile, I got in contact
20 with the survey company and he said they had
21 permission to go from the previous landowner.
22 Communication is very poor. I think before you go
23 on anybody's property you should know who the
24 landowner at that particular time, not two years
25 ago. You should know that. I don't know if that's

P3-53

P3-53 MEP has indicated that survey permission was granted by the previous landowner and that they were not aware that the property had been sold at the time of survey. MEP has met with the new landowners several times since becoming aware of the change in ownership to discuss routing on the property. FERC encourages pipeline companies to cooperate in a professional manner with individual landowners. FERC has made every effort to address landowner complaints and issues as the FERC is made aware of problems.

P3-53 1 a Continental situation or a FERC or surveyors.
2 Whoever situation that is, they need to do that.
3 That's very dangerous.

P3-54 4 Secondly, they contact with a guy named
5 Andy Barkwell. I called Andy Barkwell. He said,
6 okay, we sorry. We apologize. Okay. So I called
7 FERC again in Washington, DC, to -- the Internal
8 Affairs Unit or something like that, said Mr. Perry,
9 go ahead and build. We planned on building a house,
10 build a lake; say go ahead and build. We apologize.
11 Don't -- don't let -- if nobody contacted you, don't
12 let that impede you with what you want to do with
13 your land. I said okay.

P3-55 14 I got my dozer out there to prepare to
15 build me a path to build our house. They come in
16 again. Let's talk. I said okay. We apologize
17 again. But we got the engineer and we want to go to
18 the end of your property. We not gone come through
19 -- mind you I have a 7-acre tract. The surveyor
20 went straight down the middle; of course, you
21 looking at a 50-feet easement, right? If you -- if
22 you familiar with the -- with the distance, 50 feet
23 in a 7-acre tract, you don't have anything on either
24 side. You can't do anything with the land.

25 So my question is: If they destroy a

P3-54 Use of the land (including potential future development) would still be able to occur on the property except for the strip over the 50-foot permanent right-of-way.

P3-55 Easement negotiations are between the pipeline company and the landowner, the FERC does not become involved in these negotiations. It is possible that a pipeline company could purchase a property outright for a proposed Project.

P3-55 1 tract of land like that, are they purchasing the
2 entire tract of land or are they just purchasing --
3 -- would -- would they do that? Would they purchase
4 land like that, because I'm willing to sell all of
5 it. But, we don't want a pipeline to come through
6 and destroy the whole -- it's useless. It's
7 useless. So, are they willing to purchase or even
8 -- like the Internal Affairs told me to go ahead and
9 build. If I invest in a -- in my life home, will
10 they be willing to relocate me, or have that even
11 been considered? All I'm being told is, okay, we --
12 we got the engineer. I got -- actually, I got a
13 meeting tomorrow with Andy Barkwell and a engineer,
14 and he's going to try to go around my property. We
15 don't know if that happen. We got maps, but they
16 still changing routes, so the map's really no good
17 if they are actually still changing routes. So we
18 can't decide -- the -- the majority here can't
19 decide what to do with their property or, you know,
20 what to do with anything. We just hurry up and wait
21 sort of speak. And I think the communication is
22 very poor.

P3-56 23 I understand you have thousands of people
24 that's affected with this project. But if you
25 associate with the federal government or whoever,

P3-57

- P3-56 If the Commission granted a Certificate, the Project alignment depicted in Appendix B would be the final alignment approved by the Commission. Any route variation after receiving the Certificate would be subject to both FERC and landowner approval.
- P3-57 Comment noted. FERC encourages pipeline companies to cooperate in a professional manner with individual landowners. FERC has made every effort to address landowner complaints and issues as the FERC is made aware of problems.

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P3-57 1 the Continental people or -- I'm sure they got
2 plenty of people to have people to get out and
3 communicate, because you have -- this -- this --
4 first of all, it's dangerous. And I'm a police
5 officer. And when you affect somebody property, the
6 situation can get very, very bad, so I just, you
7 know, we -- we have various situation where your
8 property's being taken. Older people. Elder
9 people. They really don't understand the concept;
10 eminent domain or what have you. So, you know,
11 don't understand that concept. All they understand
12 is our property's being taken.

