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BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

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IN THE MATTER OF: : Project No.

NORTHEAST ENERGY PIPELINE PROJECT : PF14-22-000

- - - - - x

VFW Post 6223

386 Main Street

Great Bend, Pennsylvania 18821

Wednesday, July 15, 2015

The above-entitled matter came on for Scoping Meeting, pursuant to notice, at 6:30 p.m., Paul Friedman, the moderator.

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

2 (6:30 p.m.)

3 MR. FRIEDMAN: All right. Welcome everyone. I
4 want to go over some basic safety rules. Okay. If in the
5 unlikely event there's an emergency, such as a fire, there's
6 an exit right through this door up here on the left and then
7 on the right, you can walk down the stairs and there's
8 another exit. All right. The most important things you
9 need to know, where the restrooms are. So there's a
10 restroom right through that hallway, and there's another set
11 of restrooms downstairs in the basement near the bar.

12 All right. That said, we have no microphones
13 today, so I'm going to use my big-boy voice, and if that's
14 ineffective, yell at me and I'll speak louder.

15 Good evening. On behalf of the Federal Energy
16 Regulatory Commission which we abbreviate as F-E-R-C, FERC,
17 or Commission, I would like to welcome you here tonight to
18 our public scoping meeting to make environmental comments on
19 the Northeast Energy Direct, N-E-D, or NED project,
20 proposed by Tennessee Gas Pipeline Company, TGP.

21 It is often referred to as Kinder Morgan because
22 Tennessee Gas is a subsidiary of Kinder Morgan Corporation,
23 and this project is proposed in FERC docket number PF14-22.

24 My name is Paul Friedman, and I'm a staff member
25 at the FERC based on Washington, D.C. and I'm working on the

1 environmental team for the NED project. Our goal is
2 eventually to produce an environmental impact statement.
3 I'll talk more about that later.

4 Let me introduce the other team members who are
5 present here tonight. This is Lavinia DiSanto, and over on
6 the sign-up table is Jennifer Ferris and Wayne Kicklighter.
7 They all work for a company called Cardno. Cardno is our
8 environmental contractor for this project and they are going
9 to assist FERC staff in writing the environmental impact
10 statement or EIS.

11 Let the record show this meeting began at 6:30
12 p.m. on Wednesday, July 15th, 2015 at the VFW Building in
13 Great Bend, Pennsylvania.

14 You may have noticed over here I have Larry.
15 He's a court reporter and he's transcribing this meeting.
16 This is so we can have an accurate record of tonight's
17 comments. Eventually an electronic copy of the transcript
18 of this meeting will be placed into the FERC's e-library
19 system which contains the public record for this proceeding.
20

21 FERC has a transcription contract with Ace
22 Federal Reporters, that's who Larry works for. If you wish
23 to obtain a copy of the transcript prior to it's placement
24 in the FERC public files, you must make arrangements
25 directly with Ace, which means you have to talk to Larry

1 when this meeting is over. He'll tell you what to do to get
2 an early copy of the transcript.

3 The FERC is the lead federal agency for both the
4 authorization of this project under the Natural Gas Act and
5 for compliance with the National Environmental Policy Act or
6 NEPA, N-E-P-A.

7 Under the NEPA, the FERC team will produce an
8 environmental impact statement or EIS for this project. The
9 FERC was originally know as the Federal Power Commission
10 when it was created by Congress in 1920. We were
11 reorganized and renamed during the Carter administration.

12 One of the industries we regulate is the
13 interstate transportation of natural gas. FERC also
14 regulates non-federal hydropower, electric rates on
15 interstate lines, and oil rates on interstate lines.
16 However, we do not do anything having to do with siting of
17 power lines or siting of oil pipelines. So, no, the FERC is
18 not involved in the so-called Keystone Excel Pipeline.

19 The FERC does not regulate the exploration,
20 production, or gathering of natural gas. Those activities
21 are regulated by the states. Therefore, any comments about
22 hydraulic fracturing or fracking which is a method of
23 exploration and production would be out of scope for our EIS
24 because those are activities that the FERC does not
25 regulate. We are only going to do an EIS about activities

1 we have control over.

2 Our agency is directed by five commissioners who
3 are appointed by the President of the United States and
4 confirmed by Congress.

5 The FERC staff like me, are civil servants. We,
6 the FERC staff, do not make decisions. The five people who
7 sit on the 11th floor of my building, they are the
8 decisionmakers. The staff does make recommendations to the
9 Commissioners and you will be able to read our environmental
10 recommendations at the end chapter of the EIS. So all
11 recommendations are not a secret.

12 On June 30th, 2015 the FERC issued a notice of
13 intent to produce an EIS for the NED project. That NOI
14 announced these public scoping meetings. The NOI also
15 explained how to file written comments with the Commission.
16 The FERC prefers the electronic filing of comments using our
17 e-comment feature. Go to the FERC's Internet website at
18 www.FERC.gov, click on documents and filing, or you can
19 send your comments in the old fashioned way by writing a
20 letter and mailing it to the Secretary of the Commission at
21 888 First Street, Northeast, Washington, D.C. 20426.

22 In all cases, put the docket number which is
23 PF14-22 on your correspondence.

24 Tonight I'd like to accomplish a couple of
25 things. One, I want to summarize the project very, very

1 briefly. Two, I want to explain the role of the FERC in the
2 review of the project. Three, I want to how the public may
3 participate in our environmental review process. And
4 lastly, I'd like to allow the public an opportunity to voice
5 your concerns about the project at this forum.

6 I ask that you reserve all questions until after
7 my presentation. There is a table at the back of the room
8 through this door where Wayne is standing where you can
9 still sign up to be a speaker tonight if you haven't already
10 done so.

11 Let me emphasize that this is not a hearing on
12 the merits of the proposal. No decisions will be made based
13 on this meeting.

14 As I said earlier, this meeting provides you, the
15 public, an opportunity to comment on the types of
16 environmental issues that you would like to see covered in
17 our EIS. The more specific your comments are about
18 potential environmental impacts, the more useful it will be
19 for the FERC staff to focus our attention on important
20 issues.

21 Statements for or against the project are not
22 particularly useful and will not influence the analysis in
23 the EIS.

24 There are some ground rules about decorum during
25 this meeting. First, treat all speakers with respect

1 whether you agree with them or not.

2 Two, no booing, cheering, applauding, or yelling
3 out.

4 Three, if the audience becomes unruly, which I do
5 not think will happen tonight, I do reserve the right to
6 close the meeting. I have been at meetings where they have
7 been very contentious and I have had to threaten to close
8 them if the crowd would not allow speakers to speak.

9 We will take speakers up until the time that all
10 speakers who have signed up and had their opportunity to
11 speak, or if we have a lot of speakers, which I don't think
12 we have tonight, we would continue until the venue has a
13 closing time.

14 Each speaker will be limited to not more than
15 five minutes. And as a matter of fairness, I will strictly
16 enforce the five-minute time rule using this stop light. At
17 four and a half minutes it turns yellow and at five it turns
18 red, and at that time we would like you to yield the floor
19 to the next speaker.

20 All comments will be considered whether written
21 or verbal. The FERC gives equal consideration to both
22 written and verbal comments. I would like to clarify that
23 the FERC did not conceive of this project nor are we
24 promoting it. The project was designed by Tennessee Gas
25 Pipeline, which as I said before is a subsidiary of Kinder

1 Morgan. We call them either the company or the applicant.
2 The company came up with the location of their facilities
3 and it is up to the FERC staff to analyze the environmental
4 impacts associated with the construction and operation of
5 those facilities. The FERC is not an advocate for the
6 project. FERC staff are advocates for the environmental
7 review process.

8 Let me go over some of the project background.
9 On October 2, 2014, the FERC accepted Tennessee Gas' request
10 to initiate our pre-filing environmental review process for
11 the NED project. During pre-filing the burden is on the
12 company to communicate with stakeholders and identify issues
13 of concern, and to attempt to resolve those issues to
14 perfect its formal application to the FERC.

15 Tennessee Gas has not yet filed an application
16 with the FERC. They have stated, however, they would like
17 to do so in about October of this year. The purpose of the
18 NED project is to provide about two billion cubic feet per
19 day of natural gas to markets in the northeast. The
20 proposed facilities would consist of -- and here I'm
21 generalizing -- 412 miles of pipeline across portions of
22 Pennsylvania, New York, Massachusetts, New Hampshire, and
23 Connecticut, nine associated laterals or loops totaling 60
24 additional miles and nine compressor stations, 14 new
25 metering stations, and one modified existing compressor

1 station. You can read much more details about the project
2 in resource report one, which is the project description
3 already filed by Tennessee Gas in the FERC's e-library
4 system. And, again, there are instructions for how to use
5 e-library in the notice of intent which you can get on the
6 table over there.

7 During prefiling Tennessee Gas will file a number
8 of draft resource reports as outlined in our regulations at
9 18 Code of Federal Regulations, Part 380, so that FERC can
10 review those in advance of an application. The public may
11 also comment on Tennessee Gas' draft environmental resource
12 reports.

13 Right now in the process we are in the scoping
14 period. The formal comment period will not end until August
15 31, 2015. However, FERC staff will continue to consider
16 comments up until the time we write the EIS.

17 Based on comments received to date and our review
18 of the draft resource reports, we have identified the
19 following environmental issues. The public is concerned
20 about impacts on land use including rural characteristics
21 and conservation lands. The public is concerned about
22 impacts on towns and residential areas. The public is
23 concerned about impacts on ground water including aquifers
24 and wells and the public is concerned about impacts on air
25 quality and noise from compressor stations. This is in no

1 way an comprehensive list, it's just a brief summary of what
2 we've seen so far filed in the docket from public comments.

3 After the application is filed, there are other
4 opportunities for the public to enter into the process and
5 make comments. These opportunities for comments include in
6 response to our notice of application and the response to
7 the notice of the issuance of our draft environmental impact
8 statement. After a company has filed it formal application
9 and the FERC has noticed that application, parties may
10 request intervenor status. Being an intervenor is a legal
11 position. Intervenor can request rehearing on a Commission
12 decision. They also have the burden of serving all parties.
13 You do not have to be an intervenor to have your
14 environmental comments considered.

