

Vicksburg Public Meeting

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BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

IN THE MATTER OF:
GULF SOUTH PIPELINE COMPANY Docket No. CP06-446-000

Public Hearing

Thursday, 6:00 p.m. CDT
March 1, 2007
Vicksburg Convention Center
1600 Mulberry Street, Room 4
Vicksburg, Mississippi 39180

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1 APPEARANCES:
2 John V. Peconom
3 Environmental Biologist
4
5 Doug Mooneyhan
6 Katey Grange
7 Entrix
8
9 Andrew Chartrand
10 Gulf South Pipeline Company
11 The Public
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ATTACHMENTS

(No Attachments Admitted.)

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1 P-R-O-C-E-E-D-I-N-G-S
2 MR. PECONOM: Good evening. On behalf of
3 the Federal Energy Regulatory Commission, I'd like
4 to thank all of you for coming tonight. My name is
5 John Peconom. I'm a project manager with the
6 Federal Energy Regulatory Commission.

7 The Federal Energy Regulatory Commission
8 is the primary federal agency responsible for the
9 siting and the construction of proposed Interstate
10 National Gas Pipeline Projects.

11 In accordance with the National
12 Environment Quality Act, I'm responsible for the
13 Commission's environmental review of the proposed
14 east Texas to Mississippi expansion project.

15 The proposed east Texas to Mississippi --
16 excuse me. The proposed east Texas to Mississippi
17 expansion project is an approximate 243-mile and
18 42-inch diameter natural gas pipeline extending from
19 existing natural gas facilities in DeSoto Parish,
20 Louisiana, to existing natural gas facilities in
21 Simpson County, Mississippi.

22 With me tonight are Doug Mooneyhan and
23 Katie Grange with Entrix. Entrix is an
24 environmental consulting firm that's assisting
25 myself and the Commission staff with our

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1 environmental review of the proposed project.

2 On February 9th, 2007, the staff of the
3 Commission, in cooperation with the United States
4 Army Corp of Engineers, United States Fisheries and
5 Wildlife Service, the National Park Service, the
6 United States Environmental Protection Agency, and
7 in consultation with the National Resources
8 Conservation Services and other federal and state
9 regulatory agencies from Texas, Louisiana, and
10 Mississippi, issued a notice of availability of a
11 Draft Environmental Impact Statement for the
12 proposed east Texas to Mississippi expansion
13 project. As announced in the notice of
14 availability, we are here tonight to receive
15 comments on the Draft Environmental Impact
16 Statements.

17 Before I open the meeting for comments,
18 I'd like to review the proposed project, the FERC
19 Environmental Review process, and answer any
20 questions you may have on the proposed project,
21 including the Draft Environmental Impact Statement,
22 and I should add that I indicated earlier that the
23 project begins roughly in DeSoto Parish, Louisiana,
24 and extends to Simpson County, Mississippi, but
25 there are also three miles in a couple of facilities

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1 in Panola County, Texas. So when I mention Texas
2 agencies, that's where that comes from.

3 I've asked Doug Mooneyhan of Entrix to
4 outline the east Texas to Mississippi expansion
5 project as received by the Commission on September
6 1st, 2006, and subsequently updated, and I should
7 point out that the proposed project is being
8 proposed by Gulf South Pipeline Company, LP.

9 Doug, would you like to give us a brief
10 summary of the proposed project and then we'll go
11 ahead and talk about the environmental review
12 process and the Draft Environment Impact Statement,
13 and then I'll open up the meeting for comments and
14 take some questions in there and try to answer all
15 your questions.

16 MR. MOONEYHAN: Okay. I'll give a brief
17 overview of the project, proposed project.

18 The general purpose of east Texas to
19 Mississippi expansion project is to transport
20 natural gas from -- from fields in eastern Texas
21 east to -- through northern Louisiana and then into
22 central Mississippi, and then to eventually supply
23 markets in the southeastern United States' Gulf
24 Coast and other markets as well in the midwest and
25 even the northeastern parts of the United States.

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1 The proposed project includes about
2 240 miles of 42-inch diameter natural gas pipeline.
3 And as John mentioned, it extends from Keychi,
4 Louisiana, which is north -- the northwestern part
5 of the state all the way to -- to Simpson County,
6 Mississippi, just -- just south of Jackson.
7 About 3.3 miles of 42-inch -- excuse me -- 36-inch
8 diameter pipeline is located in Panola County,
9 Texas.

10 There would be two new compressor
11 stations associated with the proposed project.
12 These are located in Ouachita Parish, Louisiana, and
13 that's called the Vixon Compressor Station, and also
14 the new compressor station in Madison Parish,
15 Louisiana, and that's called the Tallulah Compressor
16 Station. Gulf South also proposes to add additional
17 compression to an existing compressor station in
18 Carthage Junction, Texas.

19 There would be a few other associated
20 facilities with the proposed project, including
21 meter and regulator facilities, main line valves,
22 side valves and pig launcher and receiver facilities.

23 Gulf South has proposed to start
24 construction in and around the May 2007 time line
25 and be completed by about September 2007, which is a

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1 period of about four to five months of construction.

2 Just a brief overview of some of the
3 construction procedures. Typically, the
4 construction right of way, a temporary right of way,
5 would be about a hundred feet wide. That width
6 would be reduced, typically, in wetlands to a width
7 of about 75 feet. Typically, Gulf South would
8 retain a permanent -- or as proposed, to retain a
9 permanent easement of -- of 60 feet in width.

10 A significant portion of the proposed project is
11 collocated with existing linear facilities such as
12 other natural gas pipelines and -- and high voltage
13 utility lines, about 76 percent, or 185 miles in
14 proposed project's collocated.

15 In some instances, Gulf South has proposed
16 to use a portion of its own right of way where the
17 proposed project is collocated with an existing Gulf
18 South right of way in order to reduce the width that
19 would be required for clearing.

20 The construction process can just briefly
21 be described as a moving assembly line. There would
22 be clearing and grading of the right of way,
23 trenching to a depth of about seven feet. Then the
24 pipeline would be installed into the trench and soil
25 will be placed back over the top of the pipeline, so

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1 there'd be about three feet of soil or
2 three-and-a-half feet of soil over the -- over the
3 pipeline.

4 The pipeline is -- is lowered into the
5 trench. It's backfilled over. After construction
6 is complete, the pipeline is tested.
7 Hypostatistically, water is pumped into the pipeline
8 and the pressures are monitored to make sure that
9 there are -- that there are no leaks. And then
10 following that process, after the construction
11 process, Gulf South would cleanup and restore the
12 right of way.

13 In addition to the open-cut trenching
14 method, which would -- which would cover a majority
15 of the pipeline, Gulf South has also proposed to use
16 horizontal directional drill at 33 locations.
17 Drilling is a trenchless method of installing the
18 pipeline. It allows installation beneath special
19 features; oftentimes such as rivers where the
20 directional drill can just go under, go under the
21 feature such as a river without causing any surface
22 impacts.

23 Gulf South has largely adopted FERC's plan
24 of procedures which are standard plans that FERC has
25 developed over the years to minimize and avoid

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1 impacts to both upland areas and also the wetlands
2 and water bodies.

3 During construction, Gulf South would also
4 employ environmental inspectors to ensure that the
5 measures that are included in the EIS, or have been
6 agreed to, are being followed, and FERC would also
7 employ inspectors under their -- their authority to
8 independently assure that the measures -- protective
9 measures are also being followed.

10 That's a quick review of the construction.

11 MR. PECONOM: Thank you, Doug. I want to
12 spend a couple of minutes, before I open it up for
13 questions, talking about the FERC Environmental
14 Review Process, and talking a little bit about the
15 Draft Environmental Impact Statement.

16 Typically when we receive a project or
17 when we first learn of a project, a company will
18 approach us and request to use our pre-filing
19 process, which is the case in this project. And
20 I guess I should take it a step back for some -- for
21 some -- for some clarification.

22 Originally, we began reviewing the
23 east Texas project independently of the Mississippi
24 expansion project. After some review internally, we
25 decided to review both projects at the same time and

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1 we started reviewing both projects of the east Texas
2 to Mississippi expansion project.

3 In both cases, though, we -- we first
4 learned of these projects when the company -- when
5 Gulf South approached us and requested to use our
6 prefiling process. The prefiling process is a
7 process that we designed to increase public
8 involvement and agency involvement before a formal
9 application is filed with the Federal Energy
10 Regulatory Commission.

11 The prefiling process typically lasts six
12 months. In this case, it was a bit of a modified
13 process because we combined a review of this
14 project. It was still roughly around -- around a
15 six-month review time for both projects.

16 During the prefiling process, we have
17 public meetings, and some of you may have attended
18 those earlier or -- I guess probably about mid 2006,
19 we send out letters to affected and potentially
20 affected landowners as well as resource agencies
21 in -- in each respective area that may have an
22 interest in the proposed project and we request any
23 comments that individuals or agencies may have. As
24 I said, we'll come out for open houses and take
25 initial meetings or comments there. We'll come out

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1 and we'll do site visits and try to identify issues.

2 The purpose of the prefilling process is --
3 is two-fold: It's, one, to provide us with
4 information to -- to prepare our environmental
5 analysis once the application is formally filed with
6 the Commission, and to identify any issues that may
7 be out there and work through them with landowners
8 and agencies prior to a project becoming -- moving
9 farther along.

10 Primarily, we are able to -- to conduct
11 our environmental analysis based on resource reports
12 which are developed in the prefilling process and
13 submitted to us at the time of formal application.
14 A resource report is a report on all the resources
15 that would be affected by the proposed project.
16 We work with the companies, the landowners, and
17 agencies to develop these resource reports to make
18 sure they accurately reflect what resources out
19 there are being affected.

20 Typically, we have a soils resource
21 report, a geology's resource report, water bodies,
22 wetlands, land use, vegetation, wildlife,
23 threatened/endangered species, air and noise,
24 alternatives, which an alternative is -- is, is
25 there another way to do this project; is there

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1 another way to do a specific portion of this
2 project? So we'll ask the company to prepare these
3 resource reports, we'll review them, ask for
4 additional information, ask the agencies to review
5 them, and ask for additional information again.

6 When we receive those resource reports,
7 part of the application we'll then take them as part
8 of -- and use them to prepare our Environmental
9 Impact Statement to our environmental analysis.

10 Once we receive the application and the
11 resource reports and -- and find them sufficient to
12 begin environmental review, we'll go ahead and begin
13 that environmental review subsequently asking
14 additional questions as -- as we get through them.

15 The purpose of our environmental review,
16 in this case it's to prepare an environmental impact
17 statement, what we've prepared now and what each of
18 you should have received, either a hard copy or an
19 electronic CD, is a Draft Environment Impact
20 Statement either looking like this, which is the
21 hard copy, or, obviously, a CD that Katie has in the
22 back there.