P3-58 13 So the commit is: Please boost up the
14 communication, send out maps like we requested so
15 we'll know what's going on.

P3-59 16 Secondly, are they purchasing -- the
17 question: Are they purchasing property to relocate
18 actually owners to have another life sort of speak?
19 SHANNON JONES: In general, pipeline
20 companies will negotiate for that 50-foot easement,
21 and that's what's generally considered necessary to
22 maintain and safely operate the pipeline. They
23 don't generally purchase parcels. It's generally
24 just a 50-foot easement. And with limited -- the
25 restrictions on those easements is for permanent

P3-58 Comment noted.

P3-59 See response to comment P3-55.

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1 structures, but -- so you cannot place a permanent
2 structure on that 50-foot easement, but it should
3 not limit access to or development of the other
4 portions of your property.

5 EARNEST PERRY: I couldn't build a lake or
6 I couldn't built a house, that's what they told me,
7 on that 50 --

8 SHANNON JONES: On that 50-foot easement.

9 EARNEST PERRY: On that 50-foot easement.

10 UNIDENTIFIED SPEAKER: Cannot plant trees.

11 EARNEST PERRY: Cannot plant trees. You
12 can't -- they told me I -- I can't even grow
13 vegetation. I raise watermelons. They say I can't
14 even plant them or farm on that. So what I'm saying
15 is, it's useless. It's no good to me at all. No
16 part of it. You go down the middle of this page
17 that way. You got this side and that side. Well,
18 this is a useless piece of land. I don't think
19 anybody has really taken and considered that.

20 They need to consider either relocating
21 the people they affected when it is this
22 detrimental. I know you got people with land --
23 with -- with cattle and livestock or what have you,
24 and houses and barns. Of course, my neighbor, they
25 already have moved his barn. They paid to move his

P3-60

P3-61

P3-60 Growth of trees is prohibited within the 50 foot permanent right-of-way, but crops, such as watermelons, could be produced within the space.

P3-61 Comment noted.

P3-61

1 barn, build him a new barn because the pipeline was
2 coming straight down the center of his barn already.
3 So, therefore, I don't think they even waiting on --
4 on a federal agreement. I think it's already in
5 place, because the surveyor have came out, they have
6 actually spent money to move people. I don't now if
7 they paid the previous landowner right of way fees
8 to come through the land to survey it. I don't
9 know. They didn't give me anything. They didn't
10 even talk to me. They don't -- they didn't --
11 I think the landowner, the person I bought the land
12 from, he got rid of it because he knew the pipeline
13 was coming through, and I'm thinking about doing the
14 same thing, but it'd be wrong because you just don't
15 do people like that. And I think the communication
16 need to be improved tremendously because it can turn
17 to a dangerous situation. Thank you.

18 JESSE BUTLER: Good evening. My name is
19 Jesse Butler, and I'm here to speak today for myself
20 and approximately 8 or 10 other people on a 192-acre
21 plantation south of Florence, which we think this
22 pipeline might come through some part of that
23 192 acres. We have a lot of people living on this
24 192 acres now just scattered all over.
25 Now,

1 I own 40 acres of it.
2 Now, my question is: If -- what was --
3 answer a lot of question, if the pipeline could
4 furnish, at least somebody on this 192 acres, a map,
5 a projected path of the pipeline, if it's crossing
6 this 192 acres, we could see who it involve, whether
7 it go through somebody 3-acre home, you know, or
8 will it go through somebody pond.
9 All we need in Mississippi and in -- just
10 like Warren County over in Vicksburg, okay, when you
11 cross the river and west of Terry, and I believe a
12 gentleman spoke Terry, where we west of Terry off of
13 469, now if I know the projection of the route of
14 the pipeline through the section, I could explain to
15 everybody on the plantation this pipeline is not
16 gone involve us at all. It's gone miss our 192
17 acres. If it's 5 miles south of Florence off of
18 469, the projected path, chances are that's gone
19 come through our, you know, our property.
20 But I don't see anybody here. I don't see anybody
21 here from that area. Maybe -- maybe they didn't
22 know about the meeting, but I know them.
23 Now, what I would like to have, if it's
24 feasible, I would like to have, just like the lady
25 said, I would like to have a map, a projected path,

P3-62

P3-62 The Project would not impact the Butler property. MEP has notified Ms. Butler via telephone to convey this information.