15 However, you cannot intervene during the
16 pre-filing process. You must wait until Tennessee Gas files
17 its formal application.

18 After the application is filed, the FERC staff
19 will identify data gaps and write environmental information
20 request. Once the FERC staff is convinced that the
21 application is complete so that we fully understand the
22 potential impacts the project might have on the environment,
23 we will issue a notice of schedule for our EIS.

24 Based on the application and our own research the
25 FERC staff will produce an EIS in accordance with the

1 regulations written by the Council of Environmental Quality
2 or CEQ at Title 40, Code of Federal Regulations, Parts 1500
3 to 1508 to satisfy the requirements of NEPA. That document
4 will offer our independent analysis of the potential
5 environmental impacts of the proposals and alternative.
6 Generally the EIS will discuss the current environment,
7 identify potential project related impacts on specific
8 resources and present proposed measures to avoid, reduce, or
9 mitigate adverse effects.

10 The FERC will address such resource topics as
11 geology and soils, water and wetlands, vegetation and
12 wildlife, cultural resource, socioeconomics, land use, air
13 quality and noise, and safety.

14 We will also evaluate reasonable and feasible
15 alternatives.

16 The next thing in the process will be for the
17 FERC staff to produce a draft EIS that would be circulated
18 for public comment. Copies of the DEIS would be sent to our
19 environmental mailing list which includes elected officials,
20 government agencies, environmental groups, and
21 nongovernmental organizations, Indian tribes, local
22 libraries and newspapers.

23 We address comments on the draft in a final EIS.
24 The EIS is not a decision document. The Commissioners will
25 consider the environmental impacts disclosed in the EIS

1 together with other non-environmental issues such as markets
2 and rates. The Commission has developed a certificate
3 policy statement that establishes the criteria they use for
4 determining whether or project is in the public need or has
5 a public benefit.

6 The Commission decision will be issued as a
7 project order. If the Commission decides to authorize the
8 project, they will give Tennessee Gas a certificate of
9 public convenience and necessity. If the Commission decides
10 to authorize the project, the FERC staff will make certain
11 that the environmental conditions appended to the order are
12 satisfied. Those conditions usually include a stipulation
13 that the company obtain all other necessary federal permits
14 like under the Clean Water Act or the Endangered Species Act
15 and authorizations prior to construction. The company must
16 implement all the measures they've committed to in their
17 application and mitigation programs.

18 FERC staff and our environmental contractors will
19 monitor the project through construction, restoration, and
20 the completion of the mitigation programs.

21 We will perform on-site inspections to make
22 certain that the project is in compliance with the
23 environmental conditions of the order.

24 Now I'm done with the summary of the FERC process
25 and now is the time for us to take public comments. I will

1 call up speakers individually in the order in which they
2 have signed up by number.

3 We don't have a microphone, we're going to have
4 every go to the podium. Speak loudly using your big person
5 voice because we don't have a microphone. Clearly state
6 your name.

7 When you get to the podium please tell us your
8 name and spell it out for the court reporter. If you
9 represent an organization, tell us the name of your
10 organization without using an acronym. If you are a
11 landowner along the pipeline route, please indicate where
12 your property is located according to the mile marks or
13 cross streets.

14 The first speaker is number one.

15 AUDIENCE PARTICIPANT: Prior to the speaking, I
16 thought we were just going to be open to where we could
17 question you. You said we couldn't do it until you were
18 done talking.

19 MR. FRIEDMAN: Right. Let's do the questions
20 after the speakers.

21 AUDIENCE PARTICIPANT: Well, this is kind of
22 relevant now.

23 MR. FRIEDMAN: Okay. Then go ahead.

24 AUDIENCE PARTICIPANT: Earlier you spoke that you
25 had nothing to do with the pipeline route.

1 MR. FRIEDMAN: That's correct. Who picks the
2 pipeline route?

3 AUDIENCE PARTICIPANT: Well, it doesn't matter.
4 It's upon your approval that they steal our land. So
5 actually you have a great deal to do--

6 MR. FRIEDMAN: But we don't --

7 [SIMULTANEOUS CONVERSATION]

8 MR. FRIEDMAN: -- we don't select the pipeline
9 route. The pipeline route is selected by the company. We
10 review --

11 AUDIENCE PARTICIPANT: But you allow them to
12 steal --

13 [SIMULTANEOUS CONVERSATION]

14 MR. FRIEDMAN: We don't allow anything until
15 there's an authorization. There has -- this project has not
16 been authorized --

17 AUDIENCE PARTICIPANT: We've already been through
18 this. You're the second pipeline going through our
19 property.

20 MR. FRIEDMAN: Uh-huh.

21 AUDIENCE PARTICIPANT: We've already been through
22 this once before.

23 MR. FRIEDMAN: Okay.

24 AUDIENCE PARTICIPANT: They've already stolen our
25 land.

1 MR. FRIEDMAN: Okay. Well, --

2 AUDIENCE PARTICIPANT: And it was your approval
3 that made it possible.

4 MR. FRIEDMAN: That's correct.

5 AUDIENCE PARTICIPANT: So the idea that you have
6 nothing to do with the pipeline route is --

7 MR. FRIEDMAN: We don't select the pipeline.

8 AUDIENCE PARTICIPANT: -- is so ludicrous --

9 MR. FRIEDMAN: It's not ludicrous. It's a fact
10 we don't select the pipeline route. What my project team
11 does is evaluate the impacts that route will have on the
12 environment. I don't make a decision.

13 AUDIENCE PARTICIPANT: Not the people? Just the
14 environment.

15 MR. FRIEDMAN: The environment includes people.
16 We have a socioeconomic section in the EIS that absolutely
17 addresses impacts to people. We talk about things like
18 impacts on property values, impacts on landowners.
19 Absolutely that's in the EIS.

20 AUDIENCE PARTICIPANT: No, that's not true. The
21 impact on landowners is not even considered.

22 MR. FRIEDMAN: It will be considered in this EIS.

23 AUDIENCE PARTICIPANT: Right. Didn't in the last
24 one.

25 MR. FRIEDMAN: Well, I didn't --

1 [SIMULTANEOUS CONVERSATION]

2 AUDIENCE PARTICIPANT: And I'm sorry, your
3 federal agency, I would assume --

4 MR. FRIEDMAN: And every EIS I've ever written in
5 25 years at the FERC has addressed landowner issues, every
6 single one.

7 AUDIENCE PARTICIPANT: Well, they never talked to
8 us. We're not even contacted.

9 MR. FRIEDMAN: That's why we have public meetings
10 so you can tell us your concerns.

11 AUDIENCE PARTICIPANT: We did the first time. It
12 didn't help. This is my point. The FERC never contacted
13 us. And to say that you consider --

14 MR. FRIEDMAN: Did you get a copy of the NOI for
15 this in the mail?

16 AUDIENCE PARTICIPANT: Well, of course we did.

17 MR. FRIEDMAN: We did contact you.

18 AUDIENCE PARTICIPANT: Yeah.

19 MR. FRIEDMAN: And that's --

20 AUDIENCE PARTICIPANT: No, you're right. You're
21 absolutely right.

22 [SIMULTANEOUS CONVERSATION]

23 AUDIENCE PARTICIPANT: -- public needs and
24 necessity --

25 MR. FRIEDMAN: That's the end document that the

1 Commissioners will issue if they authorize the project.

2 AUDIENCE PARTICIPANT: Is that the same thing as
3 eminent domain?

4 MR. FRIEDMAN: It is not. Eminent -- it gives --
5 let me explain this.

6 Congress in 1947 amended the Natural Gas Act.
7 And what it said is, if FERC gives a certificate of public
8 convenience and necessity, then the pipeline company that
9 receives it does get the right of eminent domain. So you're
10 partially correct.

11 AUDIENCE PARTICIPANT: Okay. And someone like
12 Norman Bay, do you ever speak to him personally?

13 MR. FRIEDMAN: I have spoken to him once in the
14 elevator.

15 AUDIENCE PARTICIPANT: Okay.

16 AUDIENCE PARTICIPANT: That's the public where
17 they're concerned with the public. He spoke to him in the
18 elevator.

19 MR. FRIEDMAN: So speaker number one is already
20 at the podium.

21 AUDIENCE PARTICIPANT: I would just like to ask a
22 question also.

23 MR. FRIEDMAN: Yes.

24 AUDIENCE PARTICIPANT: I'd like to know, how are
25 you federal agency?

1 MR. FRIEDMAN: Okay. We are authorized by
2 Congress under the National Gas Act. We were created by
3 Congress.

4 AUDIENCE PARTICIPANT: And then who funds you?

5 MR. FRIEDMAN: We are funded by Congress as a
6 line item in the budget.

7 AUDIENCE PARTICIPANT: And are you funded by
8 anybody else besides Congress?

9 MR. FRIEDMAN: Nope. There is a misconception
10 going around that we are funded by industry. That's
11 absolutely not correct. We are funded by Congress. If
12 Congress decides they want to do away with us, they can
13 write us out of the budget and we won't exist as an agency.
14 However, we also charge fees to the companies we regulate.
15 Those fees do not go to the Commission. Those fees go
16 directly into the U.S. Treasury.

17 AUDIENCE PARTICIPANT: And have you ever denied a
18 pipeline?

19 MR. FRIEDMAN: Yes, but very few.

20 AUDIENCE PARTICIPANT: Can you mention one?

21 MR. FRIEDMAN: Not off the top of my head. Very
22 few. Here's what I will say though. We get lots of
23 applications, thousands of applications. Not every
24 application goes from the starting phase to the ending phase
25 where a decision is made. A lot of them die along the way.

1 We give certificates to companies and the facilities don't
2 get built because the markets have changed. So not
3 everything we authorize gets built, and not every
4 application goes to a certificate.

