

PORT DOLPHIN LNG DEEPWATER PORT  
PUBLIC MEETING TO RECEIVE COMMENTS ON THE DRAFT EIS

DATE TAKEN: Tuesday, May 6, 2008

TIME: 4:30 p.m.

PLACE: Manatee Convention Center  
One Haben Boulevard  
Palmetto, Florida

PRESENT:

DON BECKHAM - Engineering-Environmental Management  
RAY MARTIN - U.S. Coast Guard  
CHRIS HANAN - Maritime Administration  
DAVE SWEARINGEN - Federal Energy Regulatory Commission  
MARK SRAMEK - National Geographic Atmospheric  
Administration  
GARY LARSEN - Moderator

Proceedings Reported by:

Patricia A. Pilarski, CSR  
Executive Reporting Service  
Bank of America Tower, Suite 400  
One Progress Plaza, 200 Central Avenue

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I N D E X

PUBLIC SPEAKERS:

- Beau Suthard
- Juan Florensa
- Charlie Hunsicker
- Suzanne Cooper
- Glenn Compton
- Ted Bisterfeld
- Jim Locascio
- Mark Peterson

Written comments received by Beau Suthard  
and Juan Florensa and attached

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2  
3 MR. MARTIN: Good afternoon. Welcome, Ladies  
4 and Gentlemen. My name is Ray Martin of the  
5 Deepwater Port Standards Division of the Coast Guard  
6 Headquarters. Also, here are Mr. Chris Hanan of the  
7 Maritime Administration, Dave Swearingen of the  
8 Federal Energy Regulatory Commission, and Mark  
9 Sramek of the National Geographic Atmospheric  
10 Administration and Don Beckham of Engineering  
11 Environmental Management, or E<sup>2</sup>M.

12 In a few minutes they will provide a short  
13 overview of their responsibilities regarding the  
14 Port Dolphin deepwater port license application.  
15 But first I would like to give a brief background of  
16 the process.

17 In November of 2002 Coast Guard -- Congress  
18 passed the Maritime Transportation Security Act,  
19 which amended the Deepwater Port Act by including  
20 the importation of natural gas. Prior to that, it  
21 only included oil.

22 Since the passage of the Act, the Coast Guard  
23 and the Maritime Administration have received 16  
24 applications for natural gas deepwater ports. One  
25 of those applications was submitted on March 29,

1 2007, by Port Dolphin Energy, LLC. They proposed to  
2 own, construct and operate a natural gas deepwater  
3 port located, approximately, 28 miles off the  
4 western coast of Florida. This project is referred  
5 to as Port Dolphin.

6 Since the project is closest to Florida it has  
7 been identified as an adjacent coastal state. This  
8 gives the governor specific authority in the  
9 approval process under the Deepwater Port Act. The  
10 governor of an adjacent coastal state may approve,  
11 disapprove or notify Maritime of inconsistencies  
12 with state programs relating to environmental  
13 protection, land and water use, and coastal zone  
14 management for which Maritime condition the license  
15 to make consistent.

16 To issue a deepwater port license, there are a  
17 number of elements that must be considered by the  
18 Maritime Administration. Chris Hanan will describe  
19 those in a minute.

20 With that as some background, I would now like  
21 to provide a brief overview of the Coast Guard's  
22 responsibility regarding the license application  
23 process. The Coast Guard and the Maritime  
24 Administration work together in processing deepwater  
25 port license applications. Although, the

1 administrator of the Maritime Administration will  
2 ultimately decide whether to approve, disapprove or  
3 approve with conditions a license for the proposed  
4 deepwater port. The Coast Guard is the lead federal  
5 agency for developing the environmental impact  
6 statement as one important input for that decision.

7 In fulfilling this role the Coast Guard must  
8 seek input from the public as well as from other  
9 state and federal agencies.

10 The Coast Guard is also responsible for the  
11 evaluation of the proposed deepwater port  
12 engineering design standards; the development of  
13 operations, water waste management, Maritime safety  
14 and security requirements and risk management;  
15 environmental protection and monitoring  
16 requirements; and compliance with various domestic  
17 and international laws for LNG carriers that might  
18 call on the Port Dolphin deepwater port.

19 Should the application be approved the Coast  
20 Guard will also coordinate with other agencies in  
21 overlapping areas or responsibility of design and  
22 operational conditions to be included in the record  
23 of decision and license and in developing post  
24 licensing requirements.

25 I want to make it clear that the Coast Guard

1 is neither a proponent nor an opponent for any  
2 deepwater port project. I also want to emphasize  
3 that only after the environmental review process  
4 have been completed can there be any activity on the  
5 proposed project.

6 As required by the Deepwater Port Act, the  
7 environmental analysis, in this case the  
8 environmental impact statement or EIS must be  
9 prepared in accordance with the National  
10 Environmental Policy Act or NEPA.

11 On April 17, 2008, we published a draft EIS.  
12 The intent of this public meeting is to receive your  
13 comments on the draft EIS or DEIS. In addition,  
14 written comments on the DEIS can be submitted until  
15 June 2, 2008, to the docket management facility.  
16 Instructions for filing written comments are  
17 available at the registration table.