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1 just in Rankin County in the section 14, 12, and 13.
2 That is where the 192 acres is located. Now if the
3 pipeline is gone miss this big plot of land, it may
4 very well go around, but if it come across it, it's
5 gone involve a lot of people, and they not here.
6 I don't guess they even know, because I read about
7 it in the paper.

8 Now, what I did receive in the mail,
9 I received two strange letters. One -- one plainly
10 -- it was mailed to my mailbox and it plainly said
11 you own this plot of land in Rankin County and would
12 you want to sell it for any price. And it said if
13 you want to take our price, what would you take for
14 it? So, now, you know, real estate people do all
15 that kind of stuff, too, when they want, you know,
16 part of your land. And I called the people to see
17 how serious it was. So they mailed me another
18 letter identical to it and said we would like to
19 purchase this land in two letters.

20 So, I don't know where this had nothing to
21 do with the pipeline or not. But chances are this
22 plantation, which was bought in 1939, and I bought
23 mine in 1970, and chances are, look like I would
24 have been notified by now or received some type of
25 letter about this meeting tonight. But, I heard

P3-62

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1 several people speak the pipeline -- the pipeline
2 coming through have a lot of authority over local
3 people, eminent domain and stuff like that, and they
4 not gone put the pipeline down just because it mess
5 up two or three people house on our plantation.

6 But we would like to know is it coming
7 through our big plot of land and the projected
8 route, the section, township and range? Who is
9 familiar with that? Section, township and range?

10 Now, if you could give me that tonight,
11 I will let you know whether it affect me or not,
12 because I got my deed right here, and I got access
13 to a lot of the older people deed. You know,
14 I could go tell them this is not gone affect you at
15 all. We don't mind the pipeline coming through.
16 It's for a good purpose. But we don't know where
17 the pipeline gone go. Some people do and some
18 people don't. Some people been, you know, notified
19 well on it. Some people just don't get the message.
20 So, I'm here tonight to find out as much as
21 I possibly can about the projected route through
22 Rankin County only. Not Hinds County. Not Warren
23 County. Just when it comes up to Rankin County, the
24 projected path straight across Rankin County, and
25 I can tell whether or not we're involved at all.

P3-62

P3-62



1 Do everybody understand what I'm saying?
2 NEIL NIXON: Afterwards we can maybe
3 identify it. As a general rule, any property owner
4 whose land should be impacted has been contacted and
5 we're working with those individuals. But,
6 obviously, if we can, you know, pacify and satisfy
7 your concerns, maybe afterwards get with us tonight
8 and we'll try to pinpoint exactly where your
9 property is.

P3-63



10 JESSE BUTLER: Chances are it's not enough
11 money involved for the pipeline crossing to do us
12 any good. All we want to know, who gone be affected
13 by it? Because if you just go buy a 50-foot strip
14 through, it may go through somebody's five acres.
15 It may go through somebody's three acres. Or it may
16 go through somebody's brick home that they're about
17 to lose in foreclosure, so that add to the problem.
18 So, to me, that's a good reason why we
19 having this meeting tonight where we can find out
20 the projected path and see who gone be impacted by
21 it and who gone be lucky enough not to, because it
22 ain't that much.
23 Now, Exxon done leased my land twice and
24 paid me the lease twice to keep anybody else from
25 leasing it, but that's got nothing to do with the

P3-63 See response to comment P3-62.

Jackson Public Meeting

P3-63

1 pipeline. But I do know where they run the line
2 through my property for drilling, so I want to know
3 how close this was gone be to that and that's my
4 purpose here tonight.

5 SHANNON JONES: Thank you.

6 JESSE BUTLER: It may not affect us at
7 all.

8 SHANNON JONES: Yes, sir. Please state
9 your name for the transcriber.

10 WALTER AINSWORTH: Yes. Walter Ainsworth.

11 A-I-N-S-W-O-R-T-H. My concern is about like everyone
12 else here, and it's about the routing of that line.
13 I own 60 acres and one tract in Florence. And where
14 it's located, this line is going to come right
15 across the only house site on the property. I been
16 out there and I explained that to them and asked
17 them just to move it maybe a 150 feet off that site
18 and I can build my house. I don't mind it coming
19 across my land, but it's just where it's located.

