

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES  
ALASKA NATURAL GAS DEVELOPMENT AUTHORITY

DISCUSSION  
March 20, 2006  
Commencing at 7:00 p.m.  
Sutton, Alaska  
Pages 1-20 inclusive

Staff in Attendance:

Janetta Pritchard: Project Manager, DNR

Debbie Whethem

Reported By:

Patta K. Johnson

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1 DISCUSSION

2 MS. PRITCHARD: I guess I should have told  
3 you a couple of things earlier. One is that this is  
4 a conditional right-of-way that ANGDA is applying  
5 for. They aren't getting a property interest. It is  
6 a contract that they would enter into with the State,  
7 but there are a number of steps that they would need  
8 to take in order to perfect the conditional  
9 right-of-way before they actually got another  
10 right-of-way, the perfected right-of-way, the full  
11 right-of-way to actually build. We are only looking  
12 at State land.

13 I understand what you're saying about the  
14 private lands and that is something we do look at. I  
15 know ANGDA is also looking at private land impacts.  
16 There are 25 different plans that will need to be  
17 written by ANGDA and some of the things that have  
18 been brought up here, the stream crossing and the  
19 environmental and the wetlands those are some of the  
20 plans that are required. I can't remember all of  
21 them off the top of my head, I'm sorry.

22 I think that those are the high points  
23 that I can think of right now. Can you think of  
24 anything else Harold?

25 MR. HEINZE: Again, each of those plans

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1 when submitted is subject to approval.

2 MS. PRITCHARD: That's true.

3 MR. HEINZE: Reviewed and approval on  
4 those. Our intention would be to probably start on  
5 field work associated with those plans as early as  
6 this summer. There is lot of them that is field  
7 oriented and the office oriented we can probably wait  
8 until the winter.

9 MS. DRYDEN: Will the public have an  
10 opportunity to make comments those 25 plans before  
11 the final right-of-way permit is given?

12 MS. PRITCHARD: Generally not. Those are  
13 plans that looked at in the office. If it were an  
14 engineering type plan then our engineers would look  
15 at that. And this will go along with the design  
16 basis. But you should have the opportunity to look  
17 at the final right-of-way when they have perfected  
18 this conditional lease. The Commissioner has  
19 indicated he is going to go back out to the public  
20 and give them an opportunity to look at this again.  
21 I'm sure that depending how long it is before it's  
22 constructed that ANGDA would have more open houses  
23 or...

24 LINDA HARRIS: Would you would be  
25 expanding when you're doing this stuff and putting

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1 this on-line so we can look at it there?

2 MS. PRITCHARD: Yes. We are really  
3 trying to keep our web site up to date and as new  
4 things come in, our web master is pretty good at  
5 getting the stuff out there.

6 OD: There certain of these that will have  
7 to go through Fish and Game to get approval.

8 MS. PRITCHARD: Well other agencies;  
9 you're correct.

10 OD: There could be many other agencies  
11 that would be involved in this thing. So as a result  
12 it's going to cover the whole gambit of all these  
13 agencies.

14 HAROLD HEINZE: You know, again the way to  
15 think about this is, we have nothing to gain by  
16 trying to keep something secret and we have a lot to  
17 gain by putting something out there that people can  
18 see and help us get right.

19 For instance, the Moose Creek restoration  
20 project and all that, we are very sensitive to that.  
21 And how we get through there, I don't know right now.  
22 It's kind of perplexing, but I have every confidence  
23 that we will work that out. There has to be some  
24 way. We are all smart enough to figure out how to do  
25 it. And as with most of these plans that are to be

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1 done in the future, those are things we would profit  
2 from some local review, exposure and everything else.

3 Our intent is, especially during the field  
4 work, is to work with as many of the local people  
5 with knowledge on some of the stuff as we can. The  
6 archaeological, the wetlands and other things like  
7 that is to our tremendous advantage to get your input  
8 and figure out how to do this.

9 JOHN ROBERTS: You mentioned there is  
10 going to be several types of reviews. Is there going  
11 to be a review specifically in terms of hunting? Not  
12 in terms from an ecological standpoint, but just -- I  
13 know it's going to be a buried pipeline, but there  
14 might be sections, I'm just speculating, where it's  
15 going to have to be above ground. The places I am  
16 familiar with, the pipeline is going to go through  
17 some pretty broken country and you know maybe it will  
18 be buried the entire time.