18 The DEIS describes the nature and extent of  
19 the environmental impacts of the proposed action,  
20 which is the construction and operation of Port  
21 Dolphin deepwater port and associated pipelines.  
22 The DEIS includes, among other topics, the purpose  
23 and need for the proposed action, a description of  
24 the alternatives, a description of the affected  
25 environment, and an evaluation of impacts and

1 cumulative impacts on the natural and human  
2 environment by the proposed action and alternatives.

3 Comments received on the DEIS will become  
4 public record and will be considered in preparation  
5 of the final EIS. Following publication of the  
6 final EIS there will be another comment period and  
7 public hearing on the EIS and overall application.

8 Don Beckham of E<sup>2</sup>M will explain more on this  
9 in a few minutes.

10 At this time I would like to introduce Chris  
11 Hanan of the Maritime Administration who will  
12 describe the responsibilities of his agency.

13 MR. HANAN: Good afternoon. As Ray said, my  
14 name is Chris Hanan, and I am a member of the  
15 Maritime Administration of deepwater port management  
16 team, together with the U.S. Coast Guard.

17 The secretary of transportation has charged  
18 the Maritime Administration with processing all  
19 deepwater port applications for the Federal  
20 Government. In addition, the secretary has placed  
21 the responsibility for issuing or denying a  
22 deepwater port license with the Maritime  
23 Administration. The environmental impact statement  
24 is a major and important step in the deepwater port  
25 application process.

1           Early on in this process a public meeting was  
2 held here in Palmetto, where you and other  
3 individuals expressed concerns and provided areas of  
4 interests to be addressed in the environmental  
5 impact statement. The staff at E<sup>2</sup>M, along with many  
6 other staff members from various other government  
7 agencies, worked hard to produce this comprehensive  
8 document that specifically addressed your concerns.

9           I want to thank everyone who helped put this  
10 draft document together. However, we have more work  
11 to do. We have returned here today to see how we  
12 can make the environmental impact statement better.  
13 Your comments will help us do just that and will be  
14 greatly appreciated.

15           The next step in the EIS process requires us  
16 to take your comments made here today and those  
17 written, which we will accept until June 2, 2008,  
18 and try and make an improved and more comprehensive  
19 environmental document.

20           After the final environmental document is  
21 completed and published the Maritime Administration  
22 and the U.S. Coast Guard will host the third and  
23 final public hearing later this year.

24           At that time we will accept comments from all  
25 concerned parties for up to 45 days after the final



1 public hearing. After the comment period the  
2 Maritime Administration will make a decision within  
3 45 days of the close of comments. The decision will  
4 be either: approve the application and issue a  
5 license, approve the application and issue a license  
6 subject to conditions, or disapprove the  
7 application.

8 The agency's decision to approve or disapprove  
9 the application will be reflected in the record of  
10 decision document issued by the Maritime  
11 Administrator. Issuance of the official license  
12 will follow should the application be accepted.

13 Any stated terms and/or conditions for the  
14 license will be reflected in the record of decision  
15 as well as in the official license document.

16 We emphasize these license requirements are  
17 stringent and completely enforceable. If a licensee  
18 violates the conditions of its license the Maritime  
19 Administration will suspend the license and/or  
20 operation of the facility until the conditions are  
21 sufficiently met.

22 Finally, we can assure you that the  
23 environmental review will have a substantial bearing  
24 on the final licensing decision. We appreciate your  
25 interest and encourage you to express your views and

1 concerns to help shape an adequate environmental  
2 document for the Port Dolphin Energy, LLC deepwater  
3 port project.

4 Now I will turn this over to Dave Swearingen  
5 and he can elaborate on his roles.

6 MR. SWEARINGEN: Thank you, Chris.

7 Good evening. My name is Dave Swearingen and  
8 I am an environmental project manager of the Federal  
9 Energy Regulatory Commission.

10 As Ray mentioned earlier, the FERC is a  
11 cooperating agency for the production of the EIS  
12 because of the onshore pipeline, which is under FERC  
13 jurisdiction. NEPA requires that the FERC  
14 Commission take into consideration environmental  
15 impacts associated with new natural gas facilities  
16 under its jurisdiction. So the FERC will use this  
17 cooperation process to fulfill its NEPA obligations.

18 The FERC Commission is responsible for making  
19 a determination on whether to issue a certificate of  
20 public convenience and necessity to Port Dolphin.  
21 The EIS prepared by the various agencies does not  
22 make that decision for the FERC.

23 The purpose of the EIS will be used to advise  
24 the FERC Commission and to disclose to the public  
25 the environmental impact of constructing and

1 operating the proposed project. The commission will  
2 consider the environmental information in the EIS,  
3 public comments, as well as a host of  
4 nonenvironmental issues, such as engineering,  
5 markets, rates, finances, tariffs and design and  
6 costs in making an informed decision on whether or  
7 not to approve the part of the project under FERC  
8 jurisdiction, that is the onshore pipeline.

9 Only after taking the environmental and  
10 nonenvironmental factors into consideration will the  
11 commission make its final decision on whether or not  
12 to approve Port Dolphin's proposed onshore pipeline.