23 We've prepared this Draft Environmental
24 Impact Statement, as I've indicated earlier, in
25 cooperation with several agencies both at the

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1 federal and state level. We are here tonight to
2 receive comments on this Draft Environmental Impact
3 Statement to make sure that we've adequately
4 addressed people's concerns.

5 Again, in this Environmental Impact
6 Statement, I'll briefly go through it, we've tried
7 to identify all the resources that would be
8 affected, the environmental resources that would be
9 affected by the proposed project: Soils, geology,
10 water bodies, wetlands, and as I stated earlier.

11 We'll take Gulf South's proposal, review
12 it for the environmental consequences and impacts of
13 the project. We'll review their proposed
14 minimization measures to how to -- to minimize those
15 impacts and mitigation members -- measures to offset
16 those impacts. We'll do an analysis on all of those
17 and we'll actually make additional recommendations
18 to -- to further minimize impacts.

19 In the Draft Environment Impact Statement
20 in Section V, you probably saw some recommendations.
21 Those are recommendations prepared by the
22 environmental staff of the Commission, which
23 includes myself and our third-party consultants with
24 Entrix who are helping us to prepare this document.
25 We will modify those recommendations based on -- on

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1 comments that we hear from -- from folks like
2 yourselves and the agencies which we've met with
3 today, and we will prepare a Final Environmental
4 Impact Statement.

5 We're currently -- and I should say that
6 we're currently in a 45-day review period. Once the
7 Draft Environmental Impact Statement is issued, we
8 have a 45-day review period for -- for meetings like
9 this and for the public and agencies to -- to digest
10 the documents. It can be -- and this document is a
11 good size document -- for them to review and offer
12 us comments to make sure that we've gotten things
13 right.

14 Following that 45-day comment period,
15 we'll begin preparing a Final Environmental Impact
16 Statement. The Final Environmental Impact Statement
17 will be very similar in appearance to this document
18 here. However, we'll address any comments raised in
19 the comment period.

20 We will then issue that or submit that
21 Final Environmental Impact Statement to the Federal
22 Energy Regulatory Commission, which is a five -- a
23 five-member commission appointed by the president,
24 who will take the environmental analysis, the
25 recommendations that we make, and other information,

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1 including market, financial, safety, a whole slew of
2 other things, take those into consideration and make
3 a decision on whether or not to approve the proposed
4 project.

5 If the Commission chooses to approve the
6 proposed project, a lot of recommendations, and
7 almost actually all of our recommendations, become
8 conditions of that approval for the company.

9 If the Commission approves a project,
10 they -- they issue what is called an order or a
11 certificate to -- to authorize or to construct the
12 project. The recommendations, which are found in
13 Section V, become -- then become conditions of the
14 project. So based on -- on comments that we receive
15 from landowners during our initial public scoping
16 meetings, as well as comments we've received from
17 the agencies as well as any other -- any others that
18 have written in or provided comments from a project,
19 we develop recommendations. And, as I said, those
20 recommendations becomes conditions and Gulf South
21 will have to adhere to those conditions should an
22 order be issued.

23 I think that about summarizes both the
24 project and the environmental review process. What
25 I'd like to do now is answer questions that any

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1 folks may have on the process, the proposal, or our
2 analysis of that proposal.

3 I think we can probably do this
4 informally. When we come to the comment stage,
5 if -- if folks would not mind, I'd like for them to
6 come up to microphone so that the court reporter can
7 adequately record your comments and make sure they
8 get on the record.

9 I should point out this whole meeting is
10 on the record and transcripts of this meeting will
11 be available on the internet in two weeks or less,
12 most likely about a week, two weeks, or you can
13 contact the court reporter here and get a copy of it
14 quicker.

15 So I'll be happy to answer questions right
16 now, if folks have them, on the review process or
17 the -- or the proposal.

18 Yes, sir.

19 MR. PITRE: Wayne Pitre, and this is my
20 wife, Marie, and the pipeline is -- the proposed
21 pipeline is crossing through our front yard. I want
22 to admit freely that our -- my questions and my
23 comments later are very prejudice because of where
24 the pipeline is, and I'm going to have several
25 questions and comments through the -- I admit

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1 they're prejudice.

2 MR. PECONOM: Okay.

P3-1 { 3 MR. PITRE: At this stage of the process,
4 has there ever been a project not approved? Because
5 we feel like this has been rammed down our throat,
6 and the first meeting we had back in the fall, it's
7 been a done deal. Gulf South has been getting
8 easements from day one. It seems like if
9 I were running a business and going to do a project,
10 I would make sure I had approval before I -- I got
11 paid money out for easements. It just really seems
12 like it's a done deal and this is all a big
13 formality.

P3-2 { 14 And in -- in the project book, you know,
15 this talks about a lot of generalities. It talks
16 about a long -- a long pipeline. We live on a piece
17 of property that doesn't address this. We live on a
18 piece of property that, according to the NRCS, it's
P3-3 { 19 highly erodible. We -- we planted trees three years
20 ago to prevent erosion. We've got four erosion
21 control structures, one that's going to be breached
22 by this pipeline.

P3-4 { 23 We have a 23-year-old horse that we have
24 to keep fenced in because it's got a pulmonary
25 problem. Who's going to rebuild a fence -- you

P3-1 The proposed Project has not been Certificated or approved by the FERC. In the past, proposed projects have been denied by the Commission or withdrawn prior to construction.

P3-2 The Final EIS includes evaluation of a route alternative at the Pitre property, as discussed in Section 4.4.

P3-3 Soil erosion is discussed in Section 3.2. Gulf South would use its Plan and Procedures to prevent or minimize soil erosion. Additionally, Gulf South has developed a plan in consultation with the NRCS for the management of highly erodible loess soils, which are found in the Vicksburg, Mississippi area. We believe that with implementation of these plans, soil erosion would be effectively minimized.

P3-4 As stated in Section 2.3.1 of the Final EIS, any private or public property damaged during construction, such as fences, gates, and driveways, would be restored to original or better condition, consistent with individual landowner agreements.

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P3-4 ↑

1 know, none -- none of this has been addressed for
2 us. It's -- it's a pipeline being pushed through
3 our yard that we wanted to give to our son and our
4 brand new grandbaby, real emotional for us, and --
5 and -- and for us it just seems like it's a big done
6 deal. It's a formality. It's going to be done to
7 us.

8 We just got notification from another
9 pipeline company that wants to come survey on our
10 property to add insult to injury, and -- and we feel
11 helpless in all of this. And -- and I've got some
12 other stuff that's more specific. I'm already
13 getting a little worked up about it, and -- and --
14 and -- to y'all, it's a pipeline. For us, it's a
15 life changing event.

16 This is property Marie was raised on, and
17 it's been in her family for years and -- and to us
18 it's -- they're coming in and putting a 42-inch high
19 pressure pipeline. In the book, it's safe, you
20 know. They've had evacuate 150 from Hamilton
21 Heights what? Three weeks ago?

22 MRS. PITRE: Probably.

23 MR. PITRE: Yeah. You know, if it's safe,
24 why did they have to evacuate those people on a
25 30 -- was it an 18-inch pipeline that ruptured for

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P3-5 1 no reason? So, it's safe? We're living within a
2 thousand feet or less? I didn't do a measurement on
3 this pipeline, you know. So we're supposed to feel
4 comfortable sleeping every night. It's safe.

5 I'm not an engineer, I don't claim to be
6 one, I've never played one on TV, but you're going
7 to put a -- you're going to purposely put a 42-inch
8 high pressure gas pipeline next to a transmission
9 line. I've got a deer stand on the back of the
10 property and in a rainstorm you can see this thing
11 crackle, and you're intentionally putting a gas -- a
12 high pressure gas pipeline next to a power line?
13 To me, that really makes no sense. I'm not an
14 engineer, but you're going to intentionally do that?

P3-7 15 The thing addressed terrorists action is
16 that, Oh, we're not putting it on the web site so
17 the terrorists won't know where it is; but you're
18 going to intentionally put, and Mike brought that
19 up, and I'm sure he's going to have some comments on
20 it, he brought it up in the other meeting, you're
21 going to intentionally put two power sources that
22 close to one another to have someone who's devious
23 enough, somebody who would want to fly a plane into
24 a building that they would -- they could actually
25 take out two power sources at the same time?

P3-5 Pipeline safety is addressed in Section 3.12 of the Final EIS. The available data show that natural gas pipelines continue to be a safe, reliable means of energy transportation. Based on approximately 300,000 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 400 years. This would represent a slight increase in risk to the nearby public.

P3-6 Collocation of natural gas pipelines and electric transmission lines commonly occurs throughout the United States. Given the overall low risk of pipeline failures and incidents, we believe that the risk of a pipeline incident causing damage to an electrical transmission line, or vice versa, is small.

P3-7 Potential impacts resulting from terrorism and involving electric transmission lines are discussed in Section 3.12.4 of the Final EIS. Due to the various abilities and motivations of terrorist organizations, the likelihood of future acts of terrorism at the proposed Project site is unpredictable. The FERC has taken measures to limit this risk, including removal of sensitive information from the public record and cooperation with other agencies and groups to strengthen ongoing efforts to secure pipeline infrastructure.

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P3-8 [1 Again, I'm getting -- you know, I'm not a
2 good public speaker, especially when I get nervous,
3 especially when I get upset, I'm going to have some
4 other things to say later. But, again, has there
5 ever been a project canceled at this stage? Or, are
6 we just all here checking all the blanks right now?

7 MR. PECONOM: You've got quite a few
8 questions in there and I want to try to address them
9 one by one.

10 MR. PITRE: Well, most of them are
11 emotional comments and I realize that.

12 MR. PECONOM: I understand that, and this
13 is very personal. I understand. This is very
14 personal, folks, and I think there's a -- like
15 you said, there's a combination of questions and
16 comments in there, and it'd probably be redundant
17 for you to do that again later, but we can -- we
18 have that on the record here as your comments.

19 Let me try and go through and answer some
20 of your questions, and if I miss them, remind me
21 because I was trying to write them down and I want
22 to make sure that I get them all.

23 At this point in the process an order has
24 not been issued and, you know, the project has not
25 been approved.

P3-8 Please see the response to P3-1.

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1 The project route has not been approved,
2 and this is, as part of the review process right
3 now, is to determine if this is the best route.
4 Route variations and route alternatives can't be,
5 you know, can't be made at this point. We haven't
6 made any final recommendations and this isn't the
7 final analysis yet, so, it's not a done deal in
8 terms of our environmental analysis. We're doing
9 that right now. When we issue a Final Environmental
10 Impact Statement, that'll be the point of where
11 we've made our -- our -- completed our analysis.