5 Yes.

6 AUDIENCE PARTICIPANT: You mentioned they have
7 that one compressor station and one modified.

8 MR. FRIEDMAN: There are going to be several
9 compressor stations.

10 AUDIENCE PARTICIPANT: How many?

11 MR. FRIEDMAN: I think nine; is that right?

12 AUDIENCE PARTICIPANT: I thought you said one.

13 MR. FRIEDMAN: No, I believe I -- the number I
14 said was nine.

15 [SIMULTANEOUS CONVERSATION]

16 [PAUSE]

17 AUDIENCE PARTICIPANT: Okay. I misheard then. I
18 misheard, they say it's nine.

19 MR. FRIEDMAN: Yeah, okay.

20 AUDIENCE PARTICIPANT: That's what I have.

21 MR. FRIEDMAN: Yeah.

22 AUDIENCE PARTICIPANT: And do they have the
23 hydration at these stations?

24 MR. FRIEDMAN: I don't know. But that's a good
25 question to put into a comment for us and we'll look it up.

1 All right. So now we get the first speaker
2 going.

3 So remember to state your name for the court
4 reporter and spell it.

5 MR. JENNINGS: Okay. My name is Brett Jennings,
6 counselor for Great Bend Borough and chairman of the
7 Halstead/Great Bend Joint Sewer Authority.

8 There are some issues when you go underneath
9 rivers or interstate highways. Just right up above here,
10 just north of the borough, they drilled underneath the
11 river, people's water -- private water wells were being
12 affected. That was also going into the sewer system from
13 their well down their drain. And if that affects any sewer
14 system along the route, they could start going after the
15 companies that are going and boring underneath affects the
16 treatment process. And I believe that's covered in the 2002
17 Bioterrorism Act.

18 Gas going through that pipeline is coming from
19 the Marcellus Region. There's USGS open follow report
20 services 2012-1159 that deals with that, with how high the
21 radon content is, how many picocuries per cubic liter. It
22 will increase above the four which is what EPA says is the
23 standard. There's also a compiled report 81-778 which is
24 geochemistry of trace elements and uranium and devonium
25 shale through the Appalachian base and that will back up why

1 you're getting the radon.

2 This is the Chesapeake Bay area. We have an MS4
3 permit or a municipal separate storm sewer system permit in
4 this borough. I have a permit that's waiting on two and a
5 half years since it should have been issued, a permit for
6 discharge at the sewer plant because Pennsylvania has not
7 been meeting its goals in 2014 and 2015. New York state
8 still has issues. And one of the things is they don't have
9 what can happen from development of a shale area which is
10 the induced development caused by a pipeline how much will
11 affect a total nitrogen, total phosphorous, how much will it
12 raise -- how much best management practices will the
13 companies use to delete that. Will they be on record to
14 having to maintain those reductions if they do it offsite at
15 a different location.

16 Those are very big things because I'd hate to see
17 my sewer plant get sucked down to half our permit limits now
18 or to the limits of technology because people can't stop
19 increasing our development even though there was supposed to
20 be an EIS to solve that.

21 Also the zip code on page 3 for Great Bend, there
22 might be people running around in Towanda that wasn't
23 correct. The zip code is 18821.

24 As for -- on page 2, the right of eminent domain.
25 There's no right by any federal government level. It's a

1 power authorized, the right of people to create that company
2 or corporation or government. And when you start sending
3 stuff overseas or sending it to Canada, it starts bringing
4 up issues and they even issue eminent domain. But that's
5 for a jury of the person's peers when they call court
6 against the government or the person who explicitly gave
7 that power away or gave that power to a company to exercise.

8 And then for air quality, 28 August 2012, this
9 was for the Constitution Pipeline, but it's relevant. Or,
10 no, this was on the Laser Pipeline. Those hearings for air
11 quality by the DEP, that same night there was hearings as
12 the Susquehanna County Planning Commission to increase the
13 size of that facility although it wasn't reflected in the
14 DEP hearing on the same night, less than two miles away from
15 each other. And with some of these areas you're going to
16 have rattlesnakes. Harmony Township area, where it follows
17 the blue stone. There's areas where there's rattlesnakes.
18 Area where it doesn't follow the Constitution Pipeline, and
19 its route, which is where I have property on and in fact a
20 hunting stand is 30 feet from the markers where the
21 Constitution is going in --

22 MR. FRIEDMAN: Mr. Jennings, can you now wrap up?

23 MR. JENNINGS: -- that is -- there's bats and
24 rattlesnake surveys. That area of Harmony Township is full
25 of rattlesnakes. The entire township. The township doesn't

1 maintain paved roads and has wood-planked bridges.

2 MR. FRIEDMAN: Thank you for your comments.

3 One thing I wanted to make clear to everybody is
4 when you raise issues, whether it's about rattlesnakes or
5 water quality or property rights, we will address those
6 comments in the EIS. So that's why we hold these meetings.
7 We want to hear the comments. We want to know the issues
8 that concern you.

9 Thank you for your comments.

10 AUDIENCE PARTICIPANT: I just have a quick
11 question?

12 MR. FRIEDMAN: No, wait until we're through all
13 of our --

14 AUDIENCE PARTICIPANT: -- the width of the
15 pipeline, why is that not indicated in these papers?

16 MR. FRIEDMAN: Because it's --

17 [SIMULTANEOUS CONVERSATION]

18 MR. FRIEDMAN: -- in resource report one.

19 AUDIENCE PARTICIPANT: Is it in here?

20 MR. FRIEDMAN: Is it in where?

21 AUDIENCE PARTICIPANT: Is it in the paper that
22 you gave us on disk?

23 MR. FRIEDMAN: I don't think it is.

24 AUDIENCE PARTICIPANT: So can you tell us what it
25 is?

1 MR. FRIEDMAN: I actually don't know what it is.

2 [SIMULTANEOUS CONVERSATION]

3 AUDIENCE PARTICIPANT: 30 inch pipeline, is that
4 what you want? So 30 inches.

5 [SIMULTANEOUS CONVERSATION]

6 AUDIENCE PARTICIPANT: It's 30 or 36.

7 AUDIENCE PARTICIPANT: Actually, according to the
8 paperwork we received, it's 42.

9 AUDIENCE PARTICIPANT: I think it changes along
10 the route.

11 MR. FRIEDMAN: That's a -- I think it does change
12 along the route and that's why --

13 [SIMULTANEOUS CONVERSATION]

14 AUDIENCE PARTICIPANT: Thirty to 42.

15 Thank you.

16 MR. FRIEDMAN: All right. Speaker number two.

17 AUDIENCE PARTICIPANT: [INAUDIBLE] I think that
18 was what, March that was filed?

19 MR. FRIEDMAN: Which, the resource report one?

20 AUDIENCE PARTICIPANT: Right.

21 MR. FRIEDMAN: I don't remember.

22 MS. WASNOWIC: My name is Helen Wasnowic,
23 W-a-s-n-o-w-i-c. And the pipeline will go through my
24 property. I am mainly concerned about the deforestation of
25 my property which is they're actually going to take 560 some

1 fee, linear feet, that doesn't include this, you know,
2 whatever hundred feet wide it's going to be that they're
3 going to cut the trees down. And the township of New
4 Milford, that is just under approximately 22,000 feet which
5 is just a little under four miles, they are going to
6 deforest. That's not the whole thing. That is just where
7 they are taking trees down. That's four miles of -- four
8 linear miles of trees they will be taking down. Along with
9 that I currently have a lot of natural springs in the area
10 where they want to come through with the pipeline. Right
11 now these natural springs go down into a wetland that is
12 across from my property. On the other side of the street
13 there is a huge sluice pipe that goes under the road and
14 takes all that water across to the wetlands. What will
15 happen to these natural springs when they put the pipeline
16 in? And what will happen if that water no longer goes over
17 to the wetlands across the road from me?

18 Those are my main questions. Thank you.

19 MR. FRIEDMAN: Thank you for your comments.

20 Speaker number three.

21 MS. HOLLERAN: My name is Catherine Holleran,
22 that's Catherine with a C, H-o-l-l-e-r-a-n. We have a 22 --
23 a little over 22-acre parcel setting in Milford. It's a
24 lake-front property and we've got 200-feet on a private
25 spring-fed lake. We already have Constitution Pipeline

1 cutting through. I'm bringing this up because Northeast
2 Energy Direct Project is running completely parallel, I
3 think on most of its route to the Constitution.

4 MR. FRIEDMAN: Well, part is --

5 MS. HOLLERAN: It is on ours. We're already
6 being cut through by Constitution. I've seen the maps and
7 it's on the east side of the Constitution Line directly
8 through our property. So our property is 22-some acres. I
9 see they're taking 6,761 acres to do the Northeast project
10 and so our little 22-acre parcel, we're losing almost a
11 quarter of it already to Constitution. They're taking a
12 little over four, four and a half -- five acres of our
13 22-acre parcel.

14 They are cutting through on a 30-inch pipeline
15 190 feet quarter they want. It's all our woods in the back
16 of our property. We have a maple syrup business. We tap
17 those maple trees. We were tapping those maple trees. They
18 are going to come through, they've already taken -- we
19 wouldn't sign. We told them we have a lake property,
20 there's wetlands there, there's a natural fed -- spring-fed
21 inlet that goes into the lake which is one of the three
22 major inlets on the lake, it's cutting right through it.
23 It's either going under it, I'm not sure how they're doing
24 it, I guess they're going under it. So this is all right on
25 our lake-front property, all through our fields, we have

1 three fields, we have three early American natural built
2 stone walls from way back when on our property they're going
3 through. It's directly behind the homestead on our property
4 where my sister and her husband live. And it's close to the
5 well, the drilled well which is our sole source of the water
6 supply. It's a little bit up the hill. At the top of the
7 hill there's a stone quarry which is the next neighboring
8 property to our west.

9 That's our neighbor and he was okay with it. He
10 only has his property for profit for the stone quarry which,
11 okay, there's a stony quarry there, I understand that part.
12 But if you look at the topo map, you'll see that on the
13 other side of his stone quarry there's just open--it's woods
14 and I know it's still more deforestation, but it's up on top
15 of the mountain and no one lives there, uninhabited.