13 As Ray mentioned, we are in the comment period  
14 phase of the environmental analysis. The FERC  
15 invites you to submit either oral or written  
16 comments on the draft EIS this evening or either by  
17 mailing them in or using the FERC Web site to submit  
18 them electronically. Only comments directly related  
19 to environmental impacts on the onshore pipeline  
20 should be submitted directly to the FERC. All  
21 others should be submitted via the Coast Guard  
22 process.

23 Okay. With that, I will turn things over to  
24 Mark Sramek with NOAA, National Marine Fisheries  
25 Service.

1 MR. SRAMEK: Thank you, Dave.

2 Good evening. My name is Mark Sramek. I work  
3 with the National Oceanic and Atmospheric  
4 Administration, National Marine Fisheries Service,  
5 Habitat Conservation Division. I work in St.  
6 Petersburg, Florida.

7 My principal role on the project is the  
8 environmental role -- excuse me -- environmental  
9 review and assessment of potential impacts on living  
10 and the marine resources, particularly essential  
11 fish habitat, ichthyoplankton and hard bottom  
12 habitats in the project area.

13 My area of responsibility stands from Dixie  
14 County near the Suwannee River, south down to  
15 Naples, Florida, Ten Thousand Islands estuary.

16 Next I would like to turn this over to  
17 Mr. Beckham with the E<sup>2</sup>M. Thank you.

18 MR. BECKHAM: Thank you, Mark.

19 Good afternoon. I am Don Beckham. I am the  
20 project manager for this -- development of this EIS  
21 for engineering and environmental management, or E<sup>2</sup>M  
22 as Ray mentioned.

23 E<sup>2</sup>M is an environmental contractor that help  
24 the Coast Guard and Maritime Administration to  
25 prepare the draft of the environmental impact

1 statement.

2 I want to provide an overview of the public  
3 participation process that is involved in preparing  
4 the EIS.

5 E2M is a science-based environmental  
6 consulting firm experienced in preparing EISs and  
7 related studies. The EIS is being conducted in  
8 accordance with the National Environmental Policy  
9 Act or NEPA. We conducted an independent evaluation  
10 of the anticipated environmental impacts of the  
11 proposed project.

12 Public involvement is a fundamental aspect of  
13 NEPA and of the Coast Guard and Maritime  
14 Administration's NEPA policies.

15 The public involvement process started several  
16 months ago when the Coast Guard and Maritime  
17 Administration published a notice of intent to  
18 prepare the EIS in the federal register on July 12th  
19 of 2007. The notice was also published in the Tampa  
20 Tribune and the Bradenton Herald.

21 The notice -- we also mailed a notice to about  
22 190 state and federal agencies, individuals and  
23 groups that might have some interest in the project.

24 During the 30-day public comment period in  
25 July and August an open house and public meeting was

1 held here at the Manatee County Convention Center.  
2 Information was provided on how to submit written  
3 comments. A number of comments were received and  
4 these were taken into account in the preparation of  
5 the draft EIS.

6 Since that time the draft EIS has been  
7 published. A notice of availability of the DEIS was  
8 published in the federal register on April 17th and  
9 that notice announced this public meeting that the  
10 DEIS was available and how you could get copies of  
11 it.

12 The notice was also published in the Tampa  
13 Tribune and the Bradenton Herald and included  
14 information about how to make comments on the  
15 federal government's electronic docket system.

16 We also mailed, approximately, 200 copies of  
17 the draft EIS to people or agencies that had  
18 requested a copy or that we knew were interested in  
19 the project. We also have copies here tonight. You  
20 saw them on the table in the other room and we'll  
21 make those available at the registration table if  
22 you would like to take a copy with you. We have  
23 both paper copies and CDs of the draft EIS.

24 The comment period for the draft EIS is  
25 45 days, starting on April 17th and closing on June

1           2nd. At the close of the comment period the Coast  
2           Guard Maritime Administration will start work on the  
3           final EIS. A notice of availability of the final  
4           EIS is expected somewhere in mid-July. A notice  
5           will also be published and distributed when the  
6           final EIS is available and there will also be a  
7           30-day public comment period specifically on the  
8           FEIS.

9           On a similar track, but not directly connected  
10          to the NEPA process, the Coast Guard and Maritime  
11          Administration will hold a formal hearing on the  
12          deepwater port license application following the  
13          distribution of the FEIS. At that meeting the  
14          public will be given additional opportunity to  
15          provide comments on all aspects of the proposed  
16          project.

17          We would like to thank you for taking your  
18          time to come out tonight and provide your comments  
19          on the draft EIS. Thanks very much.

20          MR. MARTIN: Thanks, Don.

21          Now I would like to introduce Mr. Gary Larsen  
22          who will explain how the remainder of this meeting  
23          will go.

24          MR. LARSEN: Thank you.

25          Good afternoon, everyone. My name is Gary

1       Larsen. I am a local mediator. I have been asked  
2       to do one thing, and that is to help moderate and  
3       facilitate these public comments. I am sure you  
4       have all heard by now that we are here to talk about  
5       and receive the public comments for the draft EIS, a  
6       similar format to what we use at the initial public  
7       scope meeting.