19 But it's broken country, number one, but  
20 it's also hunting country and some the best hunting  
21 country that is on the road system in Southcentral  
22 Alaska. And I can't imagine, if it's going to be  
23 above ground, that there won't be some restrictions  
24 on shooting. Again, I'm not expert in ballistics and  
25 steel, I would just, you know, I would just wonder if

1 there was going to be some sort of review on that?  
 2 MS. PRITCHARD: And there will be. The  
 3 Department of Fish and Game will be a part of our  
 4 office and a part of our review on all the plans.  
 5 They will and have been involved in the writing of  
 6 the Commissioner's decision and they provide us with  
 7 information on the hunting and fishing in the area.  
 8 Subsistence hunting is not actually one of the plans  
 9 but human carnivore interaction is.

10 OD: The hunting and so on is addressed in  
 11 another form.

12 MS. PRITCHARD: Within here.

13 OD: Correct.

14 MS. PRITCHARD: Yes, yes.

15 OD: And it's also in the final lease. It  
 16 will be listed in there separately.

17 MR. HEINZE: The other thing we need to be  
 18 very clear on is there are a lot of reasons we want  
 19 to bury that pipe wherever we can. Not the least of  
 20 which is some of the reasons you brought up. From  
 21 just a building point of view, there is a lot of  
 22 advantages of getting down on the ground. Even if we  
 23 have to struggle a little bit, we are going to try  
 24 and get it down on the ground.

25 We have not identified any area at this

1 running because of funding. But it's for the future  
 2 this area and the water quality of this area that  
 3 this project was initiated and it would be wonderful  
 4 if as part of this pre-assessment a water quality  
 5 monitoring program could be funded. It doesn't have  
 6 to be ours, but if somebody gets paid or has within  
 7 their time frame to sample on a very regular basis  
 8 the streams in the Matsu watershed, both pre  
 9 construction and post construction, I think that this  
 10 would really help to alleviate some concerns as well  
 11 as for future development issues that shows that we  
 12 have wonderful water and we hope to keep it that way.

13 Again, as I mentioned earlier, it would  
 14 really be wonderful as a benefit to the local  
 15 community, certain local groups, whether it's  
 16 businesses or nonprofit trail groups or others can  
 17 get funding to do these projects and it is not a  
 18 state agency that comes in and does it. It's not a  
 19 private business out of Anchorage that comes in and  
 20 does it.

21 If local people get funded to take care of  
 22 their property and to take care of their land, it's  
 23 really going to have long term benefit. Maybe we can  
 24 involve the kids and the schools in programs but  
 25 really funding is the first step. I think there a

1 point where we would be above ground other than,  
 2 again, we have sort of talked about this Moose Creek  
 3 area and how to get across and some of the concerns  
 4 vis-a-vis wetlands may not want to be buried or  
 5 buried deep or whatever. Those things need to be  
 6 worked through.

7 One of the major concerns we have is that  
 8 we would have to come out of the ground across the  
 9 Creslyn (phonetic) fault zone. We have studied that  
 10 extensively and we have design that keeps the pipe  
 11 below ground and it's done by a very competent  
 12 geotechnical type firm. I can't promise you that  
 13 every every every inch, but at this point we have not  
 14 really identified any place where we have come up  
 15 above ground because we couldn't somehow build it.  
 16 If we come above ground, it's because people want to  
 17 avoid some other issue.

18 JESSICA DRYDEN: One of the concerns that  
 19 the environmental department in which I work for  
 20 Chickaloon Village has is on the long-term water  
 21 quality of the Matsu watershed. For the last three  
 22 years, co-workers have been sampling water I believe  
 23 in nine of the streams in the Matsu watershed which,  
 24 of course, is a small percentage, maybe a quarter of  
 25 the streams. However, this project is no longer

1 lot people in the community that would love to get on  
 2 their four wheelers and, you know, maintain watch  
 3 over the trails that are going to be created for this  
 4 project or go out and check the water quality on a  
 5 regular basis and get paid to do it. So if there is  
 6 any way that this kind of a program could be worked  
 7 in I think you would get a lot more community support  
 8 and long-term stewardship of the other.