12 The Commission -- let me make sure I get
13 all these questions correct here. The Commission
14 has -- has implemented the pre-filing process and its
15 environmental review process which typically, if you
16 count the pre-filing process, it's typically a
17 six-month process, and our environmental process is
18 typically an eight-month process, so we're talking
19 on average a 14-month process between when we first
20 learn of a project and get the word out to when we
21 make -- complete our final, you know, environmental
22 impact statement or complete our final environmental
23 analysis. In some cases it's a little longer. In
24 some cases it's a little bit shorter, but on average
25 I would say about 14 months. So there's a long time

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1 there to get comments heard and to -- to let people
2 know what you're concerned about. We strongly
3 encourage the company to work with landowners to
4 address concerns, because there is variations, and
5 now there -- we can still do variations to move the
6 pipeline a certain amount of distance, to move it,
7 you know, from one property to the other.

8 MR. PITRE: Can I interject one question
9 and --

10 MR. PECONOM: Yes.

11 MR. STEPHAO: -- again, it's related --

12 I've asked numerous times to the people that kept
13 coming out, it -- I think in Hinds County you're
14 going to a place that's actually farther south, and
15 why wasn't a more direct route through Warren County
16 in a -- in a less inhabited area chosen? I've asked
17 at least three people and the answer always was
18 "there must be a good reason or they would have done
19 it," but that's the best reason I got. Maybe --
20 maybe someone can answer that.

21 MR. PECONOM: And I think this goes to one
22 of your other questions, your last comments on about
23 the high line.

24 The Federal Energy Regulatory Commission,
25 and I should say the staff of the Federal Energy

P3-9 We have further evaluated route alternatives, including a new route alternative located in the southern portion of Warren County. This information is included in Section 4.3 of the Final EIS.

P3-9

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1 Regulatory Commission, myself included, typically
2 sites pipelines or prefer that pipelines are sited
3 adjacent to existing utility corridors. Siting a
4 pipeline adjacent to an existing utility corridor
5 allows or minimizes the impacts. There's less --
6 typically, there's less environmental impacts when
7 we locate them next to an existing corridor as
8 opposed to putting them somewhere where there is no
9 existing corridor.

10 There are approximately 300,000 miles
11 of -- of pipeline. This is in the Environmental
12 Impact Statement and specifically in the Reliable --
13 the Reliability and Safety Section. There are
14 approximately 300,000 miles of pipeline in the
15 country today. A good portion of that, and I --
16 I don't have a number for you, is located next to
17 existing utilities, whether it's another pipeline or
18 a high line or some other utility of one kind.

19 Just because there's a utility there
20 doesn't mean we have to go that way, but that
21 certainly is our preference and we like to push
22 these companies or recommend that these companies
23 look to existing utility corridors to -- to place
24 their pipelines. We feel that there's less
25 environmental impact in doing that.

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1 MR. WINTHROW: How -- how -- how is there

2 less --

3 MR. PECONOM: How --

4 MR. WINTHROW: -- environment impact?

5 COURT REPORTER: Hold on. I need a name.

6 MR. PECONOM: Can -- can you say your name

7 for the record, please. I apologize.

8 MR. WINTHROW: Mike Winthrow. How -- how

9 is there less environmental impact by collocating

10 with electrical transmission lines?

11 MR. PECONOM: Environmental speaking,

12 let's just say you have a -- a natural area, you

13 have a -- the utility corridor that's already going

14 down there, that -- that area is already disturbed

15 there. By going next to that, you're -- you're

16 keeping that disturbance along that corridor that's

17 already been established as opposed to going into an

18 area that has no corridor whatsoever in there. So

19 in terms of wildlife and vegetation, that's already

20 a predisturbed area so you're just keeping those

21 impacts along that corridor as opposed to going to a

22 green field, sort of speak, where there's no

23 environmental impact whatsoever there, no existing

24 utility corridors and cutting new corridor through

25 there.

P3-10 In their letter dated March 27, 2007, Mr. Withrow and Mr. Broadbent indicated that they "hereby withdraw any and all comments that we have submitted to the Commission in these proceedings, including the March 26 Comments, as they pertain, and only as they pertain, to this Project and these Dockets." They went on to say "However, we preserve our comments and concerns as they pertain to the Commission's overall environmental review process and the Commission's criteria for the routing of pipelines". Given the Withrow/Broadbent filing dated March 27, 2007, we will consider their specific comments regarding the East Texas to Mississippi Expansion Project provided in the Vicksburg, Mississippi Draft EIS comment meeting held on March 1, 2007 as withdrawn and will not respond to them herein. However, have responded to their general comments regarding our environmental review process and the criteria for the routing of pipelines in our responses to their two letters dated March 26 and March 27, 2007.

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1 MR. WINTHROW: So what you're really
2 speaking of is just a visual impact?

3 MR. PECONOM: No. That's part -- that's
4 one of the aspects that we look at. There's an
5 aesthetic impact, a visual impact. There's also, in
6 effect, wildlife and effective vegetation and
7 effective wetlands and water bodies that can be
8 minimized by using existing utility corridors.

9 MR. WINTHROW: I understand the impact of
10 vegetation, because none of the electrical
11 transmission line right of way is being used for the
12 construction of the pipeline on -- certainly on my
13 land.

14 MR. PITRE: There's no overlap.

15 MR. PECONOM: I noticed in -- in the case
16 of the high line, there's not overlap. In other
17 places, there is overlap. So there is -- there
18 is -- that is occurring in other instances along
19 this proposed pipeline and many other proposed
20 pipelines. That's one of the advantages there, and
21 then existing vegetation is already disturbed at
22 that -- along the existing corridors. We wouldn't
23 be disturbing vegetation; for instance, you know,
24 old growth forest or something of that nature.

25 MR. WINTHROW: The forest is -- the old

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1 growth forest is right up to the electrical
2 transmission line right of way, so the statement you
3 made, it was a generalized statement. Do you also
4 look beyond the generalization at specific locations
5 where the environmental impact may not be less just
6 because it's -- there's electrical transmission --

7 MR. PECONOM: Yes. And -- and I thought
8 I said earlier that that is the preference but not
9 always the rule to go, you know, with existing
10 utility corridors.

11 We've look at, and we were actually out
12 today specifically looking at Mr. Broadbent's
13 property adjacent to that existing corridor, we'll
14 look -- we've looked at alternatives in this project
15 to that corridor and we will look at additional
16 alternatives to that corridor as well and part -- as
17 part of the Final Environmental Impact Statement to
18 look at some other areas potentially to go through
19 there to see if there's less environment impact,
20 so -- and -- and, actually -- and it was yourself
21 that made the comment suggesting another route
22 farther south to here that could be potentially
23 used, and we -- we've looked at that and I think
24 we're going to look at that again.

25 MR. BROADBENT: Our -- concern --

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1 COURT REPORTER: I need your --

2 MR. BROADBENT: -- is that --

3 COURT REPORTER: -- name, please.

4 MR. BROADBENT: Greg. Greg Broadbent.

5 Our concern is that -- that -- that you're, you
6 know, you're choosing this right of way without
7 respecting terrain --

8 MR. PECONOM: Uh-huh. (Affirmative
9 response.)

10 MR. BROADBENT: -- and, therefore, you
11 know, as we've found out since the prefilling, that
12 they're going to need a lot of additional workspace
13 because the area is so rugged, so they're going to
14 need to clear a lot more land and the environmental
15 impact there is a lot greater than what you had
16 originally anticipated.

17 MR. PECONOM: Your -- I understand your
18 concern about the topography and the difficulty of
19 construction in that area and that may actually
20 increase environmental impacts.

21 MR. WINTHROW: Not may. It does.

22 MR. PECONOM: Well --

23 MR. WINTHROW: The -- the reason I say
24 that is throughout the report it refers to the
25 construction easement is 100-foot wide. Yet, on the

P3-11 Please see the response to P3-10.

P3-11

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1 land we're talking about it's 250.
2 MR. PECONOM: I believe it's 150 feet.
3 But, yes --
4 MR. WINTHROW: No --
5 MR. PECONOM: -- it's wide --
6 MR. WINTHROW: -- it's 250 --
7 MR. BROADBENT: The --
8 COURT REPORTER: Hold on.
9 MR. WINTHROW: The total --
10 COURT REPORTER: Hold on. Hold on.
11 I want to get your comments, but you're going to
12 have to go in some kind of order.
13 MR. WINTHROW: Okay. I thought this was
14 an informal discussion?
15 MR. PECONOM: And I --
16 COURT REPORTER: Well, it's informal but
17 formal.
18 MR. PECONOM: I apologize. For the
19 benefit of the court reporter, if you don't mind --
20 MR. WINTHROW: Okay.
21 MR. PECONOM: -- just -- I guess we can go
22 one at a time, I suppose. I'm sorry. Continue
23 please.
24 MR. BROADBENT: The -- the land that
25 goes -- it's a 200-foot wide strip across the -- the

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1 property, and they explained that was necessary
2 because of the rugged topography, which is -- that's
3 total easement including the permanent and the
4 temporary workspace.

5 MR. PECONOM: The -- I believe that the
6 temporary is 150 and the permanent, which as
7 I proposed is 60, which is part of 150. It's added.
8 Is it 200?

9 MR. WINTHROW: That's incorrect.

10 MR. PECONOM: It's 200 there?

11 MR. MOONEYHAN: It's a hundred feet in
12 addition.

13 MR. PECONOM: Okay. I apologize. You're
14 correct. I know it -- it's -- it's a 200-mile
15 pipeline. There's some -- some of -- this is where
16 it's 100, 150, and some places it's 200 and some
17 places where it's 75. So, I apologize. You are
18 correct. So there's 200 temporary workspace and
19 there's 60 permanent right of way.

20 MR. WINTHROW: Right.

21 MR. PECONOM: And that is, as you said,
22 because of topography. So I guess --

23 MR. WINTHROW: As you saw, all of that is
24 in woods.

25 MR. PECONOM: Uh-huh. (Affirmative

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1 response.)

2 MR. WINTHROW: None of that is -- there's
3 a little bit next to Fisher Ferry Road, but the bulk
4 of the -- the route is all in -- in forest.

5 MR. PECONOM: And --

6 MR. WINTHROW: So I'm -- I'm struggling to
7 understand how the generalized statement of
8 minimizing the environmental impact applies in this
9 case?

10 MR. PECONOM: I -- I guess I'm -- I'm
11 hearing that your concern is -- is -- yeah. Okay.
12 Your concern is the environmental impact is not
13 minimized there and there's better locations to
14 cross, I guess?

15 MR. WINTHROW: I'm saying any time that
16 the construction -- the workspace area has to
17 increase that large --

18 MR. PECONOM: Uh-huh. (Affirmative
19 response.)

20 MR. WINTHROW: -- because the topography
21 is -- that issue alone makes that route less
22 attractive by minimizing the environmental impact.
23 It doesn't. It actually increases it. The fact
24 that the power lines is there makes no difference.
25 It's the topography of the land, and -- and the fact

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1 that the land is old growth forest, hardwood forest
2 at that, which would take -- and I'm talking about
3 trees that were here during the Civil War, there's
4 no mitigating that damage. So, in this case, the --
5 the nature of the local environment itself has a
6 much bigger affect on the overall environmental
7 decision than does the power line right of way next
8 to it. That really appears to be playing no role in
9 minimizing the environmental impact of the
10 construction itself.