8               We have a wonderful court reporter here, who I  
9       assure you will take down everything that you say,  
10      and accurately as well.

11             And what I am going to do is, I have got a  
12      sheet of people that signed up. I will go down that  
13      sheet. I will ask you to come up. And initially  
14      your comments should be three minutes. That is to  
15      make sure that everyone gets to speak. I assure you  
16      if you don't have a chance to complete what you want  
17      to say in that three minutes, when we are done with  
18      everyone who signed up and they've had their  
19      opportunity, I will look back to this audience and  
20      anyone who has got something more to say is  
21      certainly free to do it.

22             I would clarify that the purpose of this is  
23      not a question-and-answer session, but rather to  
24      receive the public comments as you have heard for  
25      consideration by the various agencies and what they



1 are doing. The only rule I would ask you to apply  
2 is one of civility. I am sure you can say whatever  
3 you want to say without nobody getting carried away.

4 So let me start, if you don't mind -- and if I  
5 mispronounce any names, again forgive me in advance  
6 for that.

7 Beau Suthard.

8 MR. SUTHARD: I have written comments. I can  
9 hand them up here.

10 MR. LARSEN: If you can give them to the court  
11 reporter, please.

12 MR. SUTHARD: I have a copy for everyone. I  
13 don't know if you want to --

14 My name is Beau Suthard. I am a marine  
15 geologist for Coastal Planning and Engineering. We  
16 are the consulting coastal engineering firm for both  
17 Manatee County and the Town of Longboat Key and we  
18 were asked by Manatee County and the Town of  
19 Longboat Key to come here and present some comments  
20 off of the draft EIS.

21 In particular, both Manatee County and the  
22 Town of Longboat Key have shore protection projects  
23 that employ beach nourishment to protect their  
24 shoreline. Both the entire coastline of Anna Maria  
25 Island and Longboat Key are considered critically

1 eroded coastlines by the Florida Department of  
2 Environmental Protection.

3 I want to talk a little bit about both  
4 programs and then the impacts that the proposed  
5 pipeline would have on both programs.

6 Manatee County administers the Anna Maria  
7 Island shore protection project and it is a project  
8 that nourishes all of the beaches of Anna Maria  
9 Island with about 1.9 million cubic yards of beach  
10 compatible sand every ten years.

11 The historical sand source for this beach for  
12 nourishment project is an ebb shoal of the  
13 northwestern tip of Anna Maria Island and this ebb  
14 shoal is bisected by the current proposed pipeline  
15 route.

16 The financial strategy for the Anna Maria  
17 Island Beach nourishment project is one that relies  
18 on a nearby sand resource that allows them to employ  
19 a cutterhead dredge, which is a dredge that can come  
20 into shallow water and pump beach compatible sand  
21 directly to the shoreline. This makes this ebb  
22 shoal a particularly valuable sand resource for Anna  
23 Maria Island.

24 As proposed, the -- well, let me talk a little  
25 bit about Longboat Key also. The Town of Longboat

1 Key also has a beach nourishment project that  
2 nourishes the entire coastline of Longboat Key and  
3 it relies on about 1.8 million cubic yards of beach  
4 compatible sand for every eight years of a  
5 renourishment cycle for Longboat Key.

6 The sand resources off the west coast of  
7 Florida are limited to begin with and have to  
8 undergo a detailed and costly mapping exercise in  
9 order to define, permit and use bar areas.

10 In the case of Longboat Key, they have an  
11 existing bar area on that same northwestern ebb  
12 shoal. I have maps in the prepared comments that  
13 show the locations of all of these areas.

14 This particular bar area was used by Longboat  
15 Key in their 2005/2006 beach renourishment project.  
16 About 1 million cubic yards of beach compatible sand  
17 permitted by the Florida Department of Environmental  
18 Protection was used for that beach renourishment  
19 project.

20 1.5 million cubic yards of material remain in  
21 that permitted bar area. As proposed, the current  
22 pipeline completely bisects that bar area into two  
23 separate bar areas. The greater impact of the  
24 pipeline construction is in a buffer, avoidance  
25 zone, around the pipeline. So for future bar area

1 design you have to avoid some buffer, as of yet  
2 undefined by the Florida Department of Environmental  
3 Protection.

4 We've done work in Louisiana where we've been  
5 asked to have anywhere from a 1,000 feet to more  
6 recently a 1,000-meter buffer to either side of the  
7 bar area -- of other side of the pipeline.

8 If we were to employ a 1,000-meter buffer on  
9 the Longboat Key bar area the existing 1.5 million  
10 cubic yards of material previously permitted at the  
11 expense of the Longboat Key would become  
12 unavailable.

13 This would provide some direct cost to  
14 Longboat Key and, approximately, \$500,000 of the  
15 cost was used to develop and permit that bar area  
16 previously. An additional 500,000 would need to be  
17 expended to identify a secondary sand source that  
18 is, probably, going to be further away from the  
19 project area, with an incremental cost of about \$2  
20 per cubic yard to replace that  
21 one-and-a-half-million cubic yards from a further  
22 distance bar area. So we are looking at a total  
23 project impact of \$4 million to the Town of Longboat  
24 Key.