16 Well, it's not cutting through lake property,
17 it's not cutting right next to our well. It's not taking
18 out all of our forest and all of our trees and all of our
19 maples that we make part of our living off of with our maple
20 syrup business, it's not cutting through stone walls, it's
21 not not taking all our fields, but did they consider that?
22 No. And we brought it up many times. I have no idea why
23 they did not go with that alternative.

24 So now we've got Constitution who took us by
25 eminent domain, because we never would sign, we're one of

1 seven landowners that refused. We still refuse. We're
2 still in litigation with them and they already call this
3 eminent domain. And now Northeast Direct wants to come
4 right beside it and come closer to our house, take the
5 remainder of whatever trees might still be left.

6 And I don't understand that with 6,700 acres why
7 my 22-acre parcel has to be cut completely through. It
8 makes a 90-degree turn and goes through our whole acreage.
9 So I think it has environmental impact on the part that's
10 the lake property, that's the stream that goes in, all of
11 our early American stone walls, it's the character and land
12 use of our land that's a recreational property. And we
13 have, you know, our cottage -- we have cottages down there
14 and we have our whole lakefront area. So the disruption of
15 real character and land use, that's a major part of my
16 problem.

17 Also the fact that we use our woods, not only for
18 the aesthetic value and the fact that they are behind our
19 house in the side of the mountain like another person here
20 has already commented on deforestation of your land and the
21 aesthetic value and the character of the land and it's
22 taking out most of all the woods already. So now you want
23 to come through with a second pipeline to take the rest.

24 Our answer will be the same. No, we won't sign.
25 So I just -- I can't understand why we can't get this

1 alternative of somebody to move it to the west of us. I
2 know it's too late because you're already --

3 MR. FRIEDMAN: It's not too late. We're in
4 prefiling. Let me address that exact issue.

5 MS. HOLLERAN: Right.

6 MR. FRIEDMAN: Have you filed a letter with the
7 FERC?

8 MS. HOLLERAN: Yes.

9 MR. FRIEDMAN: Suggesting this alternative?

10 MS. HOLLERAN: Yes.

11 MR. FRIEDMAN: And you've drawn on a map --

12 MS. HOLLERAN: I didn't draw a map. I didn't
13 draw a map, but I did --

14 MR. FRIEDMAN: That would be useful for us to
15 analyze the environment impacts of the --

16 MS. HOLLERAN: My thing --

17 MR. FRIEDMAN: -- if we had the alternative route
18 drawn on a USGS quad so we could analyze the route that you
19 suggest.

20 MS. HOLLERAN: But if here's Constitution and
21 then here's Northeast Direct and Constitution did not move,
22 so how are you going to?

23 MR. FRIEDMAN: I cannot answer that question. I
24 would analyze the alternative. I don't know what the
25 outcome would be. But how can I analyze an alternative I

1 don't know where it is.

2 MS. HOLLERAN: Okay. And I have filed all these
3 comments. I filed them e-filed, and I mailed them in a hard
4 copy also. But that's my problem.

5 MR. FRIEDMAN: So my suggestion is a map --

6 [SIMULTANEOUS CONVERSATION]

7 MR. FRIEDMAN: -- a map to go along.

8 MS. HOLLERAN: That would be excellent. I did
9 show somebody that when we were at your other meeting at
10 Blue Ridge School. But I don't know how it could be moved
11 now because if Constitution isn't going to move, they
12 haven't cut through our trees yet, because they can't, I
13 don't think, until October. But if they can't move, then I
14 don't know how you can move either.

15 MR. FRIEDMAN: I don't know the outcome.

16 MS. HOLLERAN: Okay.

17 MR. FRIEDMAN: But we would like to analyze all
18 alternatives we're made aware of.

19 MS. HOLLERAN: Okay. Yeah, I have all my
20 comments filed, but I just wanted to make sure that you
21 heard me again. Thank you very much.

22 MR. FRIEDMAN: You're welcome. A map would be
23 useful.

24 MS. HOLLERAN: Okay.

25 MR. FRIEDMAN: Speaker number four.

1 MR. CORRIGAN: I'm speaking here today not on --
2 my name is Barry Corrigan, Jr., C-o-r-r-i-g-a-n. And I'm
3 not speaking here on an environmental level. I'm speaking
4 on a strictly property rights business level.

5 I'm the husband of the woman she was speaking
6 about. They're running right through our property. And I
7 want to present to you a scenario about what they're doing
8 to us so that you can understand.

9 Picture that you have a house with a large
10 section of it that you're not using. And a company comes to
11 you and says, we would like to build a childcare center in
12 your house. And what we're going to do is we're going to
13 pay you for the rugs and the drapes and the electrical and
14 the flooring, and the furniture. Then we're going to use it
15 forever and never give you another dime. Your answer is
16 going to be, no, I won't do that. So what they do is they
17 run off to the government and get them to bring police in
18 and steal your property. Now you have a room full of
19 screaming children and, oh, by the way, if you have
20 children, you can't use that facility because it's not like
21 we're going to have access to the gas. You act like it's an
22 eminent public welfare. It's not. I'm one of the public.
23 I have no access to this gas.

24 Oh, and by the way, I get to pay insurance and
25 taxes on that property while you make a profit the entire

1 time. Not you, FERC, but the company that's running it
2 through, \$720,000 a day is how much money they're going to
3 lose if we hold them up for one day.

4 Well, if you're making \$720,000 a day, and for
5 the entire destruction of our property, for the rest of the
6 life of the property, you're offering us the price of a
7 medium pick-up truck that we have to divide among five
8 people. This is not business. If you're going to use the
9 property for an extended period of time while making money,
10 the family and the property owners have to be reasonably
11 compensated on a regular basis, not a one-time, oh, well, we
12 paid for that tree, we paid for that ground once. Twenty
13 years from now they're making \$720,000 a day and the
14 families of the people that own the property get nothing.
15 There's no other business in the world that you can have an
16 access of resources for free for ever. And this is what
17 they're doing. And you're facilitating it by allowing them
18 to steal our land.

19 They came to us with a business proposition and
20 we said, no. And you have decided that they should be
21 right. It is wrong, it is immoral, and it is anti-American
22 business. The families have to be compensated on a
23 continual level, especially if they said no. Because you're
24 forcing it on them. If somebody says, yep, good idea, I'll
25 go along with it, well, they're idiots and that's okay. But

1 when a family says no and you force them to do it, and you
2 still do not grant them access to what's going through their
3 land, that's pure thievery. And it's thievery on a
4 continual basis. It's not even a one-time thing. It's a
5 continuous thievery of their property and their assets.

6 I'm done.

7 MR. FRIEDMAN: Thank you for your comment. I do
8 want to clarify one thing. The Commission has not made a
9 decision about this project.

10 MR. CORRIGAN: You did with Constitution. We've
11 already not had our pants pulled down.

12 MR. FRIEDMAN: That's a different project. I'm
13 only here to discuss the Tennessee Gas Project.

14 MR. CORRIGAN: Well, you're right and I'm sorry,
15 we shall not take your earlier screw ups into account.

16 MR. FRIEDMAN: All right. Speaker number five.

17 MR. BARONI: I'm Tony Baroni or Anthony if you
18 want to be formal. I'm a landowner on Sutton Road in New
19 Milford.

20 I got a letter from Tennessee and then it says,
21 "To minimize the impacts from construction, the proposed
22 pipeline facilities will be collated -- collocated for a
23 majority of the length with the existing utility corridor."
24 Well, that's a false statement. I hope you people realize
25 it. Because what they're doing, they're not minimizing it,

1 they're just taking the impact they already made and making
2 them worse.

3 Now, I have dealt with Constitution and have come
4 to a conclusion that it's great to have FERC -- a FERC
5 project. The land man will come and tell us, this is
6 federal project so everything is going to be done right to
7 the -- and everything is going to be done right. We're
8 going to get everything squared away because the feds are
9 going to be on it. FERC is on it. Well, I know that doesn't
10 work. It doesn't play that way.

11 I saw the document with Constitution. The impact
12 statement I've only got 600-some feet they're going across.
13 FERC buys the right-of-way and what's in the impact
14 statement shows it in a different area. Nobody comes and
15 checks. I don't see the FERC people out there. I see
16 surveyors that are working for the company.

17 I wish that you people would take the citizens
18 into account as much as you do the wetlands and the bats.
19 We are part of the environment also. And I think I'm
20 echoing what some other say, that they don't seem to
21 consider us.

22 Blue Stone came through my property. I'm a
23 gas-friendly person. I sold them the right-of-way, they
24 came through. But they weren't a federal project. So they
25 bought options, they bought options to buy a path. And when

1 those options didn't link up, they bought an option from me
2 that said, we couldn't make the connections. Some of the
3 people didn't want to link up with us so we'd rather go
4 through in a different direction, and that's what they did.

5 That is what you should be making these people
6 do. We're in a gas-friendly county here. They don't have
7 to follow the same route that the last guy went through.
8 You see what's happening to us, one after another, you know,
9 three pipelines coming through your property. Pretty soon
10 -- and how many more are going to come along? So they're
11 actually making it worse. They're not negating impact. And
12 I hope you take that into consideration and I hope you take
13 this into consideration. When it's a federal project they
14 come down and say, ah-ha, this is a federal project. So you
15 better sign up with us or we're going to take your land
16 anyway. That's -- they come in heavy-handed, Constitution
17 did. Tennessee doesn't seem, from the first couple letters
18 they got from them to be quite as heavy handed as them. But
19 I think you should understand that, that they use that as
20 leverage because all's we've got to do is draw a line and
21 then make a big complicated impact statement, EIS, that
22 who's going to read when it's 3,700 pages long or whatever
23 it is?

24 I doubt you'll read the whole thing even though
25 everything comes across your desk, it's probably gets pretty

1 boring. But it has errors. That's where I think you should
2 make them go through the way they do as if it's not a
3 federal project. Because once it's federal, they just draw
4 the straightest line as they can, the easiest line across
5 the map, and then say, well, we'll treat you here, there,
6 whatever we can do to accommodate FERC. And I've talked to
7 the surveyors, when I said, "Why are you going here where we
8 got a wetland? You could go over there up on the hill where
9 there's no wetland." The surveyor gets a blank look on his
10 face like, nah.