11 MR. PECONOM: And I think one of the
12 alternatives that we've looked at and we'll continue
13 to look at is placing that somewhere else, but we
14 also have to figure that there are topographical
15 issues there and -- and, you know, issues that we'll
16 look at, you know, alternatives, as we've looked at
17 here, and I think we'll look at them in more detail
18 and possibly other alternatives, to find out is
19 there an environmentally preferable way to do this.
20 And if you have a suggestion, I know you've made
21 suggestions before and we've looked at that, and if
22 you have comments on that suggestion or other
23 suggestions of potential places to put this
24 pipeline, we'd like to look at those routes, you
25 know, to make sure that our environmental analysis

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1 is complete, so, I understand your concerns.
2 I think that's what we need. Our job is to look at
3 alternatives to find out where is the least
4 environmental impact. So, I understand your
5 question and your comment is that's the
6 environmental impact and you want to see if there's
7 somewhere else to put it.

8 MR. WINTHROW: I have some additional
9 and specific comments about the Draft -- the DEIS
10 that I want to --

11 MR. PECONOM: Okay. I want to answer
12 questions first and then -- are there questions,
13 comments or --

14 MR. WINTHROW: Questions.

15 MR. PECONOM: Okay. I want to do
16 questions, and then if people want to put formal
17 comments on the record, and I -- I think the
18 comments and questions are all kind of coming out at
19 the same time, so, I guess --

20 MR. WINTHROW: That's the nature --

21 MR. PECONOM: -- we'll just kind of --

22 MR. WINTHROW: -- of the process.

23 MR. PECONOM: I kind of envisioned just
24 taking questions and then having people make
25 statements and comments there, but, that's fine.

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1 I -- we can do it that way.

2 So I want to, I guess, finish Mr. Pitre's
3 the best I can and make sure I -- I address his
4 questions, and then we can go to yourself, and I'm
5 sure Mr. Broadbent probably has a couple of
6 questions and comments, too.

7 And I want to try to -- okay -- so let me
8 go ahead and -- and go through the rest of these as
9 I've recorded them, and, again, please, Mr. Pitre,
10 help me if I -- if I miss some of them.

11 I think one of the issues you were
12 concerned about or a question was about construction
13 safety, and I think in the area, certainly where we
14 or -- in certain areas, you know, right of way
15 varies in width because of construction safety, and
16 I think you were relating that to the pipeline, to
17 the high line there. That is one -- one of the
18 justifications for additional space at the high line
19 is to make sure that there is safety concerns there.

20 And now that I think about it, your
21 question was about the pipeline being located next
22 to the high line.

23 Pipelines are generally located below --
24 well, they are located below ground, you know, with
25 sufficient amount of cover to minimize safety

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1 concerns from someone, you know, having an accident
2 or causing an accident there.

3 Again, with 300,000 miles of pipeline
4 located next to, you know, numerous high lines and
5 other gas pipelines, there are very few incidences
6 of -- of problems or safety concerns with pipelines.

7 They're actually numbers in the Safety and
8 Reliability Section of the EIS that -- that point
9 out the reliability and safety statistics of
10 pipelines.

11 Erodible soils is one of the things that
12 we looked at. We've had of Loess soils numerous
13 times from -- from a lot of people. We've actually
14 required or requested or recommended that Gulf South
15 prepare a plan to address erodible soils to
16 minimize -- to minimize erosion, and they're
17 developing that plan now and that's something that
18 we will continue to address in the Final
19 Environmental Impact Statement.

20 There are best management practices out
21 there that the state uses, that the highways use,
22 that the, you know, other utilities use that can be
23 applied to this situation that we hope that will
24 minimize those impacts.

25 MR. BROADEBENT: On that point --

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1 MR. PECONOM: Uh-huh. (Affirmative
2 response.)

3 MR. BROADBENT: -- I see where you have
4 asked Gulf South to provide a plan on the Loess
5 soil, and I recognize that Loess soil is, you know,
6 really a local issue here in Warren County, and it's
7 particularly important to us. Because as Dr. Pitre
8 had mentioned, we had a failure of Gulf South
9 pipeline just last month and it was due to the soil
10 erosion, and, so, we're very sensitized to that.

11 And the question that -- that I had was,
12 you know, why hasn't Gulf South presented that
13 already? You know, why -- how is it in this draft
14 that you -- you can ask Gulf South to provide this
15 plan and, therefore, we don't get a review of that
16 plan before the Final Environmental Impact Statement
17 gets issued?

18 MR. PECONOM: I -- I think I know what
19 you're saying, but I'm not -- you're -- you're
20 concerned about the -- the restoration plan for
21 soils?

22 MR. BROADBENT: Well, in -- in -- in that
23 we would like to be able to review that and comment
24 on it.

25 MR. PECONOM: And this plan is being

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1 developed in consultation with equality NRCS and,
2 you know, other state and federal agencies which
3 have the -- had the expertise and, you know, the
4 regulatory responsibility for soils in the state of
5 Mississippi and have a lot of expertise with Loess
6 soil. So, you know, we felt that those were the
7 appropriate people to consult with to -- to keep
8 this -- to develop this plan. I -- I, you know,
9 certainly refer to them as the experts.

10 Yes, sir.

11 MR. PITRE: I just want to point out
12 exactly that, you know, you're saying this is for
13 approval.

14 MR. PECONOM: Uh-huh. (Affirmative
15 response.)

16 MR. PITRE: You issued a massive document,
17 which we got about two weeks ago. I'm concerned
18 about our soil, about our safety, about our trees
19 planted, about our erosion control document, Gulf --
20 our erosion control structures that we've built.
21 I currently have been -- we've filed suit by Gulf
22 South that's scheduled to go to court March 3rd for
23 a project that's not yet approved and they've not
24 told us how they're going to correct all this, our
25 fences, our horse, our, you know -- this is, you

P3-12 Please see the responses to P3-3 and P3-5 regarding soils, erosion, and safety. Please see the response to P3-4 regarding impacts to any personal property or structures. Impacts to planted trees would be permanent within the permanently maintained right-of-way, but potentially could be replanted in the portion of the construction right-of-way that would be allowed to revegetate to pre-project conditions. The issue of replanting could be negotiated during easement negotiations.

P3-13 Please see the response to P3-4.

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1 know, the way this is being presented, is this
2 logical to anybody? Is this supposed to seem normal
3 to us? Am I -- and I spending money on a lawyer
4 right now for protecting myself? Is this all
5 natural? Is this -- am I just supposed to be
6 saying, Okay. Come on Gulf South and do what you
7 want to, and nobody can really say anything to us,
8 just walk on my property, do what you want to. Let
9 me sign this piece of paper for you.

10 MR. PECONOM: Our responsibility, you
11 know, as --

12 MR. PITRE: And you're speaking
13 generalities again. You're saying we've looked at
14 this and it's safe and everything is safe, but
15 you're not the one living next to this high
16 pressure, 1,200 feet gas pipeline. We are. And --
17 and one death, if it's mine or my wife's or my
18 grandson is way too many.

19 MR. PECONOM: I understand your --
20 and let me see if I can -- you had a couple of
21 questions in there and I want to address those.

22 Our responsibility is, you know, for the
23 siting of construction for these pipeline projects,
24 and it's our responsibility to make sure that soils
25 are restored and that soil -- and that they don't

P3-14 Please see the response to P3-5.

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1 erode away and that effects are maintained on -- on
2 the proposed right of way. That's -- that's our
3 responsibility, and we -- we have this public
4 comment meeting, as well was as other public comment
5 meetings in the past, and we have the agencies to
6 help us in these responsibilities to make sure that
7 impacts are minimized and mitigated for and avoided
8 when possible. Any time you have a project of any
9 kind, there's going to be some sort of impact. Our
10 job is to minimize, avoid, and mitigate those
11 impacts as best we can. So that -- that is part of
12 our responsibility as well as the other agencies, so
13 that's -- that's -- we work for you in a sense.
14 I mean, you know, as a federal agency, so --
15 I just -- I wanted to put that there for, you know,
16 this is for review.

17 The second part of it there is the safety
18 again, and natural gas pipelines are safe. The
19 reliability and safety numbers are in here. I think
20 there's a greater chance of being, you know, in a
21 car accident on the way home tonight than there is
22 having an incident with a natural gas pipeline.

23 So -- and I -- I understand your concerns,
24 and, you know, it's your background, it's your
25 land, but I -- I -- we look at safety and in our

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1 environmental assessment here, you know, we address
2 that and indicate the numbers and the statistics
3 indicate that you will be more likely to have a car
4 acc -- not you, but a person may be more likely to
5 have a car accident than they would have with an
6 incident with a natural gas pipeline.

7 MR. PITRE: But I can choose whether to
8 drive here tonight or not. The other, I -- I
9 cannot.

10 MR. PECONOM: And we appreciate your
11 comments. Thank you.

12 Did I answer your question?

13 MR. BROADBENT: Yes.

14 MR. PECONOM: Okay. I think, Mr. Pitre,
15 I got to most of your questions, not directly in
16 order but through this conversation here.

17 Mr. Broadbent, did you have some question
18 or, I guess --

19 MR. WINTHROW: Mike Winthrow again.

20 MR. PECONOM: I'm sorry.

21 MR. WINTHROW: That's okay.

22 MR. PECONOM: I apologize.

23 MR. WINTHROW: In the Daft DEIS, Section
24 3.12.4.2 on page 3-130.

25 MR. PECONOM: Okay.

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1 MR. WINTHROW: Do you want me to give you
2 a minute to get there?

3 MR. PECONOM: Page three, dash --

4 MR. WINTHROW: 3-130.

5 MR. PECONOM: Uh-huh. (Affirmative
6 response.) Yes, sir.

7 MR. WINTHROW: There's a statement in
8 there that says Gulf South will -- has contracted a
9 study to set the project level risk on the -- the
10 power lines. Will that study be concluded as part
11 of this EIS?

12 MR. PECONOM: We will add that information
13 in the EIS, into the Final EIS.

14 MR. WINTHROW: Okay. Will there be an
15 opportunity for the public comment on that study?

16 MR. PECONOM: When the Final Environmental
17 Impact Statement is issued, it's not issued again
18 for public comment.

19 MR. WINTHROW: So, no?

20 MR. PECONOM: Yeah.

21 MR. WINTHROW: Another statement at the
22 end of that first paragraph in that section where it
23 talks about due to --

24 COURT REPORTER: Excuse me.

25 MR. PECONOM: That's a little fast for --

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1 COURT REPORTER: You're running together.