25 Manatee County, as I mentioned earlier, rely

1 on the cutterhead dredge technology in order to  
2 develop their sand resources. If they have to  
3 abandon that entire shoal, which has, approximately,  
4 18 million cubic yards of beach compatible sand, due  
5 to the pipeline construction, they are going to be  
6 forced to go to a more distant bar area.

7 As the pipeline is currently designed, and if  
8 we were to employ a 1,000-meter buffer on the  
9 pipeline, it would take out over 8 million cubic  
10 yards of beach compatible sand that Anna Maria  
11 Island and Manatee County are going to rely on for  
12 future sand nourishment. That is over four projects  
13 worth of sand for the equivalent of 40 years worth  
14 of project sand for the Anna Maria Island beach  
15 nourishment projects.

16 At a -- if they have to go to a distant bar  
17 area, they are going to have to employ a hopper  
18 dredge technology, which is going to increase the  
19 cost per unit, per cubic yard, anywhere from \$5 to  
20 \$7 per each project. So that equates to a per  
21 project cost increase between \$9 and \$13.3 million.  
22 And if you extrapolate that over to four projects  
23 that the pipeline buffer would impact, we are  
24 looking at a cost impact to Manatee County alone of  
25 between \$38 and \$52 million.

1           These numbers do not include identification of  
2           new sand resources, permitting of new sand resources  
3           or any inflation or cost of fuel adjustments for the  
4           next four years.

5           In addition, this is an impact on the regional  
6           sand source. Longboat Key is currently conducting  
7           an offshore regional sand source of sandhills. The  
8           current pipeline impacts at least four of those  
9           sandhills that would have to be removed from  
10          potential regional sand sources, which not only  
11          impacts Anna Maria County and Longboat Key, but  
12          Pinellas County as well has expressed concern on a  
13          regional sand resource level. Because the more we  
14          take away from an already limited resource for  
15          Manatee County and Longboat Key, the more we are  
16          likely to go into other project areas to look for an  
17          already small resource.

18          MR. LARSEN: I didn't want to interrupt you.  
19          In fact, as you noticed, it's not my poor  
20          timekeeping. You were speaking for two entities, so  
21          I gave you a doubleup.

22          MR. SUTHARD: Thank you.

23          MR. LARSEN: But -- and if you need to come  
24          back when we are done, of course, you will certainly  
25          have that opportunity.

1 MR. SUTHARD: Thank you.

2 MR. LARSEN: Thanks very much.

3 I think Juan Florensa. Am I pronouncing that  
4 correct?

5 MR. FLORENSA: Good afternoon.

6 My name is Juan Florensa. I am the public  
7 works director for the Town of Longboat Key and I  
8 will try to avoid repeating what was already said.

9 I just want to let you know that the town  
10 commission of Longboat Key met last night in public  
11 meeting and directed the staff of Longboat Key to  
12 relay the information to you that they are very  
13 concerned about the impact of this pipeline on the  
14 sand resources.

15 It is not the intent of the Town of Longboat  
16 Key to kill this project or to oppose this project.  
17 The intent of the Town of Longboat Key is to work  
18 with the applicant and with the reviewing agencies  
19 to try to select a pipeline route location that  
20 would benefit the applicant and at the same time  
21 allow for us to continue using the sand sources that  
22 we have spent about half a million dollars of  
23 taxpayers' dollars to develop and to use for our  
24 future projects.

25 As well as mentioned, not only have we used

1           this particular borrowed site for previous projects,  
2           we intend to use it in the next seven years for our  
3           next project. We also are searching for more sand  
4           in this area. So the location of the pipeline may  
5           hinder our search for more sand.

6           We are currently spending a million dollars of  
7           taxpayers' dollars to search for more sand for our  
8           next projects. We want to work together with the  
9           applicant to ensure that we can develop future  
10          sources of the sand.

11          I have some written comment that I will leave  
12          with the stenographer. Thank you.

13          MR. LARSEN: I appreciate it very much.

14          Charlie Hunsicker.

15          MR. HUNSICKER: Thank you, gentlemen, for the  
16          opportunity to comment. I am Charlie Hunsicker with  
17          Manatee County Government and the director of our  
18          conservation lands management program, which  
19          includes our coastal marine program and all of the  
20          beach and nourishment activities for Anna Maria  
21          Island.

22          I wanted to also add to Beau's remarks in that  
23          Manatee County in conjunction with our current  
24          consulting firm have evaluated these proposed  
25          inshore routes for pipeline alignment. And they



1 definitely do effect near irreparable harm to the  
2 economic viability of the nourishment program,  
3 certainly a program which is supported by revenues  
4 collected by tourist tax stays for hotel, motel  
5 visitors to the area, and our property taxes. It is  
6 a -- it is a sensitive funding source for us.

7 And when we are looking at a \$15 million  
8 impact over the life of our project, I do not see  
9 how Manatee County can have the viable beach  
10 nourishment program into the future.

11 I would ask that the draft EIS consider some  
12 alternatives, particularly to the alignment of the  
13 pipeline as it affects this regional sand resource,  
14 perhaps which avoids the current -- those resources  
15 available not only to Manatee County, but as you  
16 heard, the Town of Longboat Key, which is in part  
17 the town within the county jurisdiction.