20 And let me go back, though, because my
21 first concern was when they contacted me about
22 running a pipeline across my property. I assured
23 them I had no problem with it, just when you get
24 ready to survey, let me know, and I probably gave
25 the gentlemen instruction, I know he did what he

P3-64

P3-64 Comment noted. MEP indicated that it is actively coordinating with Mr. Ainsworth regarding the minimization of project-related impacts to the subject property.

P3-65

P3-65 Comment noted. FERC encourages pipeline companies to cooperate in a professional manner with individual landowners. FERC has made every effort to address landowner complaints and issues as the FERC is made aware of problems.

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1 wanted to do, but I told -- I didn't mind you
2 running across my property, but run it across the
3 back of it, not across the front. But when they ran
4 their route, it came right across the front of my
5 property. Like I said, the only house that I have,
6 I hadn't built, but wife and I plan to build.
7 That's on one section.

8 And then I went down there. I went down
9 and I talked to the engineer on that spot as well.
10 And he said, well, we'll see what we can do. But
11 today, today they met at my in-laws with some
12 contract, which wasn't signed by the way, and my
13 wife told me the stakes are there now, but they're
14 still in same place. They didn't do it.

15 I have another tract of land about --
16 I believe it's 12, 14 acres on -- in Florence.
17 That's my wife's and I property there, and that's
18 family land, I believe it's going to affect
19 approximately -- 12, 14, 5, maybe another 60 acres,
20 40 to 60 acres there. And what we asked them to do
21 was to run the line on the back of the property, you
22 know. Because what they done, there's several house
23 site, people are going to build and it's running
24 right through the middle of one of those tracts.
25 And that -- that was my sister-in-law, and she

P3-65

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P3-65

1 decided she wasn't gone sign today or any other
2 time. I mean, they're going to have to declare
3 eminent domain or whatever they're going to do
4 there. That will be in court I'm sure.

5 But I just would like the pipeline to work
6 with us a little more. Try to appease a neighbor
7 and take away from someone else. That's all we ask.
8 I don't have a problem coming across any of my
9 property, but please come across and leave my
10 property where I need accessibility or something,
11 where I can use it. Because they bring it through,
12 all I can use that is turn the rest of into a
13 pasture and -- because it's on flood property there
14 too, going to a creek. So give us some respect when
15 you do it, and communication is all I ask you to do
16 communicate with you us.

17 I've had one or two calls. This meeting,
18 I did get a letter on this meeting, but from day
19 one, day one I received a phone call from an
20 attorney that was asking me about running -- well,
21 right of way to come across my property. That's day
22 one. He assured me he would get back with me before
23 they surveyed. He didn't do that. The next call
24 I got was a -- they had gone and staked it out on
25 all of it. And once they did that, he called me

P3-65 1 back and said they want to meet you down there. We
2 go down there and tell them I'm not satisfied with
3 it, and I'm still not satisfied. That's all I ask
4 for.

P3-66 5 CLYDE MCGEAGE: Has their been any
6 easement purchasing yet? I'm still at a loss there.
7 Have they done purchased easements?

8 SHANNON JONES: The negotiations for
9 easements are handled between the individual
10 landowner and the company and the FERC doesn't
11 intervene in that process. We hope and we encourage
12 that it's a fair negotiation and we encourage
13 landowners who are having trouble to let us know
14 about their issues, but we don't have -- we don't
15 engage in that process.

P3-67 16 CLYDE MCGEAGE: How are purchasing
17 easements when they don't know where it's going to
18 go yet?

19 SHANNON JONES: The final route is not
20 officially approved until the FERC approves a
21 project. It cannot start until the FERC approves it
22 and approves production. Oftentimes companies will
23 decide to independently negotiate easements
24 beforehand, but that is at their own discretion and
25 risks.

P3-66 Multiple landowners have reached easement agreements with MEP. It should be noted that any land easement agreements reached prior to issuance of the Certificate or obtained through state Eminent Domain proceedings is done so at the company's risk should the Commission not approve the project or require a route variation.