11 He goes, too late now, we're too far downstream,
12 FERC won't let us change at this point and they go.

13 So that's my comments.

14 MR. FRIEDMAN: Thank you for your comment.
15 Again, I'm going to say it, you know, it's not too late,
16 we're in pre-filing, no decision has been made about this
17 project. We have not written one word of the EIS. We're
18 listening to your comments. If you have an alternative
19 route, if you'll inform us about that route, you will need a
20 little map with a line drawn on it, we would analyze that.
21 I can't guarantee what the outcome will be.

22 AUDIENCE PARTICIPANT: I can.

23 MR. FRIEDMAN: But I can tell you that we could
24 analyze it.

25 MR. BARONI: The point I tried to make was, they

1 should come up with the alternative routes. If they did it
2 the way -- if it was not an interstate pipeline the way Blue
3 Stone, BP and Blue Stone did because that wasn't interstate,
4 they couldn't get eminent domain. They had to work with the
5 landowners. They went through the people who were willing
6 to sell their right-of-way. And for sure, there's got to be
7 ways through Susquehanna County where you can minimize the
8 number of people they're aggravating. Because I think over
9 all you'll find this is a very gas-friendly county. I am,
10 but -- All right. They get worn down after a few of us.

11 MR. FRIEDMAN: We're at speaker number six.

12 MS. SCROGGINS: Do we give names or no?

13 MR. FRIEDMAN: Yes.

14 MS. SCROGGINS: Vera Scroggins from Citizens for
15 Clean Water.

16 MR. FRIEDMAN: And please spell your name for the
17 court reporter.

18 MS. SCROGGINS: The whole thing?

19 MR. FRIEDMAN: Yeah.

20 MS. SCROGGINS: V like in Victor, e-ra,
21 S-c-r-o-g-g-i-n-s. And I'm in Susquehanna County. And like
22 some of the previous speakers have said, get ready for your
23 next pipeline. We have two on this family's property,
24 number three for, sounds like for the Baronis, so get ready
25 for number three, number four, because it's just going to

1 keep going. And I consider that absolutely an outrage that
2 we have to endure this and for what?

3 So I want to say that FERC, I don't consider FERC
4 really working in our interests. I don't consider the FERC
5 actually deciding in our interest, but basically working for
6 the industry.

7 You're going to be cutting through 87 streams and
8 rivers, 53 wetlands, 33 public parks, 33 lands protected by
9 conservation easements. And you will have people --
10 thousands of people that will be impacted and in a potential
11 blast zone. If there is a leak -- gas leak and if there is
12 an explosion, we're talking about all kinds of people that
13 are in that blast zone. It's a dangerous thing to be next
14 to high pressure, 30-inches to 36-inch pipelines. This is
15 not like suburbia. I'm from suburbia. Twenty-five years
16 ago we did not have such pipelines in our roads in front of
17 our homes like they have now. And there's no minimum
18 setback as far as I have found. That means they could put
19 it within 50 feet of homes, they have it on school
20 properties, it can be next to schools, it can be next to
21 anything, farms, where we grow our food. Consider that also
22 unacceptable and outrage to the American public.

23 And of course property values are going to be
24 reduced. In this particular write up it says 20 to 30
25 percent, but I consider it more than that because if I was

1 going to buy property that had three pipelines --
2 high-pressure, large-size pipelines on their property, I
3 wouldn't consider buying that property unless they were
4 basically giving it away. So we have that situation.

5 I'd like to be an intervener at some point. I've
6 intervened on several pipelines and as far as I can see,
7 they all get approved. So we can delay it as much as
8 possible. We need to delay these pipelines and cost they
9 millions every single day. And then they possibly may not
10 build it. And then you have to see if it's really necessary
11 to have this pipeline. The demand is not there. The need
12 is not there for this gas. And you're going through, it
13 looks like, at least five states, 412 miles, nine compressor
14 stations. Absolutely outrage.

15 They are going to emit toxic emissions. And like
16 I even asked you, you don't even know if there's dehydration
17 at these compressor stations. We have enough compressor
18 stations already in our county. These are nine along of
19 course the whole route, we're going to get at least one that
20 I know of in the New Milford area where we have two 12
21 stations. Twelve compressor stations in one -- 12
22 compressors in one station which to me is like even hard to
23 fathom that they would even do such a thing, and it's near
24 homes and they're emitting every day, plus the noise
25 everyday besides the toxic emissions, and the potential for

1 risk and explosion.

2 So that's what you're going to add. And, of
3 course, you're going to approve this, unless, of course, we
4 can show there's no need for it. Or if they decide to opt
5 out of it, they don't have enough money and investors, which
6 that might happen. Because right now gas prices are down.
7 They've plummeted. Oil prices have plummeted. So this
8 whole project may be withdrawn. Anybody in their sane mind
9 who is an investor should not invest in something like this.

10 And as far as this being a gas-friendly, I would
11 have to disagree with Mr. Baroni. It's a increasingly
12 becoming less of a gas-friendly county. After we see all
13 the things that we're going through that we have to be
14 subjected to including what he's being subjected to, and
15 there will be more down the road, so it will be less and
16 less gas friendly.

17 And I would like to say that these pipelines are
18 large 30 to 36 inches. And as far as environmental, you can
19 have thousands of pages, what does it mean? It doesn't mean
20 much of anything because I can see if it's in the public
21 convenience and you think there's a demand, you will improve
22 this. No matter what we say here, I've been to a whole
23 group of these hearings. They all have gotten approved at
24 this point unless the company themselves opts out. So it's
25 basically a joke, it's basically a sham, you're here to

1 present as if you're going to help us and take care of us
2 and it's just a nice little series of events for us to go
3 through and to present our material.

4 MR. FRIEDMAN: Thank you for your comments.

5 MS. SCROGGINS: And is it five minutes yet?

6 MR. FRIEDMAN: Yep.

7 MS. SCROGGINS: Thank you.

8 MR. FRIEDMAN: Speaker number seven, please?

9 MR. LOTORTO: Hello, my name is Alex Lotorto,
10 L-o-t-o-r-t-o. Speaking first in my capacity as a landscape
11 contractor and also as an environmentalist. My organization
12 that I work with is Energy Justice Network. Our
13 organization is specifically right now counseling a number
14 of landowners in the number of 75 to 100 along the Atlantic
15 Sunrise Pipeline right-of-way in Susquehanna, Wyoming, and
16 Missouri and Luzerne County. I had spoken at a similar
17 hearing like this, this time last year on the Atlantic
18 Sunrise and I'll repeat some of the things I want to note.

19 One is landowner rights. There was a decision in
20 the Federal Supreme Court that was called Kilo, it was a
21 decision about a pharmaceutical company in Connecticut that
22 received eminent domain power because of an economically
23 distressed neighborhood. Pennsylvania in response passed
24 very strict laws about the use of eminent domain in our
25 Commonwealth to protect landowners from eminent domain for

1 use by private companies for private profit and in a utility
2 capacity. And we have those laws in place today and they've
3 been most recently reviewed in this county by -- there was a
4 project called a laser pipeline which is now owned by
5 Williams that was subjected to the Public Utility Commission
6 and their permitting process. And they withdrew that permit
7 because we don't know exactly why, but in the opinions of
8 the dissenting commissioners on the PUC, that this did not
9 -- that a gathering line system in Susquehanna County did
10 not meet the utility status and was not a public convenience
11 and necessity according to Pennsylvania's laws.

12 So after that round of permitting in 2011 and '12
13 you see a lot more FERC applications coming from these
14 companies, and it's a pattern. They don't want to go
15 through gathering line permitting for the PUC. They don't
16 feel that they can get enough landowners in a line to agree
17 to their easement offers that are pathetic and according to
18 those landowners and they're not willing to fairly negotiate
19 for the fair value of those properties as we heard today.

20 So I think that FERC needs to consider costs that
21 for the landowners including their own appraisals that have
22 to be bought in your economic review, appraisals for real
23 properties, that include forestry, agricultural uses, quarry
24 rights, mineral rights, alternative uses of those property
25 subdivisions all have to be done by special rural property

1 appraisers in Pennsylvania that are licensed professionally
2 and most of them are out of Clark Summit. And most of those
3 appraisers work for the gas companies on these projects,
4 also the electric utilities. So it's very hard to find
5 someone without a conflict of interest. And these
6 landowners work very hard to do that. And I think that
7 that's not -- it's not fair, obviously to these landowners
8 to have to go up against a mammoth agency and a mammoth
9 company to make the case that their property is worth more
10 than the company's appraisal. And that has to be considered
11 in your economic analysis.

12 They also have environmental rights in
13 Pennsylvania. The Pennsylvania constitution has the right
14 to clean air, pure water, and the rural scenic and aesthetic
15 values of the environment. It's in our Pennsylvania
16 constitution and it's the job of our agencies, not the
17 federal agencies, but our agencies to protect those rights.
18 And I've lobbied very hard, you know, with our landowners
19 and our group to change how FERC is allowed to put these
20 things into place. I think that it's a violation of our
21 rights.

22 Recently just some environmental issues, the
23 northern Myotis bat is a long-eared bat recently listed on
24 the endangered species list. They found 44 of those,
25 according to the environmental impact statement for the

1 Constitution Pipeline. Those at the time were not federally
2 listed, now they are. And you need to consider that.
3 You're not supposed to cut a tree -- any landowner is not
4 supposed to cut a tree within ten miles of hibernacula which
5 is where they sleep at night -- or sleep in the wintertime.

6 The U.S. Fish and Wildlife Service in New York
7 has been very grateful, Tim Sullivan is a biologist there,
8 to limit the tree-cutting period to February and March to
9 protect bats. And the companies are pushing very hard to
10 keep cutting in off season and things like that. That needs
11 to be considered.