18 We would like you to look at a pipeline  
19 alternative route that perhaps parallels the  
20 gulfstream pipeline, natural gas pipeline that  
21 enters into Tampa Bay along the parallel alignment  
22 that does not have such a severe effect on the  
23 regional sand resource.

24 But perhaps even the alternative of an  
25 offshore connection to the natural -- to the

1 gulfcoast pipeline, which avoids entirely the  
2 pipeline impacts not only on the offshore  
3 environment but to the nearshore high-volume  
4 environments of the lower Tampa Bay.

5 And with that, I appreciate your  
6 consideration. We will be submitting official  
7 comments from Manatee County by the June 2nd  
8 deadline through the office of our county attorney.  
9 Thank you.

10 MR. LARSEN: Suzanne Cooper, please.

11 MS. COOPER: Good evening. I am Suzanne  
12 Cooper. I am principal planner for Tampa Bay  
13 Regional Planning Council and staff for the agency  
14 on bay management.

15 I don't have any specific comments right now.  
16 I wanted to let you know that on May 15th the agency  
17 on bay management's natural resources and  
18 environmental impact review committee will receive a  
19 presentation from Mr. Herman Castro and  
20 representatives for Hoegh on the project. And after  
21 that meeting we'll be submitting written comments  
22 and recommendations on this project.

23 So I appreciate you being here and we look  
24 forward to hearing more about the project and then  
25 submitting comments at a later time.

1 MR. LARSEN: Mr. Bisterfeld.

2 MR. BISTERFELD: Thank you, Mr. Martin and  
3 gentlemen. Good afternoon.

4 I am Ted Bisterfeld. I am a biologist on the  
5 staff of the NEPA program office, U.S. Environmental  
6 Protection Agency Region IV in Atlanta. Here with  
7 me tonight is Kelly Fortan representing our air  
8 programs branch.

9 I don't have a prepared statement but I would  
10 just like to run over a few -- make a few brief  
11 remarks about EPA's role in the review of this  
12 project.

13 First of all, it's important to realize that  
14 EPA places a high priority in the review of all  
15 national -- nationally significant energy projects,  
16 including the Port Dolphin LNG import project.

17 Specifically, EPA has met the requirements  
18 that we must fulfill. One of them is that we have a  
19 statutory obligation to review all environmental  
20 impact statements, to comment on them and make our  
21 comments known to the public. EPA is now reviewing  
22 the draft EIS along with the other agencies.

23 I would also like to mention that EPA has its  
24 regulatory actions for Port Dolphin. First of all,  
25 the port would be in federal waters, and as such,

1       it's under federal jurisdiction and EPA maintains  
2       the NPEES permitting for wastewater discharges in  
3       offshore waters of the Gulf of Mexico.

4             Additionally, under the Clean Air Act, EPA has  
5       -- must issue approvals to construct and to operate  
6       the air emission source. So those approvals also  
7       must be obtained from EPA.

8             Our intent regarding the EIS review is to  
9       ensure that the EIS meets all of our regulatory  
10      requirements, that is because we issue the NPEES  
11      permit, the EIS must support our NPEES permit.

12            So we will be looking to ensure that all  
13      reasonable and feasible, practical alternatives are  
14      considered, both siting of the project as well as  
15      the operational aspects and technologies. We also  
16      want to make sure that all impacts that are -- that  
17      all impacts are identified and that they are  
18      accurately assessed in the EIS.

19            My purpose here tonight also is to hear public  
20      comment just as you gentlemen. So with that I will  
21      conclude my comments.

22            MR. LARSEN: Thank you very much.

23            Glenn Compton.

24            MR. COMPTON: Good evening. My name is Glenn  
25      Compton. I am here on behalf of Public Health and

1 Environmental Organization Manhasset AV8. I guess,  
2 after hearing some of the comments made by Manatee  
3 County I will represent myself as a taxpayer of the  
4 state of Florida. It seems like there was a number  
5 of concerns about where the sand is going to be  
6 coming from for beach renourishment in the future.

7 At this point we have more questions then I  
8 guess comments. One question has to do with whether  
9 or not an alternative site study has been done that  
10 demonstrates that this is the best location for this  
11 project to take place in the Gulf of Mexico?

12 Has there been a need analysis done that has  
13 demonstrated that this is the best location for this  
14 project to take place?

15 How will the applicant mitigate 234 acres of  
16 benthic habitat, even though it's described as a  
17 temporary impact?

18 And how will mitigation of 66 acres of  
19 long-term impact be done?

20 I am going to assume that some of this that  
21 will be impacted is going to be essential fish  
22 habitat and hard bottom. And hard bottom is one of  
23 the most difficult wetland categories to mitigate.

24 So my question then leads to what is the  
25 success rate for this company when it comes to

1 mitigation of any habitats, whether they are marine  
2 habitats or onshore habitats.

3 There appears to be avoidable impacts to  
4 wetlands, specifically mangroves, as the project  
5 approaches Port Manatee. And our questions have to  
6 do with, well, why is the proposed route the  
7 proposed route? Were there other routes that had  
8 less mangrove impact? Again, going to the idea that  
9 mangrove mitigation is an extremely difficult  
10 habitat to mitigate.