9 MR. ROBERTS: About the use of herbicides  
 10 Now it's my understanding and maybe it's a false  
 11 understanding but there are some pretty major  
 12 right-of-ways in the state of Alaska that are  
 13 maintained without the use any herbicides whatsoever.  
 14 Maybe I am wrong about that, but I thought this was  
 15 an issue with the railroad, that the railroad doesn't  
 16 use herbicides; they don't do it.

17 Again, because of hunting and  
 18 specifically, of course, the moose hunting, I would  
 19 certainly be very opposed to the use of herbicides in  
 20 the right-of-way to maintain the right-of-way. If  
 21 the railroad doesn't need to use herbicides, I really  
 22 don't see why ANGDA or whatever entity that would  
 23 control it would have to use herbicides.

24 I would hope that the "comprehensive  
 25 management program for the control, use, cleanup and

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1 disposal of pesticides, herbicides and chemicals used  
2 in the construction and operation of a natural gas  
3 transportation pipeline" would include that they in  
4 fact not use herbicides at all. You know, at least  
5 in the areas that salmon or moose or other game would  
6 be or impacted.

7 MS. PRITCHARD: And that's part of the  
8 plan being approved. And they took that out of our  
9 decision.

10 MR. ROBERTS: It's their document. But  
11 this presumes use and I would say I hope that plan  
12 would, in fact, be a ban.

13 MS. PRITCHARD: I can't tell you what  
14 would be approved and we will involve Fish and Game  
15 and DEC and numerous other agencies in the review of  
16 these plans and herbicides are a big issue. But I  
17 can't promise you anything, I'm sorry. Is there  
18 anyone else?

19 JENNIFER HARRISON: I'm resident of  
20 Chickaloon, but I also work for Chickaloon Village  
21 and I would like to say something that no one else  
22 has said yet. I prefer the Parks Highway option. I  
23 know that it's one that is being considered. And I  
24 think somebody from Chickaloon needs to say that. I  
25 support looking at putting a pipeline through any

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1 existing right-of-ways whether that's along the  
2 highway or along the power line. I support Jessica's  
3 discussion about Chickaloon's housing units up by the  
4 correctional center to have it go along the south  
5 side of the road, the State's property not the  
6 private property. I appreciate Harold's comments to  
7 us in previous meetings about involving the tribe  
8 with archaeological surveys, so I would like to  
9 encourage that and I support that.

10 The access roads that are going to be  
11 created or widened or put more improvement on, I  
12 would like residents to be more involved on those.  
13 They have not been as much discussed as the pipeline.  
14 I would like the roads to be discussed more with all  
15 the residents. Even though this pipeline will  
16 benefit Alaska, it's on the backs of the these local  
17 communities and so that really needs to be  
18 acknowledged. That is why I support the Jessica's  
19 discussions about the monitoring of the trails  
20 because we already have problem with four wheelers  
21 and trucks and snow machines.

22 I support Jessica's discussion on water  
23 quality stream programs and another thing that hasn't  
24 been discussed I know it was mentioned there would be  
25 revenue sharing with the Borough and while that's

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1 great that the Borough would get some benefits from  
2 this pipeline, I have heard the numbers as high \$4  
3 million.

4 In these communities we've seen a pattern  
5 of a lot of the Borough money going toward the bigger  
6 population for those schools. But this money that  
7 comes in from the revenue sharing is because it's  
8 going through our communities, so I feel that the  
9 revenue sharing should be benefitting the communities  
10 more that it's going through.

11 Some of the ideas that I've had on that is  
12 to help with the heating bills because although  
13 natural gas is going by or building, we are not  
14 actually getting natural gas, so we pay for very  
15 expensive heating fuel. So I would like to throw  
16 that in as a suggestion for some sort of revenue  
17 sharing for the community facilities in these  
18 communities to help pay for heating.

19 We also have not very good fire and  
20 emergency services along this pipeline. Really, the  
21 only one until you get to Palmer is the volunteer  
22 Sutton fire service. Chickaloon is starting one  
23 also, but they don't have the funding and they are  
24 struggling. And I know there is one up at Victory  
25 Bible Camp that has difficulty with funding and

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1 keeping all the equipment running. So those are the  
2 type of things I would like someone to look at for  
3 the revenue sharing for the communities where we are  
4 being impacted by this pipeline.