P3-67 If the Commission granted a Certificate, the Project alignment depicted in Appendix B would be the final alignment approved by the Commission. Therefore, Appendix B of this Final EIS depicts a very close approximation of the final Project alignment. Any route variation proposed by MEP after receiving the Certificate would be subject to both FERC and landowner approval.

1 CLYDE MCGEAGE: In other words, a
2 guideline to get them started --
3 SHANNON JONES: Yes, sir.
4 CLYDE MCGEAGE: -- in that direction?
5 Another questions, I mean, like this compressor
6 station is just, I mean, they're not -- no one has
7 been talking to us about it. I just can't
8 understand that. I mean, I can see the pipeline
9 coming through my property. I don't want a
10 compressor station and my community doesn't.
11 It's peaceful. I don't want to see this -- they say
12 it's a sewing machine. That's what it sounds like
13 running. It's got lights all around it. It's got a
14 road to it, traffic coming in and out.
15 NEIL NIXON: Sir, I can speak on that.
16 I think the -- it's my understanding, Dennis,
17 correct me if I'm wrong, but your particular
18 property is the site of a potential proposed
19 compressor station if the project is ever expanded.
20 It's not one of the identified compressor stations
21 that will be built with the pipeline at its initial
22 construction; is that correct?
23 DENNIS EGGER: Correct.
24 CLYDE MCGEAGE: My bad. It was -- they
25 were wanting to purchase -- what do you call it?

P3-68

P3-68 The Vicksburg Compressor Station would be situated in an open field area that would have some forested buffer and residences more than 2,400 feet from the facility. As discussed in Section 3.8, review of aerial photography indicates that the Vicksburg Compressor Station would not result in significant visual impacts to nearby landowners. For those aboveground facilities that would potentially result in a visible impact to nearby landowners, MEP has developed a visual screening plan to minimize visual impacts. Section 3.11.2 discusses the noise impacts to nearby noise sensitive areas from compressor station operation.

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68

1 UNIDENTIFIED SPEAKER: An option.

2 CLYDE MCGEAGE: An option.

3 NEIL NIXON: Right now we have no plans to
4 build it, but it may in the future. We don't know.
5 Nobody knows what plans are in the future.

6 UNIDENTIFIED SPEAKER: Well, how does
7 that -- how can you come up in the future saying you
8 got to have it or what if you don't know? If you
9 don't know it's needed up front, why are you going
10 to need it later?

11 DENNIS EGGER: We have to follow FERC.
12 Because of the potential down the road, if they do
13 need more gas capacity say 5 or 10 years down the
14 road, or 20 years, it has to be filed as part of
15 this.

16 SHANNON JONES: It's part of evaluating
17 the impact of a project. We also look at any
18 potential expansions, and, so, it becomes part of
19 our analysis. Now, there are a lot of resources
20 here tonight, and I encourage you, after the
21 meeting, to go see these guys and talk with them and
22 to get the additional details that you need. It is
23 a great opportunity to do that.

24 CLYDE MCGEAGE: I hadn't seen this lady
25 named Sally Stevens, I believe, visiting me on a

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1 lot. Where is she at tonight? Don't she work for
2 y'all?
3 SHANNON JONES: I'm not familiar.
4 NEIL NIXON: She does, but we didn't bring
5 the land agents here because we're not talking right
6 of way agreements. This is about environmental
7 impact statements or that's what we're here for
8 tonight, at FERC's requests. The individual --
9 ideally, the conversations between the company and
10 the landowner are going to be done with -- between
11 company and the landowner and not in a public forum.
12 CLYDE MCGEAGE: As agent of the company;
13 is that correct?
14 NEIL NIXON: Correct.
15 UNIDENTIFIED SPEAKER: When do you
16 anticipate it then?
17 NEIL NIXON: It's ongoing.
18 CLYDE MCGEAGE: Every time I talked to
19 this lady, she never knows. I mean, she's always,
20 "Well, I'll call. I'll call and see. I'll check
21 and see." I like dealing directly instead all
22 these -- you get too many wires crossed up. You
23 agree with her with one thing or whoever you're
24 dealing with. You know what I'm saying? You know,
25 a third party or whatever, too much communication.

P3-69



P3-69 Comment noted. FERC encourages pipeline companies to cooperate in a professional manner with individual landowners. FERC has made every effort to address landowner complaints and issues as the FERC is made aware of problems.