2 Slow down a little bit.

3 MR. PECONOM: If you want to just
4 reference that line, I can read it --

5 MR. WINTHROW: Okay.

6 MR. PECONOM: -- so just --

7 MR. WINTHROW: The first paragraph,
8 Section 3.12.4.2.

9 MR. PECONOM: Okay.

10 MR. WINTHROW: While that is true
11 regarding the hazard to the Baxter Wilson
12 Switchyard --

13 MR. PECONOM: Uh-huh. (Affirmative
14 response.)

15 MR. WINTHROW: -- which I participated in
16 re -- rerouting around that -- that location, it
17 does not -- that reroute does not remove the risk to
18 the HVAC power lines themselves, and I -- I think
19 this statement needs to be clarified to point that
20 out because there's a linkage between this statement
21 and the study that Gulf South has contracted.

22 MR. PECONOM: Okay.

23 MR. WINTHROW: Those are two separate risk
24 issues, only one of which has been addressed.

25 MR. PECONOM: I see. Okay. So you're --

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1 okay. The station versus the high line.

2 MR. WINTHROW: Right.

3 MR. PECONOM: Okay. Yes. That's a good
4 question.

5 MR. WINTHROW: There's also a statement at
6 the end of the second paragraph --

7 MR. PECONOM: Uh-huh. (Affirmative.)

8 MR. WINTHROW: -- and I won't read it --

9 MR. PECONOM: Of that same section?

10 MR. WINTHROW: -- of that same section,
11 which talks about a minimal increase in potential
12 pipeline failure within the areas contained in HVAC
13 power lines.

14 MR. PECONOM: Yes, sir.

15 MR. WINTHROW: Minimal increase is --
16 Is not very specific and is somewhat meaningless.
17 The actual risk, in terms of events per year and so
18 forth, is comparable to the lose of high power risks
19 for nuclear power plants that the NRC uses, the
20 Nuclear Regulatory Commission uses, in considering
21 risks that they do not consider to be minimum. So
22 I -- I think there's a disconnect between what FERC
23 considers to be minimal increase in risks and what
24 the Nuclear Regulatory Commission considers to be
25 minimal increase in risks as applies to the safety

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1 of nuclear power plants, which the HVAC power lines
2 referred to here impact the risks to the Grand Gulf
3 Nuclear Station. So I -- I think the statements
4 that really don't -- there's -- there's a lot of
5 information out there issued by Nuclear Regulatory
6 Commission to address loss of power risks at nuclear
7 power plants and I think that the risk statements
8 identified in this EIS needs to be consistent with
9 the risks as -- as stated by the regulatory
10 authority for just that, nuclear power plants.

11 MR. PECONOM: I contacted the Nuclear
12 Regulatory Commission and spoke with an individual
13 there and I will contact them again to kind of
14 follow-up to see if there's additional information
15 or statistics that we can include in this -- in this
16 study, in our Final Environmental Impact Statement.

17 MR. WINTHROW: One other thing on this
18 -- one additional thing on this particular section
19 that relates to another section I have a question
20 about --

21 MR. PECONOM: Uh-huh. (Affirmative
22 response.)

23 MR. WINTHROW: -- and that is I have --
24 I have been recently contacted, and I'm sure there
25 are others that have also, by a company

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1 Mid Continent Express Pipeline, LLC --

2 MR. PECONOM: Uh-huh. (Affirmative
3 response.)

4 MR. WINTHROW: -- that seeks to route
5 another large high pressure gas transmission line
6 along this same corridor alongside in this case the
7 north side of this power line. So this risk study
8 that Gulf South will be doing should also include
9 the additional collateral risks of that second
10 pipeline along this same corridor presenting the
11 same risks essentially doubling the overall risks to
12 that transmission line, so it's no longer an
13 insignificant risk increase.

14 MR. PECONOM: We've recently been
15 contact -- or been made aware of or been contacted
16 by the Mid Continent Express Pipeline Company. I --
17 I think -- is that their official name?

18 MR. WINTHROW: Mid --

19 MR. PECONOM: I'm aware of their project.

20 MR. WINTHROW: Mid Continent Express
21 Pipeline, they're a subsidiary of Kinder Morgan.

22 MR. PECONOM: We've just recently become
23 aware of that project, and I realize that
24 accumulative impacts is a concern that, you know, in
25 addition to the safety that y'all are concerned

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1 with.

2 That project is just beginning the
3 prefiling process and we do not know -- I don't have
4 any details on that project yet. An analysis will
5 be conducted of that project, you know, in relation
6 to what's existing there and the potential Gulf
7 South project should it be approved.

8 MR. WINTHROW: Okay. Well, on that
9 note --

10 MR. PECONOM: And then if you have
11 comments on that project, they're going to probably
12 be down in the next month or so to address theirs.
13 There's a lot of projects going through. I admit
14 that.

15 MR. WINTHROW: There are three --

16 MR. PECONOM: Three.

17 MR. WINTHROW: -- through Warren County.
18 In some cases feet of each other. Some cases, miles
19 of each other.

20 MR. PECONOM: I think I counted last night
21 there are six projects in Mississippi currently
22 being proposed.

23 MR. WINTHROW: Well, I'm concerned about
24 the three in my area.

25 MR. PECONOM: I understand.

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1 MR. WINTHROW: Back to the Draft EIS,
2 Section 3.13 --

3 MR. BROADEBENT: Actually, why -- why
4 don't we stay on 3.12, that -- that study that Gulf
5 South has contracted is a result of our comments on
6 the prefilling, and I guess what you're telling us
7 then is our comments are not going to be answered
8 until the final -- the Final Impact Statement is
9 released. You -- you can't respond to those
10 comments because the study is not done.

11 MR. PECONOM: Comments -- there's a
12 difference between a question and a comment, and
13 you've made comments to us that this should be done
14 and we -- we've worked to address those comments and
15 we will address the comments in the final
16 environmental impact statement. We -- we've worked
17 to address them here in the Draft Environmental
18 Impact Statement. So it's not a question per se,
19 but it's a comment that we will address and, you
20 know, this is why we're having this meeting here to
21 make sure that we do that and for you to ask us
22 about that. So it be in that FEIS, but I guess that
23 will be a response. I guess that will be how your
24 comment is addressed.

25 MR. BROADEBENT: That -- that -- I mean, we

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1 don't get a review of that, of -- of how you respond
2 to our comment. I mean, in some cases, and I think
3 Mike's going to point them out later, that you've
4 taken our comments or Gulf South has taken our
5 comments and changed them into other comments that
6 then you responded to.

7 MR. PECONOM: We're doing our best -- we
8 do our best to address everybody's comments. And if
9 we've not addressed your comments, that would be a
10 comment you need to give us tonight so we can -- we
11 can fix that situation. So you're saying we haven't
12 addressed -- well, I'm not sure what -- I don't want
13 to put words in your mouth is what I'm saying, but
14 we -- I want to address it in this FEIS --

15 MR. BROADBENT: Okay.

16 MR. PECONOM: -- and if we haven't yet,
17 please tell us now so that we can do that.

18 MR. BROADBENT: And we will have written
19 comments as well. It's our intention to submit
20 written comments on this about the -- by the
21 deadline, and that will be one of our comments
22 that -- that you haven't even responded to our first
23 comment. You mentioned that there is a study being
24 performed, but you haven't even developed any
25 conclusions from it.

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1 MR. PECONOM: We'll address that comment
2 in the --

3 MR. BROADBENT: Okay.

4 MR. PECONOM: -- FEIS. I understand.
5 Questions?

6 MR. WINTHROW: Back to the Draft EIS
7 Section 3.13, will that section be updated to
8 include the accumulative impact of the Mid Continent
9 Express Pipeline?

10 MR. PECONOM: I was just thinking about
11 that, because we were just made aware about that
12 project.

13 MR. WINTHROW: The reason I suggest that
14 is, or asked about it, is when I read this section
15 it clearly states that all projects current and in
16 the reasonably foreseeable future has to be
17 considered in that part of the evaluation.

18 The information I have been given from
19 Mid Continent Express indicates that they will be
20 constructing that pipeline next year with it
21 scheduled to go into operation in March of 2009, so
22 construction is next year. So certainly that's
23 within one year of the Gulf South pipeline, and
24 I think any reasonable person would consider that
25 unreasonably considerable future.

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1 MR. PECONOM: Yes. When that project was
2 raised to us, we had just completed this Draft
3 Environmental Impact Statement. So now that we are
4 aware of it, we will be addressing it. We'll
5 actually be looking at alternatives along with that
6 route of that pipeline and we'll be addressing those
7 in this document.

8 MR. WINTHROW: Well, what I'm faced with,
9 this is based on information provided to me by
10 Mid Continent Express, already asked me for access
11 to -- for their surveyors. They intend on -- to the
12 -- on the north side of the power line, so what I'm
13 faced with is on the south part -- part of the power
14 line a 200-foot wide strip of land that will be
15 deforced and bulldozed for the Gulf South pipeline
16 and then if the topography's the same, on the other
17 side of the power line another 200 feet of old
18 growth forest, hardwood forest, that will be
19 bulldozed for the Mid Continent pipeline. So, I'm
20 looking at 400 feet wide -- 400-foot wide strip of
21 land that will be denuded for these two pipelines
22 being built within about a year of each other.

23 MR. PECONOM: In addition to what's with
24 the existing right of way. You're looking --

25 MR. WINTHROW: The 200-foot --

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1 MR. PECONOM: -- at the --

2 MR. WINTHROW: -- HVAC power line, that's
3 a 600-foot wide corridor that I'm sure has
4 additional environmental impact over and above a
5 narrow corridor, the 200-foot corridor. You know,
6 I -- I've lived -- I've had that property for a
7 number of years and, of course, it's -- we've got a
8 pretty good familiarity with how the wildlife
9 considers that 200-foot wide corridor. I guarantee
10 you tripling that corridor will have an impact on
11 how that wildlife uses that corridor.

12 MR. PECONOM: And that's accumulative
13 impact and that's -- that's why we have that section
14 here, and I understand your concern about the next
15 proposed project and what that accumulative impact
16 will be, and that's something we will address in the
17 Final Environmental Impact Statement.

18 MR. WINTHROW: Okay. What --

19 MR. PECONOM: And that's something that
20 we'll look at in that proceeding as well is, is it
21 too much. That's, you know, we'll look at the
22 accumulative impacts of that project occurring as
23 well.

24 MR. WINTHROW: Okay. So as I understand
25 it then, you will update Section 3.13 for that

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1 additional pipeline project?

2 MR. PECONOM: Yes.

3 MR. WINTHROW: But we will not have an
4 opportunity to review and comment on that or --

5 MR. PECONOM: The document will not be
6 issue for review, so, yes.

7 Now, you will have the opportunity to
8 comment on that proceed -- on that project, you
9 know.

10 MR. BROADBENT: It's too late, though.

11 MR. PECONOM: Well, for -- for this --
12 well, for that project. It isn't too late to
13 comment on that project, on the Mid Continent
14 Express project. That's just beginning. That
15 process is just beginning.

P3-15 [16 MR. PITRE: Seems like it is.

17 MR. PECONOM: No, it's not too late.

18 MR. WINTHROW: There's still accumulative
19 effect?

20 MR. PECONOM: Uh-huh. (Affirmative
21 response.) And that's what we're going to look at
22 in this -- this -- this Environmental Impact
23 Statement.