5 During the construction, I know that a lot  
6 of people have been talking about local hire. What  
7 exactly is local hire? Does that mean communities  
8 along the pipeline or does that mean just Alaska  
9 local hire? And if there is going to be local hire,  
10 not everyone in these communities are trained in all  
11 of those types of jobs that are going to be  
12 available. So I would like to see training provided  
13 or encouraged or something before the construction  
14 starts. I know that this spurline is starting before  
15 the other pipelines, so it be would behoove them to  
16 train people in this area on doing that pipeline so  
17 then those same people can go and work on the other  
18 pipelines so it's more of a steady job rather than  
19 small window.

20 I would like to see that training and I do  
21 believe that training was mentioned in some of  
22 previous open houses. So I would just like to  
23 support that. That's all I can come up with right  
24 now.

25 MS. PRITCHARD: Well, those are good ones.

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1 Let me talk a bit about access roads. Access roads  
 2 do not fall under the Alaska Statute 38.35 process  
 3 which is what we are talking about for the  
 4 right-of-way for gas line. Access roads are issued  
 5 under the 38.05 process. That sounds bureaucratic,  
 6 but what I am trying to get at is that what we are  
 7 looking at right now is the gas line right-of-way and  
 8 we are not looking at any access roads.  
 9 When the gas line right-of-way route is  
 10 finalized and determined for sure and you all are  
 11 here to help make those decisions, then ANGDA will  
 12 determine whether or not they have to come in for  
 13 access roads. They'll apply to us and we'll go  
 14 through a public process. We'll send out public  
 15 notices and do the same that we are doing for this  
 16 process right now. So you will have an opportunity  
 17 to talk about that.  
 18 Somebody else brought up material sales,  
 19 gravel. That also would go through the 38.05  
 20 process. So there is a public notice requirement and  
 21 they may not have hearings on it but there is a  
 22 public notice requirement on both material sales and  
 23 on access roads. So don't think we are leaving them  
 24 out and not including you. It's just that that's  
 25 another process that will be gone through at a later

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1 date.  
 2 MR. ROBERTSON: Clearly there is the power  
 3 of eminent domain with respect to putting in the gas  
 4 pipeline right-of-way. Would there also be that for  
 5 access roads? I mean if ANGDA has a preferred route  
 6 access for a road in a certain area although routes  
 7 might be technically possible would the State  
 8 exercise eminent domain over private property owners  
 9 to have that access?  
 10 MS. PRITCHARD: It could. But you have to  
 11 remember with eminent domain you have to show to the  
 12 courts that this is the best route and this is the  
 13 alternative that is best for the this project. It's  
 14 not, you know -- if you can come into the courts and  
 15 say if you move it over to this section line, you  
 16 have as much or you have the same type of terrain  
 17 that you're dealing with as going through my  
 18 property, then the courts are going to say, No.  
 19 MR. ROBERTSON: But it would have to be at  
 20 least as good as that?  
 21 MS. PRITCHARD: Maybe or maybe not. Or  
 22 maybe you can show that it could be made as good. So  
 23 if you're talking about going down a gully versus  
 24 going down a flat piece of property, that is  
 25 impossible to make a gully as good as going across

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1 the flats. I mean that's a real extreme.  
 2 MR. ROBERTSON: Let me ask a follow up  
 3 then. If there's a private property owner and the  
 4 State does exercise eminent domain and or if you are  
 5 a private property owner and you end up in court with  
 6 ANGDA and the private property owners lose and ANGDA  
 7 gets its right-of-way in terms of road access to a  
 8 section of the pipeline on the State land, that road  
 9 though would be only ANGDA's? It would not become a  
 10 public right-of-way where anybody could use that  
 11 road?  
 12 MS. PRITCHARD: I can't answer that  
 13 question. I don't know what the courts would  
 14 determine. But generally what happens under eminent  
 15 domain is that property becomes state land and it's  
 16 usually done for large projects and they do it for  
 17 roads. We all know DOT does eminent domain for our  
 18 highways, but I don't know how to answer your  
 19 question on an access road.  
 20 MS. WOODS: When the line is being  
 21 constructed and you need an access road to bring in  
 22 materials, say, for example we use Kings River to get  
 23 on the line, what is the next possible road? How far  
 24 down do you need the access road? They don't have to  
 25 be every mile or two or whatever? So once we get