P3-69 ↑
1 And that's what I asked her, you know, I need to
2 deal -- I'd like to deal with someone that knows all
3 the answers more.
4 SHANNON JONES: After we conclude the
5 meeting, I encourage you to try to talk with these
6 folks and maybe they can provide you some more
7 details about your parcel to try to get you some
8 more information.
9 NEIL NIXON: We have an office also in
10 Brandon, and certainly concerned landowners with
11 questions specific to their property, the proposed
12 route of the pipeline, you can certainly contact our
13 folks and even come over there, you know, call us up
14 if that works for you as well.
15 SHANNON JONES: Anybody else who would
16 like to speak this evening? Yes, ma'am.
17 DAVID BURR: I'm actually a guy.
18 SHANNON JONES: I'm sorry. I couldn't
19 see.
20 DAVID BURR: David Burr, B-U-R-R.
21 I'm going to change the subject a little bit. Near
22 the end of your text in the FERC report that we got,
23 you had a section "FERC Recommendations for
24 Mitigation," and I would like to know who is going
25 to enforce that or who is going to be checking to
↓ P3-70

P3-70 All recommendations included in Section 5 of the Final EIS would become conditions to the FERC Certificate, if granted. MEP would be represented by at least one EI per construction spread, consistent with the Plan. If the Project is authorized, MEP has agreed to support a third-party ECMR Program during construction. The ECMR Program would involve the use of full-time, third-party compliance monitors representing the FERC (independent of MEP) at each construction spread to monitor compliance with Project mitigation measures (recommendations in Section 5) and requirements throughout construction. The monitors would provide continuous feedback on compliance issues to us, as well as to MEP's personnel.

P3-70



1 make sure that these things are looked after or
2 done or accomplished by the Mid-Continental Express
3 Pipeline people?

4 SHANNON JONES: The recommendations that
5 FERC has provided in this document are provided to
6 our commissioners and they, for the most part,
7 become conditions to their permit, and the FERC
8 monitors construction will have inspectors on site
9 during construction to ensure compliance with those
10 conditions of Mid-Continent's approval.

11 DAVID BURR: So there will be people there
12 to enforce the 49 points?

13 SHANNON JONES: Yes.

14 DAVID BURR: Thank you.

15 ISAAC BURR: My name is Isaac Burr.

P3-71



16 I have a comment about the distance limit to the --
17 from the pipeline to a house. It just seems kind
18 of, may I use would word, ridiculous around the
19 country for it to be only 25 feet and not 50 or 100.
20 Because this man here, he can't even walk to his
21 barn. He won't even be able to walk to his barn,
22 and it just seems kind of strange that it's not
23 farther than 25 feet.

24 SHANNON JONES: I appreciate that.
25 There's no law or regulation that establishes a

P3-71

Comment noted. DOT regulates all pipeline safety standards. As shown in Appendix J, MEP has adopted multiple route variations to increase the distance between residences and the proposed pipeline. Further, in those cases where it is not practical to provide a distance greater than 25 feet between the proposed Project construction workspace and residences, MEP has provided a site-specific construction plan that depicts alterations of workspace, fencing, and other measures to minimize residential impacts.

1 defined minimum distance. We do have
2 recommendations, but the most part, in our
3 experience, we find that once a pipeline is in the
4 ground, once it's restored, there is a real
5 impact -- there's -- there's few impacts on
6 neighboring residences.
7 Like I've said, in the low populated areas in the
8 United States, pipelines run through neighborhoods,
9 they run through cities, and in those cases they're
10 often used as greenways and those sorts of things,
11 but they are built in matter of necessity, and --
12 but we do look at those distances. And whenever
13 pipelines runs close to homes, we look at them very
14 specifically to ensure that the impact will be
15 minimized.

16 Anybody else wish to speak? Yes, sir.
17 State your name, please.

18 CLIFTON REED: Clifton Reed. I just
19 wanted to ask a question there, that after all this
20 pipeline is completed and these people have
21 sacrificed all of their land and their lifestyle, and
22 I understand this goes all the way to Oklahoma, so
23 we're not only talking about Mississippi, we're
24 talking about Louisiana, parts of Oklahoma and in
25 Alabama, exactly how is this going to improve the

P3-72



P3-72 MEP has shown have a sufficient number of customers and the need for natural gas is discussed in Section 1.1. As discussed in Section 4.1, nationwide consumption of natural gas is projected to increase by approximately 19 percent by 2030. Not only would this Project supply natural gas to meet this documented need at the national level, the Project would result in a temporary increase in local employment during construction. Project-related impacts to the local economies in which the Project would traverse are discussed in Sections 3.9.3 and 3.9.6.