12 Also, this pipeline starts in the 300 line of the
13 Tennessee Pipeline which is part of a recent D.C. Circuit
14 Court of Appeals decision that Delaware River Keeper Network
15 had filed in relation to the Northeast upgrade project and
16 their 300 line upgrade in 2011 and 2013, which I was very
17 involved in monitoring and we found \$4 million worth of
18 fines -- violations and fines, the Delaware River Keeper
19 Network, in wetlands, with woodchip piles three feet high
20 around the base of rare species of trees. And when they did
21 their replanting they put yellow and red pines at high
22 elevation that weren't native to the forest. They put
23 conifers in wooded areas and deciduous areas. And I felt
24 very -- you know, as a landscape contractor, very just
25 offended by the lack of respect. That was in a Delaware

1 state forest and I haven't even gone onto all the private
2 properties to take a look. But those violations alone in
3 the Delaware state forest in Pinchot Brook wetland which was
4 a core habitat for endangered species were permitted by FERC
5 to happen and now you have fragmity, which is an invasive
6 species, you have multi-flora rose, you have barberry and
7 you have -- what else did we find? Knotweed, Japanese
8 knotweed in the right-of-way that's being very poorly
9 maintained. And all these landowners have to do that
10 themselves because it's after two years, they're released
11 from really significant maintenance of invasives.

12 The soil was so compacted in the right-of-way, it
13 was more compacted than an earthen dam in Pike County. And
14 that means that runoff from that into the wetlands is
15 disrupting, you know, our sensitive wetlands. And I can't
16 dig in a wetland, you can't dig in a wetland, if you're a
17 private landowner, but these pipeline can dig through, you
18 know, whatever they'd like to do with your permission.

19 And finally, as a union member I wanted to say,
20 I've noticed among one of their contractor is Micheal
21 Pipeline Construction, there's a common contractor for
22 Kinder Morgan, frequent OSHA violations. You are not
23 allowed to drop a tree within two lengths of that tree's
24 radius if someone is not wearing protective gear. When I
25 was monitoring trees were dropping all around me. We had

1 guys jump staring -- kick starting their chain saws instead
2 of setting it down. They were sent onto the job in the
3 middle of February with sleet on 80-degree grade slopes and
4 they were falling with chain saws with no blade covers on
5 them. You have to look at the compliance history of all
6 their contractors and all their history in this state and
7 I'd like, you know, FERC to take a look in the last two
8 years of their compliance history with other agencies.

9 And the last thing I want to say is it's a more
10 moderate complaint, but PPL has announced plans to put a
11 high-voltage power line from Towanda with that that new
12 Moxie Panda Energy Plan through what looks like the
13 collocation with the Tennessee Pipeline. It's going to
14 cross Susquehanna County in the southern into Bradford
15 County in the southern part. There is a best practice in
16 the industry that the EPA Natural Gas star program
17 recommends which is to run compressors with electric motors
18 which reduces the exhaust by 100 percent because there's no
19 exhaust. The only emissions then are blow downs and vented
20 tanks. That can also be reduced. And I don't see any
21 reason now that regulations are being adapted from that
22 natural gas star program that the FERC can't require those
23 best practices. So I encourage you to --

24 MR. FRIEDMAN: Can you wrap up?

25 MR. LOTORTO: I encourage you to look at all the

1 best practices recommended by EPA and require them on all
2 your dockets that you're looking at now because they are
3 soon going to be regulations and they may have to retrofit
4 them anyway.

5 MR. FRIEDMAN: Thank you for your comments.

6 That's the last of the people who have signed the
7 sheet. However, this is an open forum, so if anyone else
8 would like to speak, please, all you have to do is raise
9 your hand.

10 No one is raising their hand. All right. If
11 that's that last --

12 AUDIENCE PARTICIPANT: (Inaudible).

13 MR. FRIEDMAN: All right.

14 MR. GOFF: Ronald Goff from New Milford on Sutton
15 Road. I live within a half mile of the compressor station
16 that's there now. And the new compressor station, which I
17 believe is going to be two compressors in it is going to be
18 within a half mile of that. We've talked about air quality.
19 How is the air quality monitored? And can there be
20 real-time air quality monitoring of that? And then a
21 warning -- a way to allow the homeowners in the area to know
22 when the air quality is getting at critical levels or
23 whatever, you know, that could be harmful to them.

24 MR. FRIEDMAN: I don't know the answer to that
25 question. I do know that the company would have to get a

1 state permit for air quality. But since you've raised it in
2 the scoping, we'll address the answer after doing some
3 research in the EIS.

4 MR. GOFF: And who is the regulatory committee
5 for -- I mean, I understand -- does FERC regulate what they
6 do, or who is the actual regulatory commission for --

7 MR. FRIEDMAN: Yeah, we regulate -- we regulate
8 lots of things. We regulate all the environmental impacts.
9 So we'll have -- for a project this size, we'll hire a
10 contractor because I don't have enough FERC staff to go out
11 and monitor construction by inspecting construction as it
12 occurs, 24/7. Okay. So that's one thing we regulate.

13 Of course, we regulate rates and we regulate
14 tariffs.

15 MR. GOFF: Okay. I'm only looking at regulation
16 of compliance. The compliance of like the air quality and
17 stuff like that. And --

18 MR. FRIEDMAN: I believe that air quality is
19 regulated by the state under a delegated permit from the
20 Clean Air Act, but I'm not certain. But since you've raised
21 the issue, we'll do some more research on that.

22 MR. GOFF: Okay. Thank you.

23 MR. FRIEDMAN: You're welcome.

24 MR. CORRIGAN: I have a question.

25 MR. FRIEDMAN: Yes.

1 companies to pay for that, so that it's not a burden on the
2 taxpayer.

3 Yes, sir.

4 AUDIENCE PARTICIPANT: Being the air quality came
5 up, I have another question and I have a video here that I
6 couldn't show. Can I show you this after we're closed?

7 MR. FRIEDMAN: You could. Do we take
8 post-hearing videos in the library?

9 No, they can't. All right. You can show it to
10 me afterwards.

11 AUDIENCE PARTICIPANT: Well, can I -- it's only
12 16 seconds long.

13 MR. FRIEDMAN: All right. You can show it to me
14 afterwards.

15 All right. So on behalf of the FERC, I would
16 like to thank you all for coming here tonight to help us
17 focus the environmental review process on those issues that
18 are of concern to you.

19 Let the record show that this meeting concluded
20 at 7:34 p.m.

21 (Whereupon, at 7:34 p.m., the meeting was
22 adjourned.)

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BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

- - - - - x

IN THE MATTER OF: : Project No.

NORTHEAST ENERGY PIPELINE PROJECT : PF14-22-000

- - - - - x

6223
Street
18821

VFW Post

386 Main

Great Bend, Pennsylvania

2015

Wednesday, July 15,

The above-entitled matter came on for Scoping Meeting, pursuant to notice, at 6:30 p.m., Paul Friedman, the moderator.

24

25

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

2 (6:30 p.m.)

3 MR. FRIEDMAN: All right. Welcome everyone. I
4 want to go over some basic safety rules. Okay. If in the
5 unlikely event there's an emergency, such as a fire,
there's
6 an exit right through this door up here on the left and
then
7 on the right, you can walk down the stairs and there's
8 another exit. All right. The most important things you
9 need to know, where the restrooms are. So there's a
10 restroom right through that hallway, and there's another
set
11 of restrooms downstairs in the basement near the bar.

12 All right. That said, we have no microphones
13 today, so I'm going to use my big-boy voice, and if that's
14 ineffective, yell at me and I'll speak louder.

15 Good evening. On behalf of the Federal Energy
16 Regulatory Commission which we abbreviate as F-E-R-C, FERC,
17 or Commission, I would like to welcome you here tonight to
18 our public scoping meeting to make environmental comments
on
19 the Northeast Energy Direct, N-E-D, or NED project,
20 proposed by Tennessee Gas Pipeline Company, TGP.

21 It is often referred to as Kinder Morgan because
22 Tennessee Gas is a subsidiary of Kinder Morgan Corporation,
23 and this project is proposed in FERC docket number PF14-22.

24 My name is Paul Friedman, and I'm a staff member

25 at the FERC based on Washington, D.C. and I'm working on
the

1 environmental team for the NED project. Our goal is
2 eventually to produce an environmental impact statement.
3 I'll talk more about that later.

4 Let me introduce the other team members who are
5 present here tonight. This is Lavinia DiSanto, and over on
6 the sign-up table is Jennifer Ferris and Wayne Kicklighter.
7 They all work for a company called Cardno. Cardno is our
8 environmental contractor for this project and they are
going
9 to assist FERC staff in writing the environmental impact
10 statement or EIS.

11 Let the record show this meeting began at 6:30
12 p.m. on Wednesday, July 15th, 2015 at the VFW Building in
13 Great Bend, Pennsylvania.

14 You may have noticed over here I have Larry.
15 He's a court reporter and he's transcribing this meeting.
16 This is so we can have an accurate record of tonight's
17 comments. Eventually an electronic copy of the transcript
18 of this meeting will be placed into the FERC's e-library
19 system which contains the public record for this
proceeding.

20
21 FERC has a transcription contract with Ace
22 Federal Reporters, that's who Larry works for. If you wish
23 to obtain a copy of the transcript prior to it's placement
24 in the FERC public files, you must make arrangements

25 directly with Ace, which means you have to talk to Larry

get 1 when this meeting is over. He'll tell you what to do to
2 an early copy of the transcript.

3 The FERC is the lead federal agency for both the
4 authorization of this project under the Natural Gas Act and
5 for compliance with the National Environmental Policy Act
or 6 NEPA, N-E-P-A.

7 Under the NEPA, the FERC team will produce an
8 environmental impact statement or EIS for this project.

The 9 FERC was originally know as the Federal Power Commission
10 when it was created by Congress in 1920. We were
11 reorganized and renamed during the Carter administration.

12 One of the industries we regulate is the
13 interstate transportation of natural gas. FERC also
14 regulates non-federal hydropower, electric rates on
15 interstate lines, and oil rates on interstate lines.
16 However, we do not do anything having to do with siting of
17 power lines or siting of oil pipelines. So, no, the FERC
is 18 not involved in the so-called Keystone Excel Pipeline.