24 MR. WINTHROW: Okay.

25 MR. PECONOM: That's why we have that

P3-15 The Midcontinent Express Project is in the very early beginning phases. During this early planning phase, landowners may work directly with the pipeline company in an attempt to have their concerns addressed and routes modified to avoid sensitive resources. Landowners may also contact the FERC, to make us aware of issues that we will consider in our environmental review, as appropriate. The FERC will host scoping meetings and draft EIS comment meetings in the proposed Project's vicinity and welcomes written comments on the record as well.

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1 section.

2 MR. WINTHROW: All right. On that same
3 note, that same vein of accumulative impact, if
4 we -- you spoke earlier about having considered
5 other routes where you combine the construction of
6 the Duke CenterPoint route through Warren County
7 with the Gulf South pipeline also, and that
8 additional route is evaluated on Figure 4.2.2-2.

9 MR. PECONOM: Uh-huh. (Affirmative
10 response.)

11 MR. WINTHROW: The conclusion of that
12 reroute was that it is -- that reroute does not have
13 less of an environmental impact in the proposed
14 route because the distance is increased by a few
15 miles.

16 MR. PECONOM: Uh-huh. (Affirmative
17 response.)

18 MR. WINTHROW: But when I looked at this
19 drawing, that route, when you combine those two
20 pipelines, once you cross the Big Black River, the
21 route that was evaluated in here continues south for
22 a number of miles before turning east to a terminus.
23 It -- it clearly shows on this drawing that if you
24 just turn towards the terminus on the other side of
25 the Big Black River it would be shorter, you know.

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1 Why was this southern dog lake put into that route?
2 It seems, I don't want to accuse anyone of anything,
3 but it seems to be done intentionally to increase
4 the length of that route, thus making it
5 unacceptable.

6 MR. MOONEYHAN: Figure 4.2.2-2?

7 MR. WINTHROW: Correct. The Big Black
8 River separates Warren County from -- well, they
9 only show Claiborne County, but the county just
10 south of Warren County, Claiborne County, the county
11 line there is the Big Black River. So as you --
12 there are two pipelines that cross the Big Black
13 River, the Duke CenterPoint pipeline continuing
14 south at that point, if the Gulf South pipeline
15 turned east, turned towards the terminus, it would
16 reduce that route by a number of miles.

17 MR. PECONOM: I -- okay. Your question is
18 why wasn't that alternative considered?

19 MR. WINTHROW: Right.

20 MR. PECONOM: Okay.

21 MR. WINTHROW: Just by inspection,
22 I looked at this on line using available maps there.
23 It appeared that that route would actually be
24 shorter than the proposed route.

25 MR. BROADBENT: And -- and -- and I think

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1 our -- our comment was geared toward that affect,
2 you know, routing it through southern Warren County
3 which is where the land is a lot flatter than where
4 you were proposing to route it.

5 MR. PECONOM: Figure 4.3.2-1 on page 4-12,
6 is that route for -- compliant to what you're
7 thinking?

8 MR. WINTHROW: No.

9 MR. PECONOM: No. Okay.

10 MR. WINTHROW: That's the route I'm
11 commenting on, though.

12 MR. PECONOM: Oh. I was looking at the
13 wrong one then.

14 MR. WINTHROW: Well, either -- either way.
15 I mean, there's -- you can look at -- that drawing
16 too shows the alternative route. I was looking at
17 it on the other drawing because it shows both.

18 But looking at the Figure 4.3.2-1, same
19 comment. Once you cross the Big Black, turn east
20 directly to the terminus, and it's shorter, a good
21 bit shorter.

22 MR. PECONOM: I think that's a comment --
23 an alternative we should look at.

24 MR. WINTHROW: And the point of the
25 comment or the question in this case is, I don't

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1 understand why that wasn't evaluated further when
2 you combine the -- the effects of the additional
3 200-foot wide workspace needed for the Gulf South
4 pipeline following the electrical transmission line
5 versus the workspace needed for the Duke CenterPoint
6 line. You would end up with a large reduction in
7 the environmental impact by combining those two,
8 especially when they're being built within the same
9 time frame. They could use the same workspace and
10 more than half the -- the total workspace used.

11 The workspace we're talking about here is
12 not being filled for flood plain land. The
13 workspace we're talking about is uplands hardwood.
14 So the environmental impact of an acre of upland
15 hardwood is far greater than the environmental
16 impact of, obviously, an acre of bean field
17 recovered in a year, so --

18 MR. PECONOM: Well, I think that's a good
19 comment as an alternative that we should look at and
20 make sure that we, you know, analyze it in the Final
21 Environmental Impact Statement and then see if that
22 is environmentally preferable. I -- I can't speak
23 to an alternative right now. I know we looked at
24 one similar in your suggestion that -- that there's
25 yet another alternative that, you know, isn't quite

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1 in line with this one that we can look at.

2 MR. WINTHROW: The same comment would
3 apply to the Mid Continant proposary in which when
4 you -- when you -- when you step back and look at
5 the accumulative effect of all three pipelines,
6 again, being built within a year of each other, it
7 just seems ridiculous to have them built separately
8 using three easements with three workspaces and to
9 conclude, as this report does in a number of places
10 including the conclusions at the end, that the
11 environmental impact is acceptable for that plan
12 when clearly you can combine these three, at least
13 two of the three, and greatly reduce the
14 environmental impact, especially the sensitive land.

15 MR. PECONOM: I understand your concern
16 and the -- the challenge that we face and are trying
17 to face right how is -- is how do we -- we, you
18 know, authorize these projects with -- with that in
19 mind knowing that not every project gets built, not
20 every project gets to, you know, some projects are
21 withdrawn. It's typical to -- it's a balance and
22 that's something we need to look at a little bit
23 more. It seems like all of these projects is
24 something we need to look at, and we need to look at
25 a little more in this one, and I understand your

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1 comment there for the -- for the FEIS, and we can
2 conclude that.

3 MR. WINTHROW: Regarding the idea that the
4 third pipeline might not be built, I -- I would
5 question that quite a bit, because when I read the
6 Wall Street Journal News on the construction of that
7 pipeline by Kinder Morgan, there is a strong
8 economic factor driving that project. Literally,
9 what the Wall Street Journal analysis said was that
10 would provide Kinder Morgan with major transmission
11 lines from Oklahoma both to -- to the west coast as
12 well as the east coast that this pipeline will
13 provide which gives them market power to sell gas,
14 distribute gas to whichever coast offers the greater
15 price --

16 MR. PECONOM: I can't really speak to
17 projects that, you know -- I understand. I can't
18 really speak to projects that haven't been -- been
19 reviewed and, you know, have just come to us, and
20 I'd like to keep the focus, if we can, on this.

21 But I understand your concern about the
22 accumulative impacts and -- and whether these
23 projects are going to happen or not, but I --
24 I really don't speak to those. I can speak to the
25 east Texas to Mississippi.

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1 And I -- I'm not trying to cut you off,
2 but I understand what you're saying, and -- and
3 accumulative impact's what you're concerned about,
4 and we can look at that. That's why we have a
5 section for it and we'll be sure to add the Mid
6 Continent Express project in there as best we can
7 knowing that it's still a very new proposal to us.

8 MR. WINTHROW: All right.

9 MR. BROADBENT: Just a question regarding
10 eminent domain, and, you know, a lot of us are
11 receiving, you know, eminent domain claims and a lot
12 of us are finding ourselves hiring attorneys and
13 ending up in court, and the question was: Is there
14 a FERC policy statement regarding, you know,
15 minimizing the -- using eminent domain and that, you
16 know, eminent domain is overused then potentially is
17 not, you know, in the, you know, public good to --
18 to do something like that? I've seen some -- some
19 discussion about that and -- but I haven't seen
20 anything in here regarding the use of eminent domain
21 by Gulf South to acquire these easements. And if
22 they've been using eminent domain very liberally,
23 then, you know, it may be worth while to discuss
24 that because it may be an important factor in the --
25 in the Commission's decision to approve this or not

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1 approve this.

2 MR. PECONOM: The Commission does not have
3 a policy regarding eminent domain. Certainly it's
4 staff's preference to see that minimized, these
5 eminent domain. However, issuance of a certificate
6 for -- for public necessity for a pipeline allows a
7 pipeline company to use our authority of eminent
8 domain which is granted to us by Congress; so,
9 I hope that answers your question. There is no
10 policy but, you know, as -- as -- if the project is
11 approved that that would give the company the use of
12 eminent domain.

13 MR. WINTHROW: They're using eminent
14 domain already.

15 MR. PECONOM: Not under federal authority
16 they're not, because there has been no certificate
17 issued.

18 Do we -- a couple more questions or do we
19 want to move just a formal comments --

20 MRS. WINTHROW: Repeat your last statement.

21 MR. PECONOM: The Federal Energy
22 Regulatory Commission has not issued -- made a
23 decision on this project and it's not made an order
24 in this project so the right of eminent domain does
25 not apply until an order has been issued approving

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1 the project.

2 MR. WINTHROW: Well, I'm sorry, but
3 they've already filed a suit on a number of us for
4 using eminent -- the eminent domain laws for basis
5 for the suit.

6 MR. PITRE: State court.

7 MR. PECONOM: State court is a different
8 issue, and I -- I'm -- I'm -- I'm not with the state
9 of Mississippi so I can't speak to the state
10 authorities regarding eminent domain, but federal
11 authority's different.

12 Questions? Or do you want to make formal
13 comments.

14 MR. PITRE: Question. You're with Gulf
15 South?

16 MR. PECONOM: No. Doug's with Entrix.
17 He's our consultant.

18 MR. PITRE: Anyone with Gulf South?

19 MR. PECONOM: I believe there's
20 representatives in the back of the room, but this is
21 -- I -- this is a Federal -- you can questions after
22 the meeting with Gulf South, but I want to keep the
23 comments and the questions on the Environmental
24 Impact Statement.

25 MR. PITRE: To repeat the question, has

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1 there ever been a project canceled or measurably
2 altered at this stage or is it just a waste of time?
3 MR. PECONOM: Projects have not --
4 MR. PITRE: In the past has it ever been
5 -- have we ever made a difference at this stage?
6 MR. PECONOM: Projects have been denied --
7 MR. PITRE: More than once?
8 MR. PECONOM: -- in the past. More than
9 once.
10 MR. PITRE: Okay.
11 MR. PECONOM: Projects have been modified
12 at this stage in terms of -- of route verifications
13 and -- and route alternatives. Projects have been
14 modified at this stage.

P3-17

15 MR. PITRE: Mike's question was one I keep
16 asking, is that southern route seems economically to
17 make more sense. And, again, I'm not saying because
18 it's going through my front yard, but they never
19 have answered that question.
20 MR. PECONOM: We'll look at the -- we
21 looked at several alternatives, you know, throughout
22 the whole course of the project, and I think we'll
23 look at -- well, we will look at another alternative
24 based on Mr. Winthrow's comments and make a
25 recommendation to the Commission.