P3-72



1 economy and the living conditions of the United
2 States?
3 SHANNON JONES: Well, our document
4 discusses socioeconomic impacts. There will be
5 construction jobs generated during the construction
6 of the pipeline. The workers will need to have
7 lodging and food, and, so, their will be some
8 limited beneficial impacts throughout the
9 construction process. And there's tax revenues to
10 counties where pipelines run through. But the
11 bottom line is that the project is -- these projects
12 are based on market need for energy and for
13 structure. And the companies, when proposed on
14 this, there was need for the -- for the product and
15 customers that are requesting it.

P3-73



16 CLIFTON REED: That's the very need that
17 I need to understand what the need is. We're
18 talking about a gigantic project; in fact, two of
19 them. It's not simple to do what they're doing.
20 I'm just curious about it, because there's a lot of
21 sacrifice here for property and right now there
22 doing sizemograph on my property for the exploration
23 of gas, so there's going to be more pipeline
24 proposals in the future.

25 SHANNON JONES: On the very top level of

P3-73 See response to comment P3-72. All other pipeline Projects under the jurisdiction of the FERC would undergo a similar review to ensure that a sufficient number of customers and need for the natural gas exist.

1 it, the only thing I can say is we, as a country,
2 are using more energy. Every day we are using more
3 energy and the industry is building projects to
4 accommodate the increase in need. We're building
5 pipelines. We're building power plants. We're
6 looking into wave energy. We're looking at all
7 sorts of alternative energy as well, but gas
8 continues to be and probably will be, for a long
9 time, a major component of power generation.

10 CLIFTON REED: They have proposed about
11 20 power plants in the State of Mississippi to burn
12 natural gas in the last 10 years. I don't know how
13 many's completed or not completed or what.

14 WAYNE PETRY: I think as individuals we
15 just kind of feel like we're not being treated
16 fairly. We all recognize the need for natural gas.
17 We all hop in our SUV's and head home tonight and
18 burn gas. The way we're treated and the way we're
19 being represented by the federal government is a lot
20 to be desired. You know, we're left out there in
21 the cold. We're fighting the big boys. We're all
22 individuals. The negotiations are separate. Y'all
23 are not representing us. Nobody goes out and buys a
24 bunch of leases because something might happen.

25 I asked the question at the Gulf South

P3-74



P3-74 Proposed projects have been denied a Certificate in the past, and virtually no Project receives a Certificate as proposed. The FERC makes several recommendations in final Certificates (recommendations described in Section 5.0) that must be adhered to by the Company. MEP and the FERC have worked with numerous landowners and local, state, and federal agencies to minimize Project-related impacts to sensitive environmental resources and to landowners. As shown in Appendix J, MEP has adopted numerous route variations to minimize Project-related impacts to accommodate landowner requests. Further, we evaluate and recommend the adoption of route variations in Section 4.4.1 to further minimize Project-related impacts to landowners. The FERC does acknowledge in Section 3.9.5 that a variety of factors could affect the resale value of land. Potential property value loss would be addressed during easement negotiations. The FERC does not get involved in landowner negotiations with the pipeline company.

Jackson Public Meeting

P3-74



1 meeting: When was the last time a project of this
2 magnified was denied? It's not going to happen.
3 There's going to be some little variations here and
4 there. We all know it's going to happen. For grown
5 men to look at my wife and I in the eye and tell us
6 that a 42-inch 1200 PSI natural gas pipeline is not
7 going to decrease the value of our house and tell us
8 that with a straight face and say that in a court of
9 law, if there's a house just like ours down the road
10 somebody's not going to take that into effect and
11 they don't want to compensate for that. We're not
12 getting represented by y'all. We're not. Maybe
13 it's the big picture. We're individuals. I'm not
14 blaming them. They're trying to run a business.
15 I don't blame them one bit.