11 The U.S. Fish and Wildlife has expressed  
12 concerns about scrub jays, wood storks, eastern  
13 indigo snakes, and, quite frankly, we were surprised  
14 to see that in the draft of the environmental impact  
15 study. And I would ask you to pay very close  
16 attention to onshore impacts as this project comes  
17 into Port Manatee.

18 So we are not really at this point concerned  
19 that Port Dolphin can write a good EIS, but our  
20 concern more is whether or not they can mitigate  
21 their impacts and whether or not they have chosen  
22 the best route and location for the project.

23 I would also ask that Manhasset AV8 receive  
24 legal status and have a motion to intervene to  
25 become a party to all proceedings. Thank you very

1 much.

2 MR. LARSEN: Thank you.

3 David Janney.

4 MR. JANNEY: I am already taken care of.

5 MR. LARSEN: Are you okay?

6 MR. JANNEY: Yes.

7 MR. LARSEN: All right. That concludes the  
8 list of names of people that formally signed up.  
9 And again, I think that everybody had the chance to  
10 finish saying what they intended to say when they  
11 were here. I now open this up to anyone who chooses  
12 to make a comment. If you wish to come forward, we  
13 are here and ready to receive it.

14 MR. HUNSICKER: I would like to make -- excuse  
15 me. If we do have just a little bit more time I  
16 would like to make a comment relative to how the  
17 beach nourishment program came to you as an issue  
18 because I failed to mention, because I have lived  
19 here for so long, that Anna Maria Island is a  
20 federally authorized project area for protection --  
21 for shore protection, which the first renourishment  
22 began in 1992 under the auspices of the Army Corps  
23 of Engineers. The renourishment was then performed  
24 in the year 2000, and again, in 2006, each of those  
25 authorized by and funded by the Army Corps of

1 Engineers, the State of Florida and Manatee County.

2 In addition to the federal authorization of  
3 this (inaudible) a beach on Anna Maria Island, the  
4 Anna Maria Island is identified as a critically  
5 eroded area by the Florida Department of  
6 Environmental Protection, Bureau of Beaches and  
7 Coastal Systems and thus is possible for state  
8 funding in that condition.

9 And so it is that status in standing of the  
10 beach, the protection of the property that is there,  
11 the public infrastructure and evacuation routes that  
12 makes for beach nourishment arguably very important  
13 for the island.

14 And once again, the cause for our concern in  
15 taking away the economic viability of that program,  
16 the beaches and shores, sand resources are impacted  
17 by the pipeline.

18 So thank you again for those comments.

19 MR. LARSEN: All right. And I think we are  
20 going to be here until 7:00 no matter what. We will  
21 make sure this meeting gets open and available to  
22 anyone.

23 Sir, I saw you raise your hand. Did you wish  
24 to speak?

25 MR. PETERSON: Just for a second.



1           MR. LARSEN: Sure. And if you would just -- I  
2 don't have it written down. Could you tell the  
3 court reporter your name, please?

4           MR. PETERSON: Yes. My name is Mark Peterson  
5 with U.S. Army Corp of Engineers.

6           I just want to let people to know that I am  
7 representing the Corps of Engineers and we are one  
8 of the participating Federal agencies with the Coast  
9 Guard. And for our common review of this  
10 application -- although I am not sitting up at the  
11 table right now -- we do currently have a public  
12 notice that is out there for the very same project.  
13 The Corps is responsible for issuing, or at least  
14 reviewing applications, for 404 and Section 10  
15 permits.

16           And so we are -- we have been on the same  
17 project concurrently, as well as working with them  
18 on the draft EIS. So if anybody needs to know how  
19 to contact me or needs to know how to review the  
20 Corps public notice, please see me afterwards.

21           Thanks.

22           MR. LARSEN: Again, I am going to just open  
23 this up to anyone who wishes to speak. And if no  
24 one jumps up to raise their hand, then what we might  
25 end up doing is temporarily recessing this meeting.

1           MR. MARTIN: Yeah, we'll go ahead and recess  
2 for 30 minutes, and if somebody else shows up and  
3 would like to speak we'll reconvene. And if you  
4 choose to leave now, thank you very much. We really  
5 appreciate you coming out. But like Mr. Larsen  
6 said, we'll be here until 7:00 to take any  
7 additional comments.

8           MR. LARSEN: Ray, just to follow up on that,  
9 just to be very clear, you know, when it gets back  
10 to near 7:00 we are going to -- we will reconvene  
11 this meeting and I will again seek any comments that  
12 the public might wish to make so that we can make  
13 sure it's taken down as part of the record. Other  
14 than that we are going to recess.

15           (Recessed at 5:42 p.m. and reconvened at 6:00  
16 p.m.)

17           MR. MARTIN: Good evening. This is Port  
18 Dolphin Public meeting. And we are going to  
19 reconvene to accept additional comments.

20           (Recessed at 6:00 p.m. and reconvened at 6:30  
21 p.m.)