19 The FERC does not regulate the exploration,
20 production, or gathering of natural gas. Those activities
21 are regulated by the states. Therefore, any comments about
22 hydraulic fracturing or fracking which is a method of
23 exploration and production would be out of scope for our

EIS

24 because those are activities that the FERC does not
25 regulate. We are only going to do an EIS about activities

1 we have control over.

2 Our agency is directed by five commissioners who
3 are appointed by the President of the United States and
4 confirmed by Congress.

5 The FERC staff like me, are civil servants. We,
6 the FERC staff, do not make decisions. The five people who
7 sit on the 11th floor of my building, they are the
8 decisionmakers. The staff does make recommendations to the
9 Commissioners and you will be able to read our
environmental
10 recommendations at the end chapter of the EIS. So all
11 recommendations are not a secret.

12 On June 30th, 2015 the FERC issued a notice of
13 intent to produce an EIS for the NED project. That NOI
14 announced these public scoping meetings. The NOI also
15 explained how to file written comments with the Commission.
16 The FERC prefers the electronic filing of comments using
our
17 e-comment feature. Go to the FERC's Internet website at
18 www.FERC.gov, click on documents and filing, or you can
19 send your comments in the old fashioned way by writing a
20 letter and mailing it to the Secretary of the Commission at
21 888 First Street, Northeast, Washington, D.C. 20426.

22 In all cases, put the docket number which is
23 PF14-22 on your correspondence.

24 Tonight I'd like to accomplish a couple of

25 things. One, I want to summarize the project very, very

the
1 briefly. Two, I want to explain the role of the FERC in
2 review of the project. Three, I want to how the public may
3 participate in our environmental review process. And
4 lastly, I'd like to allow the public an opportunity to
voice
5 your concerns about the project at this forum.

6 I ask that you reserve all questions until after
7 my presentation. There is a table at the back of the room
8 through this door where Wayne is standing where you can
9 still sign up to be a speaker tonight if you haven't
already
10 done so.

11 Let me emphasize that this is not a hearing on
12 the merits of the proposal. No decisions will be made
based
13 on this meeting.

14 As I said earlier, this meeting provides you,
the
15 public, an opportunity to comment on the types of
16 environmental issues that you would like to see covered in
17 our EIS. The more specific your comments are about
18 potential environmental impacts, the more useful it will be
19 for the FERC staff to focus our attention on important
20 issues.

21 Statements for or against the project are not
22 particularly useful and will not influence the analysis in
23 the EIS.

24 There are some ground rules about decorum during
25 this meeting. First, treat all speakers with respect

1 whether you agree with them or not.

2 Two, no booing, cheering, applauding, or yelling
3 out.

4 Three, if the audience becomes unruly, which I
do
5 not think will happen tonight, I do reserve the right to
6 close the meeting. I have been at meetings where they have
7 been very contentious and I have had to threaten to close
8 them if the crowd would not allow speakers to speak.

9 We will take speakers up until the time that all
10 speakers who have signed up and had their opportunity to
11 speak, or if we have a lot of speakers, which I don't think
12 we have tonight, we would continue until the venue has a
13 closing time.

14 Each speaker will be limited to not more than
15 five minutes. And as a matter of fairness, I will strictly
16 enforce the five-minute time rule using this stop light.

At
turns
17 four and a half minutes it turns yellow and at five it
18 red, and at that time we would like you to yield the floor
19 to the next speaker.

20 All comments will be considered whether written
21 or verbal. The FERC gives equal consideration to both
22 written and verbal comments. I would like to clarify that
23 the FERC did not conceive of this project nor are we
24 promoting it. The project was designed by Tennessee Gas

25 Pipeline, which as I said before is a subsidiary of Kinder

1 Morgan. We call them either the company or the applicant.
2 The company came up with the location of their facilities
3 and it is up to the FERC staff to analyze the environmental
4 impacts associated with the construction and operation of
5 those facilities. The FERC is not an advocate for the
6 project. FERC staff are advocates for the environmental
7 review process.

8 Let me go over some of the project background.

9 On October 2, 2014, the FERC accepted Tennessee Gas'
request
10 to initiate our prefiling environmental review process for
11 the NED project. During prefiling the burden is on the
12 company to communicate with stakeholders and identify
issues
13 of concern, and to attempt to resolve those issues to
14 perfect its formal application to the FERC.

15 Tennessee Gas has not yet filed an application
16 with the FERC. They have stated, however, they would like
17 to do so in about October of this year. The purpose of the
18 NED project is to provide about two billion cubic feet per
19 day of natural gas to markets in the northeast. The
20 proposed facilities would consist of -- and here I'm
21 generalizing -- 412 miles of pipeline across portions of
22 Pennsylvania, New York, Massachusetts, New Hampshire, and
23 Connecticut, nine associated laterals or loops totaling 60
24 additional miles and nine compressor stations, 14 new

25 metering stations, and one modified existing compressor

1 station. You can read much more details about the project
2 in resource report one, which is the project description
3 already filed by Tennessee Gas in the FERC's e-library
4 system. And, again, there are instructions for how to use
5 e-library in the notice of intent which you can get on the
6 table over there.

number

7 During prefiling Tennessee Gas will file a
8 of draft resource reports as outlined in our regulations at
9 18 Code of Federal Regulations, Part 380, so that FERC can
10 review those in advance of an application. The public may
11 also comment on Tennessee Gas' draft environmental resource
12 reports.

August

13 Right now in the process we are in the scoping
14 period. The formal comment period will not end until
15 31, 2015. However, FERC staff will continue to consider
16 comments up until the time we write the EIS.

review

17 Based on comments received to date and our
18 of the draft resource reports, we have identified the
19 following environmental issues. The public is concerned
20 about impacts on land use including rural characteristics
21 and conservation lands. The public is concerned about
22 impacts on towns and residential areas. The public is
23 concerned about impacts on ground water including aquifers
24 and wells and the public is concerned about impacts on air

25 quality and noise from compressor stations. This is in no

what 1 way an comprehensive list, it's just a brief summary of
2 we've seen so far filed in the docket from public comments.

3 After the application is filed, there are other
4 opportunities for the public to enter into the process and
5 make comments. These opportunities for comments include in
6 response to our notice of application and the response to
7 the notice of the issuance of our draft environmental
impact

8 statement. After a company has filed it formal application
9 and the FERC has noticed that application, parties may
10 request intervener status. Being an intervener is a legal
11 position. Interveners can request rehearing on a
Commission
12 decision. They also have the burden of serving all
parties.

13 You do not have to be an intervener to have your
14 environmental comments considered.

15 However, you cannot intervene during the
16 prefiling process. You must wait until Tennessee Gas files
17 its formal application.

18 After the application is filed, the FERC staff
19 will identify data gaps and write environmental information
20 request. Once the FERC staff is convinced that the
21 application is complete so that we fully understand the
22 potential impacts the project might have on the
environment,
23 we will issue a notice of schedule for our EIS.

the 24 Based on the application and our own research
25 FERC staff will produce an EIS in accordance with the

1 regulations written by the Council of Environmental Quality
2 or CEQ at Title 40, Code of Federal Regulations, Parts 1500
3 to 1508 to satisfy the requirements of NEPA. That document
4 will offer our independent analysis of the potential
5 environmental impacts of the proposals and alternative.
6 Generally the EIS will discuss the current environment,
7 identify potential project related impacts on specific
8 resources and present proposed measures to avoid, reduce,
or
9 mitigate adverse effects.

10 The FERC will address such resource topics as
11 geology and soils, water and wetlands, vegetation and
12 wildlife, cultural resource, socioeconomics, land use, air
13 quality and noise, and safety.

14 We will also evaluate reasonable and feasible
15 alternatives.

16 The next thing in the process will be for the
17 FERC staff to produce a draft EIS that would be circulated
18 for public comment. Copies of the DEIS would be sent to

our

19 environmental mailing list which includes elected
officials,

20 government agencies, environmental groups, and
21 nongovernmental organizations, Indian tribes, local
22 libraries and newspapers.

23 We address comments on the draft in a final EIS.
24 The EIS is not a decision document. The Commissioners will

25 consider the environmental impacts disclosed in the EIS

markets 1 together with other non-environmental issues such as
2 and rates. The Commission has developed a certificate
3 policy statement that establishes the criteria they use for
4 determining whether or project is in the public need or has
5 a public benefit.

6 The Commission decision will be issued as a
7 project order. If the Commission decides to authorize the
8 project, they will give Tennessee Gas a certificate of
9 public convenience and necessity. If the Commission
decides 10 to authorize the project, the FERC staff will make certain
11 that the environmental conditions appended to the order are
12 satisfied. Those conditions usually include a stipulation
13 that the company obtain all other necessary federal permits
14 like under the Clean Water Act or the Endangered Species
Act 15 and authorizations prior to construction. The company must
16 implement all the measures they've committed to in their
17 application and mitigation programs.

18 FERC staff and our environmental contractors
will 19 monitor the project through construction, restoration, and
20 the completion of the mitigation programs.

21 We will perform on-site inspections to make
22 certain that the project is in compliance with the
23 environmental conditions of the order.

24
process

Now I'm done with the summary of the FERC

25 and now is the time for us to take public comments. I will

1 call up speakers individually in the order in which they
2 have signed up by number.

3 We don't have a microphone, we're going to have
4 every go to the podium. Speak loudly using your big person
5 voice because we don't have a microphone. Clearly state
6 your name.

7 When you get to the podium please tell us your
8 name and spell it out for the court reporter. If you
9 represent an organization, tell us the name of your
10 organization without using an acronym. If you are a
11 landowner along the pipeline route, please indicate where
12 your property is located according to the mile marks or
13 cross streets.

14 The first speaker is number one.

15 AUDIENCE PARTICIPANT: Prior to the speaking, I
16 thought we were just going to be open to where we could
17 question you. You said we couldn't do it until you were
18 done talking.