16 SHANNON JONES: Okay.

17 CLYDE MCGEAGE: One more real quick
18 comment. I have a real problem with companies, not
19 just Mid-Continent but all these other pipelines,
20 having access to the eminent domain law, when
21 I don't believe, correct me if I'm wrong, the
22 profits that they make operating, or whoever
23 operates the line, are subject to no regulation.
24 Here in Mississippi and most places, you know, the
25 companies that utilize the eminent domain are

Jackson Public Meeting

1 subjected to some form of regulation like the public
2 service commission or somebody regulates their
3 profits. And if these companies are, in fact,
4 subject to no regulation regarding to that's the
5 amount of money they could charge, the amount of
6 money that they can make, they using the eminent
7 domain law to get by us with little or nothing and
8 then they're making all the profits that can make
9 the other end, I have real problem with that.

10 SHANNON JONES: The tariffs and the rates
11 that the natural gas companies charge is regulated
12 by FERC.

13 CLYDE MCGEAGE: It is?

14 SHANNON JONES: Yes, sir.

15 CLYDE MCGEAGE: Good.

16 SHANNON JONES: It's not a portion of
17 FERC's work that I am familiar with. However,
18 I couldn't get into the specifics.

19 CLYDE MCGEAGE: There is a regulatory
20 agency that will regulate the profits that they make
21 off of this pipeline using the eminent domain law to
22 obtain the land.

23 SHANNON JONES: Yes, sir. FERC regulates
24 that.

25 CLYDE MCGEAGE: Can we request that they

P3-75



P3-75 The FERC has jurisdiction of natural gas market oversight, which includes the oversight of rates and tariffs.

P3-76



P3-76 It would not be feasible to place meters on individual properties along a 42-inch-diameter natural gas pipeline.

Jackson Public Meeting

P3-76



1 put meters on that pipeline, on our tract of
2 property so we cant get a percentage of everything
3 that goes through those pipes? Do we get a benefit
4 out of everything they're making?
5 SHANNON JONES: I don't know that that's
6 feasible.
7 CLYDE MCGEAGE: They're taking our right
8 of way. Why can't we get meters put in them?
9 (Uncontrollable comments made by the
10 audience.)
11 SHANNON JONES: Is there anybody else who
12 wishes to speak this evening? We'll still be here
13 afterwards for further discussion.
14 (No responses.)
15 SHANNON JONES: Is there anybody else who
16 wants to voice some concerns on the record? This
17 would be last call?
18 (No responses.)
19 SHANNON JONES: Okay.
20 CLYDE MCGEAGE: Excuse me.
21 SHANNON JONES: Yes, sir.
22 EDWARD MAHALITC: I want to say something
23 about a -- something about this compressor station
24 on my property, I've got to file something by a
25 third person, correct? Legally?

Jackson Public Meeting

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1 SHANNON JONES: If you want to voice a
2 concern, all you have to do is say it here or write
3 the FERC a letter and we will specifically address
4 your issue.

5 (No responses.)

6 SHANNON JONES: Okay. If there are no
7 more speakers for the record, I'll go ahead and
8 conclude the formal portion of this meeting.

9 I thank you all for coming tonight and
10 offering your concerns and issues and we'll remain
11 to speak with you further after we conclude here.
12 Thank you.

13 (End of proceedings.)

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Jackson Public Meeting

1 CERTIFICATE OF COURT REPORTER
2 I, Harvey J. Rayborn, Court Reporter and Notary
3 Public in and for the County of Hinds, State of
4 Mississippi, hereby certify that the foregoing 79
5 pages, and including this page, contain a true and
6 correct transcript of the above styled public
7 hearing, as taken by me in the aforementioned matter
8 at the time and place heretofore stated, as taken by
9 stenotype and later reduced to typewritten form
10 under my supervision by means of computer-aided
11 transcription.
12 I further certify that I am not in the employ
13 of or related to any counsel or party in this matter
14 and have no interest monetary or otherwise, in the
15 final outcome of this proceeding.
16 Witness, my signature and seal this 7th day of
17 April, 2008.
18
19
20 _____
Harvey J. Rayborn, CSR #1274
21
22 My commission expires: 10/25/2008
23
24