22           MR. MARTIN: Excuse me. It's 6:30. Is there  
23 anyone that would like to make public comment?

24           (Recessed at 6:30 p.m. and reconvened at 6:45  
25 p.m.)

1           MR. MARTIN: Good evening. This is the Port  
2           Dolphin public meeting. We are going to reconvene  
3           to accept additional comments. Mr. Larsen.

4           MR. LARSEN: We have one public member who  
5           wants to make a comment. Why don't come on up to  
6           the mic. If you go ahead and just do me a favor,  
7           let the court reporter know your name so we will  
8           make sure that your comments are properly  
9           attributed.

10          MR. LOCASCIO: Thank you. My name is Jim  
11          Locascio and I am at the University of South Florida  
12          College of Marine Science. So thanks everybody for  
13          coming back in and sitting down after probably  
14          thinking we are all done.

15          So the reason I wanted to make a comment was  
16          just to mention that I am only now becoming more  
17          familiar in detail with the project. I have known  
18          about it a little bit. But the laboratory that I  
19          work in is based on acoustics, acoustic monitoring,  
20          biological sounds produced under water and also the  
21          reception of animals who use sound to communicate.

22          So there is -- in our field there is a lot of  
23          new exciting discoveries being made in some areas  
24          that we are interested in investigating. And, of  
25          course, the environmental consequences of sound

1 production under water is something that is, kind  
2 of, emerging. There is not a lot of information to  
3 go on with this.

4 And so something that presents itself, I  
5 think, as a useful opportunity with this project is  
6 to learn a lot more about things that are not all  
7 that well known but certainly could be quite  
8 important.

9 So the data that we produce have to do with  
10 patterns of sound production on periods of daily  
11 scales, seasonal scales, and we can now become  
12 interannual in our monitoring and compare years.  
13 And it seems that the seasonality of sound  
14 production in fish, which use it for courtship and  
15 spawning, works out nicely when you compare it to  
16 what is known from physical examinations of the  
17 gonads or the distribution of the eggs and the  
18 larvae and relate that to the timing of when these  
19 fish spawn.

20 So I am going to read in more detail what is  
21 written on this aspect in the draft. I just read a  
22 little bit. And I am very interested in maybe  
23 suggesting some opportunities that would be valuable  
24 to take advantage of on this in the future.

25 So thank you very much for reconvening and for

1 your time. Thanks.

2 MR. LARSEN: I appreciate it.

3 Now that everyone has sat down again I have  
4 that wonderful opportunity to again ask, is there  
5 anyone who wishes to make any public comment? I am  
6 sure everybody is aware, you've got further  
7 opportunity to submit written comment. But I just  
8 want to make sure that we fully utilize this period  
9 of time until 7:00.

10 MR. MARTIN: Nobody wishes to speak, we will  
11 take a recess until 7:00.

12 MR. LARSEN: And at 7:00 we'll come back in  
13 and make a final call for public comment. And  
14 assuming there is none, we'll conclude this public  
15 meeting.

16 (Recessed at 6:45 p.m. and reconvened at 7:00  
17 p.m.)

18 MR. MARTIN: It is 7:00. Is there any  
19 additional comments? Thank you for coming.

20 (Meeting adjourned.)

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## CERTIFICATE OF REPORTER

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STATE OF FLORIDA            )  
COUNTY OF SARASOTA        )

I, PATRICIA ANN PILARSKI, Registered Professional Reporter and Notary Public at Large in and for the State of Florida, certify that I was authorized to and did stenographically report the foregoing proceedings, and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in this action.

Dated this 13th day of May, 2008.

*Patricia A. Pilarski*

PATRICIA A. PILARSKI, CSR



<p style="text-align: center;"><b>A</b></p> <p><b>abandon</b> 21:3  <b>accept</b> 8:17,24  34:19 35:3  <b>accepted</b> 9:12  <b>account</b> 14:4  <b>accurately</b> 16:10  28:18  <b>acoustic</b> 35:19  <b>acoustics</b> 35:19  <b>acres</b> 29:15,18  <b>Act</b> 3:18,19,22 4:9  6:6,10 13:9 28:4  <b>action</b> 6:19,23 7:2  38:16,17  <b>actions</b> 27:24  <b>activities</b> 24:20  <b>activity</b> 6:4  <b>add</b> 24:22  <b>addition</b> 6:13 7:20  22:5 32:2  <b>additional</b> 15:14  20:16 34:7,19  35:3 37:19  <b>Additionally</b> 28:4  <b>addressed</b> 8:4,8  <b>adequate</b> 10:1  <b>adjacent</b> 4:7,10  <b>adjourned</b> 37:20  <b>adjustments</b> 22:3  <b>administers</b> 18:6  <b>Administration</b>  1:12,13 3:7,10,23  4:18,24 5:1 7:11  7:15,18,23 8:21  9:2,19 12:4,24  13:17 15:2,11  <b>Administration's</b>  13:14  <b>administrator</b> 5:1  9:11  <b>advance</b> 17:5  <b>advantage</b> 36:24  <b>advise</b> 10:23  <b>afternoon</b> 3:3 7:13  12:19 15:25 23:5  27:3  <b>agencies</b> 5:9,20 8:7  10:21 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