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1 into this populated area there are substantial roads  
 2 here already; Buffalo Mine, Fishhook, Soapstone; all  
 3 of these might be in existence for access.  
 4 MR. HEINZE: Again, we haven't looked  
 5 every place. It seems that you can get to either  
 6 side of the Kings River basically along the trails  
 7 that exist. I mean, again, there may have to be  
 8 improvements to them, but it looks like people  
 9 already travel pretty heavily along both sides of the  
 10 Kings River where they cross the pipeline.  
 11 We have looked and we know we need to find  
 12 something east of the Chickaloon River. At this  
 13 point, we have looked at lots of other possibilities  
 14 and, again, in terms of spacing or things like that  
 15 we can actually space them pretty far apart, 20 or  
 16 more mile; if the terrain conditions are appropriate.  
 17 And, again, you have some conflicting  
 18 things. You know, wetlands people don't want you do  
 19 to certain things, so the last thing we want to do  
 20 improve our road. But, again, presuming there is  
 21 reasonable availability to go along the right-of-way  
 22 we don't mind hauling 20 or 30 miles because that's  
 23 what we're going to do.  
 24 From both Eureka and Chickaloon we have  
 25 got to make that work; there are no other access

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1 roads. We have looked enough in this area to know  
2 there's a lot you can do with existing roads that  
3 already cross the right-of-way. There may be some  
4 bad hills in a few of them and maybe some bad turns,  
5 but there is plenty of access.

6 MR. ROBERTSON: Are all of these roads  
7 public access?

8 OD: If you look up on the website, you'll  
9 see an access road study that we did that identifies  
10 those particular routes and what some the issues are  
11 with them.

12 MS. WOODS: I want to say that I  
13 appreciate all the open houses that ANGDA is having  
14 because when they first came out to our communities  
15 people were very upset and I appreciate the  
16 willingness they have had to come and talk to people  
17 and sit down face-to-face. I just wanted to say  
18 that.

19 MR. HEINZE: Just to be clear, this is not  
20 going to stop. And there are several residents of  
21 this area that know we have monthly board meetings.  
22 They are part of the board's groupy group and, again,  
23 the public is welcome. I believe the board members  
24 that I work for have been very open about saying if  
25 there are individual public concerns they want to

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1 hear them themselves. And they have been very good  
2 about that.

3 So the communication path we will do the  
4 best we can. But I want you to feel if you ever need  
5 to speak to somebody, you're going to get in ANGDA,  
6 if nothing else the board.

7 MS. PRITCHARD: And ANGDA has their own  
8 website and the Joint Pipeline Office has their own  
9 website so they very well could have information on  
10 their website that we don't have. So don't forget to  
11 check their's out. I don't know what the address is  
12 for your web site.

13 MR. HEINZE: Well, the one that generally  
14 has the most information on it is  
15 www.allalaskaing.com. That's the best one. Over  
16 time we are moving everything we can to the Joint  
17 Pipeline Office website.

18 OD: And that would be www.jpo.doi.gov.

19 MS. PRITCHARD: Anybody else? Well, I  
20 think we can close this hearing unless anybody else  
21 has anything. This turned into a discussion that I  
22 said it wasn't going to be, but I think it's good and  
23 I really appreciate all of you coming out. Thank  
24 you.  
25

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1 CERTIFICATE  
2

3 I, the undersigned Notary Public in and  
4 for the State of Alaska, do hereby certify that:

5 I am not a relative or employee or  
6 attorney or counsel of any of the parties to said  
7 action, or a relative of employee of any such  
8 attorney or counsel, and that I am not financially  
9 interested in the said action or the outcome thereof;

10 The witness, before examination, was by me  
11 duly sworn to testify the truth, the whole truth, and  
12 nothing but the truth; and

13 The deposition, as transcribed, is a true  
14 record of the testimony given by the witness.

15 IN WITNESS WHEREOF, I have hereunto set my  
16 hand and affixed my official seal this 22nd day of  
17 April, 2006.  
18  
19

20  
21 \_\_\_\_\_  
22 PATTA K. JOHNSON  
23 My commission expires  
24 07/04/08  
25

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