P3-16 Please see the response to P3-1.

P3-17 Please see the response to P3-9.

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1 MR. PITRE: Is Gulf South --

2 MR. PECONOM: I really want to keep the
3 questions -- you can ask -- I mean, you're welcome
4 to talk to them after the meeting, but I -- I need
5 to keep the questions focused here --

6 MR. PITRE: All right.

7 MR. PECONOM: -- on the -- on the Federal
8 Energy Regulatory Commission.

9 (No responses.)

10 MR. PECONOM: Would people like to make
11 comments into the -- I know the comments and
12 questions have kind of run together, but would
13 people like to make formal comments into the -- into
14 the record and I can -- the -- the meeting, the
15 official part of it, and we can talk a little bit
16 more afterwards?

17 I think comments have kind of been made at
18 the same time questions have been asked, but
19 I wanted to offer the opportunity to -- to again
20 make a formal statement or comment into the record.

21 (No comments.)

22 MR. PECONOM: Okay. Well, thank you
23 very -- thank you all very much for coming tonight.
24 I will stick around as long as people are interested
25 in speaking after the meeting to -- to answer

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1 anymore questions or to take anymore comments.

2 If people would like to make written
3 comments, please submit those to the Commission at
4 the end of the comment -- by the end of the comment
5 period which is March 27th, and I can -- there
6 should be some information in the back of the room
7 indicating on how to make those written comments.

8 Again, I'd like to thank you all for
9 coming and have a good night.

10 (Time Noted 7:14 p.m.)

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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 65
5 pages, and including this page, contain a true and
6 correct transcript of the above-said public hearing,
7 as taken by me in the aforementioned matter at the
8 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 8th day of
17 March, 2007.

18

19

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Harvey J. Rayborn, CSR #1274

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22

My commission expires: 10/25/2008

23

24

Withrow-Broadbent

Landowner Comments on Draft Environmental Impact Statement East Texas to Mississippi Expansion Project

Docket Nos. CP06-446-000
PF06-17-000
PF06-23-000

Submitted by the following landowners:

Michael D. Withrow
114 Tower Drive
Vicksburg, MS 39180

Gregory E. Broadbent
1480 Fisher Ferry Road
Vicksburg, MS 39180

Overall Observation: This draft EIS does not satisfy the requirements of the National Environmental Policy Act. Based on the following comments, a reasonable person would have to conclude that the proposed project would not have a limited adverse environmental impact. The cumulative environmental impact of this project, together with two additional proposed projects, could be substantially mitigated by the alternatives proposed in the following comments. Since these alternatives are very reasonable and can be implemented cost effectively, the environmental impact of the proposed project, as evaluated in this draft EIS, is not acceptable.

Section 3.12.4.1

Comment #8 of our original comments (dated 6/18/06 on Docket PF06-023) suggested FERC should consider the full environmental impact of this routing in regards to the possibility of a terrorist attack. Section 3.12.4.1 of the DEIS only refers to unspecified efforts ongoing to improve pipeline safety and the unpredictable nature of terrorist attacks. We found this response to be very general with few specifics and still does not address the original comment posed.

Specifically, the US Court of Appeals for the Ninth Circuit found that the National Environmental Policy Act (NEPA) obligates a federal agency to take a "hard look" at the environmental consequences of a terrorist attack if the risk is not insignificant. See *San Luis Obispo Mothers For Peace v. NRC*, filed June 2, 2006. In this case, the court concluded that the NRC could not categorically dismiss the possibility of a terrorist attack on the plant's used fuel storage facility, as too "remote and speculative" to include in a NEPA review. Recently, the U.S. Supreme Court in January 2007 upheld this decision by declining, without issuing an opinion, a request by Pacific Gas and Electric Co. that it review the appeals court decision.

On this basis, we find the DEIS still has not complied with this ruling. As with the NRC, FERC must also consider the environmental consequences of a terrorist attack as part of its NEPA review rather than just provide the general position that various agencies are working on improving safety. At present, there will be little to prevent a terrorist act on the well-marked, unprotected, and extensive run of pipeline along the Entergy right-of-way. As such, consistent with this ruling, we request that FERC specifically review the

11-1 In their letter dated March 27, 2007, Mr. Withrow and Mr. Broadbent indicated that they "hereby withdraw any and all comments that we have submitted to the Commission in these proceedings, including the March 26 Comments, as they pertain, and only as they pertain, to this Project and these Dockets." They went on to say "However, we preserve our comments and concerns as they pertain to the Commission's overall environmental review process and the Commission's criteria for the routing of pipelines". Given the Withrow/Broadbent filing dated March 27, 2007, we will consider their specific comments regarding the East Texas to Mississippi Expansion Project provided in their letter filed on March 26, 2007 to be withdrawn and will not respond to them herein. However, we will respond to their general comment regarding our environmental review process (see below at I1-2) and will respond to their comment regarding the criteria for the routing of pipelines in their letter dated March 27, 2007.

11-2 We believe that the Draft EIS does satisfy the requirements of the National Environmental Policy Act of 1969, the Council on Environmental Quality regulations for implementing NEPA (40 CFR 1500–1508), and the FERC regulations implementing NEPA (18 CFR 380). Our environmental review process includes a comprehensive assessment of the resources that may be affected by the proposed project and we have recommended numerous measures intended to prevent, minimize, or mitigate unavoidable impacts, including cumulative impacts. We have also evaluated

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environmental impacts of a terrorist attack on the portion of this pipeline collocated with critical energy infrastructure. This evaluation should address, among other items, the collateral damage to the electrical transmission system and the impact of disturbances on this portion of the electrical grid on nearby nuclear power stations.

Section 3.12.4.2

Our original comments included concerns regarding the potential for collateral risks from this project. In response to this comment, this section indicates that Gulf South has contracted a study to assess the collateral risk of this project. However, this response does not address our comments as we will not have an opportunity to review the study or challenge the findings before issuance of the final EIS.

As described in our comments, we have performed a similar study and found an unacceptable impact on the core damage risk to a nearby nuclear power station. As such, without detailed knowledge of the study, we are concerned that Gulf South's review will not contain sufficient technical rigor or depth to develop an accurate assessment of the project's true collateral risks. As FERC is unqualified to review the acceptable impacts at nuclear power stations, we feel it is prudent to allow the applicable technical experts at the Nuclear Regulatory Commission to review this study to ensure that the health and safety of the public are properly protected.

Section 3.13

This section does not address the cumulative impact of the proposed Mid-Continent Express Pipeline (MEP) that will traverse Warren County, Mississippi, on a similar routing as that of the Gulf South Pipeline East Texas to Mississippi Expansion Project. Since both projects will be constructed within about one year of each other, the incremental effect of the MEP Project should be considered as within the definition of "reasonably foreseeable future". The MEP Project will install a 36-inch high pressure gas transmission pipeline using an additional right-of-way parallel to, but further north of the proposed Gulf South pipeline. Although separate rights-of-way, construction of the MEP Project, the existing 200' wide Entergy HVAC right-of-way, and construction of the Gulf South Project will create a completely denuded area nearly 600 feet wide through hardwood forest land. The combined environmental effect of such a large, denuded corridor must be objectively evaluated. Clearly, the nearly simultaneous construction of three separate pipelines (East Texas to Mississippi Expansion, Southeast Supply Header, and the MEP Project) through Warren County hardwood forests using three separate rights-of-way, individually requiring huge temporary workspaces (due to the rugged terrain) is neither a prudent nor necessary impact to the environment. Considering also that the HVAC power lines will now be bracketed on both sides by large, high pressure gas transmission pipelines, the cumulative impact of these projects must also address the doubling of the collateral risk to the electrical supply system as identified in previous comments.

Section 3.13.3.2

The third paragraph in this section states that:

"Gulf South's proposed route would be collocated with or parallel to existing utility rights-of-way where possible, thereby minimizing impacts to previously undisturbed vegetation."

This premise is completely false. In no way does collocation with the HVAC right-of-way reduce the impact of the proposed project. The project does not use the existing HVAC right-of-way, except in a few small encroachments that are necessary to avoid existing

11-2 (Continued)

numerous alternatives to the proposed Project, including a no action alternative, system alternatives, route alternatives, and route variations. Our analysis has been aided by extensive public and local, state, and federal agency input. The COE, FWS, NPS, and EPA served as federal cooperating agencies for the EIS process and various state agencies have also served in key roles as well. The Applicant must also obtain all other necessary agency permits and approvals before construction can begin. In summary, we believe that our level of analysis is adequate to satisfy the requirements of NEPA.

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structures. In fact, collocation with the existing HVAC right-of-way actually increases the environmental impact since the rugged terrain results in the need for a much larger workspace corridor width of 200 feet.

Section 3.13.3.3

The last two sentences in this section recognize that the long-term impacts to cleared forestland for the temporary workspaces would take many years to recover. However, it concluded that the cumulative impacts would be relatively minor. How can any reasonable person conclude that the cumulative impact of three separate construction corridors with a combined width of nearly 600 feet through hardwood forestland be relatively minor? Clearly, the construction of these three pipeline projects can be coordinated in a manner that truly considers the environmental importance of sensitive hardwood forestland. The relative importance of these environmental resources should override the minor coordination issues associated with combining these three pipeline routes such that the overall environmental cost is actually minimized. The routing proposed herein by the comments to Section 4.4.4, if applied to those portions of the three pipeline projects traversing Warren County, achieves the objectives of the projects while minimizing the overall construction impact through the mutual sharing of the temporary workspaces and by reducing the total pipeline lengths.

Section 3.13.4

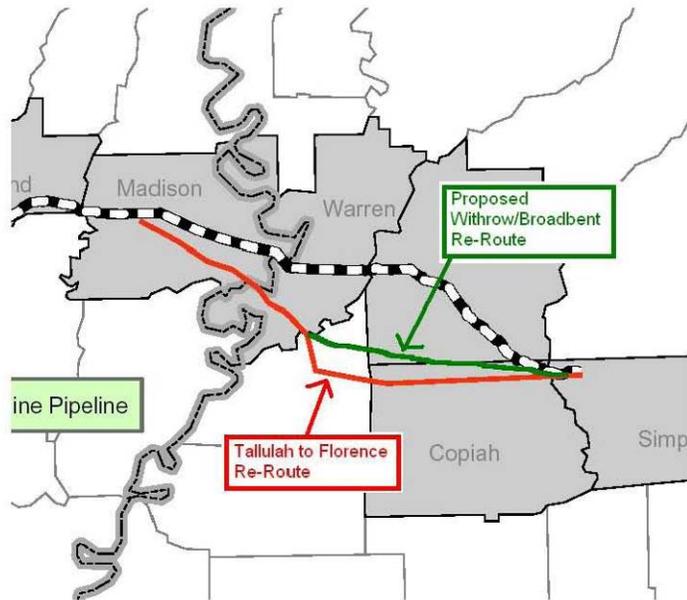
This section concludes that the cumulative impacts of these pipeline projects "have been or would be minimized". As described in the previous comments, the action to construct three pipelines using three corridors through sensitive hardwood forestland, each requiring separate larger-than-normal temporary workspaces (due to the rugged topography), in no way "minimizes" the cumulative impact. The cumulative impacts could be more effectively mitigated by combining the portion of the three proposed pipeline routings through Warren County using a route that cumulatively minimizes the overall distance and environmental impact. The routing proposed in the comment for Section 4.4.4 provides substantial environmental mitigation to the cumulative impact of the three proposed pipeline projects.

Section 4.4.4

This section does not address the re-route proposed in our original comments and it is unclear how FERC arrived at this proposed re-route. Our re-route is similar to the Tallulah to Florence Route Alternative described in Section 4.3.2 of DEIS; however, it would be more direct to the terminus at Florence, thereby eliminating the five miles of additional pipeline reported in Section 4.3.2 of DEIS. Specifically, the re-route proposed in our comments is as follows and is illustrated below as compared to the Tallulah to Florence re-route:

From the Tallulah compressor station, take a direct line to Warren County at a crossing of the Mississippi River just north of Letourneau (approximately 7 miles south of the Gulf South proposed crossing next to the Baxter Wilson Steam Electric Station). Continue east across open farmland and cross Highway 61S south of the highway intersections with Glass Road and Kirkland Road. Continue east and cross Fisher Ferry Road through open pasture on both sides of the road. Continue east through the Big Black River bottom land and exit Warren County. Continue east to the terminus at Florence.

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We find that this small re-route would be environmentally preferable because it:

- (i) has a significant environmental advantage over the proposed Project;
 - The alternative route maximizes the use of existing flood plain land, traverses a less rugged topography, avoids the more populated areas, and collocates with the proposed Southeast Supply Header (SESH) right-of-way for a significant portion of the route. The environmental impact is also minimized by significantly reducing the required construction workspace due to the more-level terrain and collocation with the SESH Project. This route decreases the conversion of forested lands since it is primarily through farmland and pastures rather than old growth hardwood forest.
 - This alternative route is shorter than the Gulf South proposed route and thus reduces the overall environmental impact. The alternative Mississippi River crossing is also no wider than that of the Gulf South proposed route.
 - It eliminates a substantial portion of the terrorism concern described above. With this new routing, terrorist acts would only impact the gas line with no additional collateral damage to other critical energy infrastructure or consequential downstream effects on power plants.

Withdraw-Broadbent

- The potential of a pipeline break is reduced by minimizing the routing through highly erodible loess soil in rugged terrain. A smaller 18-inch Gulf South pipeline recently failed approximately 1 mile from the proposed routing due soil erosion.
- (ii) maintains the ability to meet the proposed Project objectives;
 - The East Texas to Mississippi Expansion Project would continue, only with a minor route variation for the small portion of the project around the Entergy right-of-way.
- (iii) maintains the project's technical and economic feasibility and practicability.
 - The project's technical feasibility and practicability is significantly improved as the new routing would take it through less rugged terrain. This route also improves the economic feasibility as construction would require significantly less dirt work, lower costs for easement procurement due to the reduced workspace needs and shorter overall length, and fewer soil conservation measures.

Section 5.1.8

This section states that the nominal width of the pipeline construction right-of-way and additional temporary workspace is 100 feet. However, the actual width through the rugged loess hills and forestland of Warren County, Mississippi, is 200 feet due to the challenging topography. Thus, this evaluation greatly understates the overall land use and environmentally impacted acreage.

Electronic Docket Issue

In June 2006, FERC hosted an information meeting on the proposed Gulf South pipeline. At this meeting, the pre-filing docket number was released as PF06-23. We subsequently electronically subscribed to this docket through the FERC website under the belief that the pertinent documents associated with this pipeline would be docketed under this number. We also submitted our pre-filing comments under this docket number. However, with the release of the DEIS, we learned that the docket number had apparently changed when FERC combined the East Texas Expansion and the Mississippi Expansion Projects. There was no indication on the PF06-23 docket that the number had changed nor did FERC's electronic subscription service provide documents from the new docket. Consequently, as members of the public, we were unable to follow the proceedings of this project as they developed. It is recommended that appropriate changes be made to the re-docketing process to preclude incidents like this from happening in the future.

11-3 We are re-examining our eLibrary and eSubscription systems and procedures regarding the notification of registered persons when docket numbers change, such as when pre-filing docket numbers (i.e., PF docket numbers) are changed following receipt of an application (i.e., CP docket numbers). It is our intention to provide readily accessible project information to the interested public in an effective manner.

11-3

Dr. Wayne Pitre

March 30, 2007

Magalie R. Salas, Secretary
Federal Energy Regulatory Commission
888 First St., N.E., Room 1A
Washington, DC 20426

Re: Gulf South's East Texas to Mississippi Expansion Project
Docket No. CP06-446-000

Dear Ms. Salas:

We are landowners that are severely affected by Gulf South's East Texas to Mississippi Expansion Project. The proposed routing locates this large 42-inch gas pipeline within 700 feet of our house, which is built on property that has been in my wife's family for generations. We have negotiated in good faith with Gulf South but have been unable to come to an agreement regarding re-routing the pipeline away from our residence. Gulf South is currently pursuing condemnation proceedings against us via eminent domain even though FERC has not yet approved this project.

I have reviewed the Draft Environmental Impact Statement and attended all the associated public meetings in my area. In this letter, I am submitting no new comments, as the filing deadline has passed. Instead, I am merely endorsing those comments previously filed by landowners M.D. Withrow and G.E. Broadbent dated March 27, 2007. I recognize that many of the comments posed in the March 27 filing are docketed via the transcript of the Vicksburg public meeting on the evening of March 1, 2007. However, as I did at that meeting, I would like to specifically highlight some of the previous comments that I feel are particularly relevant to my situation.

Proposed Re-Route

There was significant discussion at the Vicksburg public meeting regarding a proposed re-route through the southern portion of Warren County and coincident with the Southeast Supply Header Project. FERC's representative at the Vicksburg meeting, Mr. John Peconom, indicated that this routing would receive thorough consideration and I would merely like to reinforce this commitment. The comments in the March 27 filing describe this re-routing in more detail and I concur with the supporting bases. Specifically, I believe that this re-route would significantly reduce the environmental damages associated with this project as well as alleviate concerns with terrorist acts or electrical grid impacts from collocation with the existing HVAC lines.

Collocation with Existing Right-Of-Way

The FERC position regarding collocating gas pipelines in existing electrical rights-of-way is in error as it does not minimize the environmental impact in this case. This position not only increases the environmental damage in Warren County due to the rugged terrain but it also introduces many other adverse issues. I share the same concerns described in comments regarding terrorism, electrical grid impacts, and associated impacts at the nearby nuclear station.

I2-1 This comment specifically references the comments of Mr. Withrow and Mr. Broadbent, which have been withdrawn. Please see the response to comment I1-1 in Mr. Withrow and Mr. Broadbent's letter filed on March 26, 2007.

I2-2 We have further evaluated route alternatives, including a modified route alternative located in the southern portion of Warren County. This information is included in Section 4.3 of the Final EIS.

I2-3 Potential impacts resulting from terrorism and involving electric transmission lines are discussed in Section 3.12.4 of the Final EIS. Due to the various abilities and motivations of terrorist organizations, the likelihood of future acts of terrorism at the proposed Project site is unpredictable. The FERC has taken measures to limit this risk, including removal of sensitive information from the publicly available record and cooperation with other agencies and groups to strengthen ongoing efforts to secure pipeline infrastructure. Due to the generally low risk of pipeline failure, as described in Section 3.12.1, combined with the avoidance of electrical infrastructure that has the potential to disrupt nuclear or steam power generation through adoption of route modifications, the proposed Project would present a minimal increase in the potential for pipeline failure within areas containing HVAC power lines.

I2-1 [

I2-2 [

I2-3 [

I2-4 [

I2-5 [

Dr. Wayne Pitre

I2-6 [In conclusion, I reiterate comments previously filed and request that FERC carefully consider the proposed re-route of Gulf South's East Texas to Mississippi Expansion Project via the southern portion of Warren County.

Dr. Wayne Pitre
6115 Hwy 27
Vicksburg, MS 39180

I2-4 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 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 rights-of-way. We view each proposed project individually, and strive to minimize environmental impacts to the extent possible through our review of alternatives. We have evaluated route alternatives in and near Warren County, Mississippi as discussed in Section 4.3 of the Final EIS.

I2-5 Please see the response to Comment I2-2 regarding terrorism and potential impacts to electric transmission lines. The electrical switchyard providing power to the nuclear facility is now avoided through adoption of a route modification.

I2-6 Please see the response to Comment I2-2.

Withdrawal of Comments by Withrow & Broadbent

Michael D. Withrow
114 Tower Drive
Vicksburg, MS 39180

Gregory E. Broadbent
1480 Fisher Ferry Road
Vicksburg, MS 39180

March 27, 2007

Philis Posey
Acting Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

**RE: Withdrawal of All Comments in Docket Nos. CP06-446-000, PF06-17-000,
and PF06-23-000**

Dear Mrs. Posey:

We are landowners affected by Gulf South Pipeline Company, LP's ("Gulf South") construction of the East Texas to Mississippi Expansion Project, Docket Nos. CP06-446-000, PF06-17-000, and PF06-23-000 ("Project"). Through the course of these proceedings, we have filed and otherwise entered comments into the record regarding this Project, including our most recent comments received by the Federal Energy Regulatory Commission ("Commission") on March 26, 2007 in response to the Draft Environmental Impact Statement ("March 26 Comments").

We are submitting this letter to inform the Commission that we have reached agreement regarding the right of way across our property, and in so doing Gulf South has adequately addressed each and every applicable concern previously raised by us regarding this Project and these Dockets. Therefore, we hereby withdraw any and all comments that we have submitted to the Commission in these proceedings, including the March 26 Comments, as they pertain, and only as they pertain, to this Project and these Dockets. However, we preserve our comments and concerns as they pertain to the Commission's overall environmental review process and the Commission's criteria for the routing of pipelines.

If you have any questions regarding this issue, please do not hesitate to contact us.

Sincerely,


Michael D. Withrow
114 Tower Drive
Vicksburg, MS 39180


Gregory E. Broadbent
1480 Fisher Ferry Road
Vicksburg, MS 39180

13-1 The pipeline company proposes the route or location of project facilities, which is then examined by the FERC staff. The applicant must evaluate alternative routes and we also may evaluate other alternative routes based on our review and comments made by the public, agencies, and other parties. We view each proposed project individually, and strive to minimize environmental impacts to the extent possible through our review of alternatives. Based on this review, we may recommend that alternative routes be adopted into proposed projects. 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 collocated with an existing and maintained right-of-way may have several advantages over a route in an undisturbed "greenfield" area, including a 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 rights-of-way.