19 MR. FRIEDMAN: Right. Let's do the questions
20 after the speakers.

21 AUDIENCE PARTICIPANT: Well, this is kind of
22 relevant now.

23 MR. FRIEDMAN: Okay. Then go ahead.

24 AUDIENCE PARTICIPANT: Earlier you spoke that

you

25 had nothing to do with the pipeline route.

1 MR. FRIEDMAN: That's correct. Who picks the
2 pipeline route?

3 AUDIENCE PARTICIPANT: Well, it doesn't matter.
4 It's upon your approval that they steal our land. So
5 actually you have a great deal to do--

6 MR. FRIEDMAN: But we don't --

7 [SIMULTANEOUS CONVERSATION]

8 MR. FRIEDMAN: -- we don't select the pipeline
9 route. The pipeline route is selected by the company. We
10 review --

11 AUDIENCE PARTICIPANT: But you allow them to
12 steal --

13 [SIMULTANEOUS CONVERSATION]

14 MR. FRIEDMAN: We don't allow anything until
15 there's an authorization. There has -- this project has
not
16 been authorized --

17 AUDIENCE PARTICIPANT: We've already been
through
18 this. You're the second pipeline going through our
19 property.

20 MR. FRIEDMAN: Uh-huh.

21 AUDIENCE PARTICIPANT: We've already been
through
22 this once before.

23 MR. FRIEDMAN: Okay.

our 24 AUDIENCE PARTICIPANT: They've already stolen
25 land.

1 MR. FRIEDMAN: Okay. Well, --

2 AUDIENCE PARTICIPANT: And it was your approval
3 that made it possible.

4 MR. FRIEDMAN: That's correct.

5 AUDIENCE PARTICIPANT: So the idea that you have
6 nothing to do with the pipeline route is --

7 MR. FRIEDMAN: We don't select the pipeline.

8 AUDIENCE PARTICIPANT: -- is so ludicrous --

9 MR. FRIEDMAN: It's not ludicrous. It's a fact
10 we don't select the pipeline route. What my project team
11 does is evaluate the impacts that route will have on the
12 environment. I don't make a decision.

13 AUDIENCE PARTICIPANT: Not the people? Just the
14 environment.

15 MR. FRIEDMAN: The environment includes people.
16 We have a socioeconomic section in the EIS that absolutely
17 addresses impacts to people. We talk about things like
18 impacts on property values, impacts on landowners.
19 Absolutely that's in the EIS.

20 AUDIENCE PARTICIPANT: No, that's not true. The
21 impact on landowners is not even considered.

22 MR. FRIEDMAN: It will be considered in this
EIS.

23 AUDIENCE PARTICIPANT: Right. Didn't in the
last
24 one.

25

MR. FRIEDMAN: Well, I didn't --

1 [SIMULTANEOUS CONVERSATION]

2 AUDIENCE PARTICIPANT: And I'm sorry, your
3 federal agency, I would assume --

4 MR. FRIEDMAN: And every EIS I've ever written
in
5 25 years at the FERC has addressed landowner issues, every
6 single one.

7 AUDIENCE PARTICIPANT: Well, they never talked
to
8 us. We're not even contacted.

9 MR. FRIEDMAN: That's why we have public
meetings
10 so you can tell us your concerns.

11 AUDIENCE PARTICIPANT: We did the first time.
It
12 didn't help. This is my point. The FERC never contacted
13 us. And to say that you consider --

14 MR. FRIEDMAN: Did you get a copy of the NOI for
15 this in the mail?

16 AUDIENCE PARTICIPANT: Well, of course we did.

17 MR. FRIEDMAN: We did contact you.

18 AUDIENCE PARTICIPANT: Yeah.

19 MR. FRIEDMAN: And that's --

20 AUDIENCE PARTICIPANT: No, you're right. You're
21 absolutely right.

22 [SIMULTANEOUS CONVERSATION]

23 AUDIENCE PARTICIPANT: -- public needs and

24 necessity --

25 MR. FRIEDMAN: That's the end document that the

1 Commissioners will issue if they authorize the project.

2 AUDIENCE PARTICIPANT: Is that the same thing as
3 eminent domain?

4 MR. FRIEDMAN: It is not. Eminent -- it gives -

5 let me explain this.

6 Congress in 1947 amended the Natural Gas Act.

7 And what it said is, if FERC gives a certificate of public

8 convenience and necessity, then the pipeline company that

9 receives it does get the right of eminent domain. So

you're

10 partially correct.

11 AUDIENCE PARTICIPANT: Okay. And someone like

12 Norman Bay, do you ever speak to him personally?

13 MR. FRIEDMAN: I have spoken to him once in the

14 elevator.

15 AUDIENCE PARTICIPANT: Okay.

16 AUDIENCE PARTICIPANT: That's the public where

17 they're concerned with the public. He spoke to him in the

18 elevator.

19 MR. FRIEDMAN: So speaker number one is already

20 at the podium.

21 AUDIENCE PARTICIPANT: I would just like to ask

a

22 question also.

23 MR. FRIEDMAN: Yes.

24 AUDIENCE PARTICIPANT: I'd like to know, how are

25 you federal agency?

1 MR. FRIEDMAN: Okay. We are authorized by
2 Congress under the National Gas Act. We were created by
3 Congress.

4 AUDIENCE PARTICIPANT: And then who funds you?

5 MR. FRIEDMAN: We are funded by Congress as a
6 line item in the budget.

7 AUDIENCE PARTICIPANT: And are you funded by
8 anybody else besides Congress?

9 MR. FRIEDMAN: Nope. There is a misconception
10 going around that we are funded by industry. That's
11 absolutely not correct. We are funded by Congress. If
12 Congress decides they want to do away with us, they can
13 write us out of the budget and we won't exist as an agency.
14 However, we also charge fees to the companies we regulate.
15 Those fees do not go to the Commission. Those fees go
16 directly into the U.S. Treasury.

17 AUDIENCE PARTICIPANT: And have you ever denied

a

18 pipeline?

19 MR. FRIEDMAN: Yes, but very few.

20 AUDIENCE PARTICIPANT: Can you mention one?

21 MR. FRIEDMAN: Not off the top of my head. Very
22 few. Here's what I will say though. We get lots of
23 applications, thousands of applications. Not every
24 application goes from the starting phase to the ending

phase

25 where a decision is made. A lot of them die along the way.

1 We give certificates to companies and the facilities don't
2 get built because the markets have changed. So not
3 everything we authorize gets built, and not every
4 application goes to a certificate.

5 Yes.

6 AUDIENCE PARTICIPANT: You mentioned they have
7 that one compressor station and one modified.

8 MR. FRIEDMAN: There are going to be several
9 compressor stations.

10 AUDIENCE PARTICIPANT: How many?

11 MR. FRIEDMAN: I think nine; is that right?

12 AUDIENCE PARTICIPANT: I thought you said one.

13 MR. FRIEDMAN: No, I believe I -- the number I
14 said was nine.

15 [SIMULTANEOUS CONVERSATION]

16 [PAUSE]

17 AUDIENCE PARTICIPANT: Okay. I misheard then.

I

18 misheard, they say it's nine.

19 MR. FRIEDMAN: Yeah, okay.

20 AUDIENCE PARTICIPANT: That's what I have.

21 MR. FRIEDMAN: Yeah.

22 AUDIENCE PARTICIPANT: And do they have the
23 hydration at these stations?

24 MR. FRIEDMAN: I don't know. But that's a good
25 question to put into a comment for us and we'll look it up.

1 All right. So now we get the first speaker
2 going.

3 So remember to state your name for the court
4 reporter and spell it.

5 MR. JENNINGS: Okay. My name is Brett Jennings,
6 counselor for Great Bend Borough and chairman of the
7 Halstead/Great Bend Joint Sewer Authority.

8 There are some issues when you go underneath
9 rivers or interstate highways. Just right up above here,
10 just north of the borough, they drilled underneath the
11 river, people's water -- private water wells were being
12 affected. That was also going into the sewer system from
13 their well down their drain. And if that affects any sewer
14 system along the route, they could start going after the
15 companies that are going and boring underneath affects the
16 treatment process. And I believe that's covered in the
2002
17 Bioterrorism Act.

18 Gas going through that pipeline is coming from
19 the Marcellus Region. There's USGS open follow report
20 services 2012-1159 that deals with that, with how high the
21 radon content is, how many picocuries per cubic liter. It
22 will increase above the four which is what EPA says is the
23 standard. There's also a compiled report 81-778 which is
24 geochemistry of trace elements and uranium and devonium

25 shale through the Appalachian base and that will back up
why

1 you're getting the radon.

2 This is the Chesapeake Bay area. We have an MS4
3 permit or a municipal separate storm sewer system permit in
4 this borough. I have a permit that's waiting on two and a
5 half years since it should have been issued, a permit for
6 discharge at the sewer plant because Pennsylvania has not
7 been meeting its goals in 2014 and 2015. New York state
8 still has issues. And one of the things is they don't have
9 what can happen from development of a shale area which is
10 the induced development caused by a pipeline how much will
11 affect a total nitrogen, total phosphorous, how much will
12 raise -- how much best management practices will the
13 companies use to delete that. Will they be on record to
14 having to maintain those reductions if they do it offsite
15 a different location.

16 Those are very big things because I'd hate to
17 my sewer plant get sucked down to half our permit limits
18 or to the limits of technology because people can't stop
19 increasing our development even though there was supposed
20 be an EIS to solve that.

21 Also the zip code on page 3 for Great Bend,
22 might be people running around in Towanda that wasn't

it

at

see

now

to

there

23 correct. The zip code is 18821.

24 As for -- on page 2, the right of eminent
domain.

25 There's no right by any federal government level. It's a

1 power authorized, the right of people to create that
company
2 or corporation or government. And when you start sending
3 stuff overseas or sending it to Canada, it starts bringing
4 up issues and they even issue eminent domain. But that's
5 for a jury of the person's peers when they call court
6 against the government or the person who explicitly gave
7 that power away or gave that power to a company to
exercise.

8 And then for air quality, 28 August 2012, this
9 was for the Constitution Pipeline, but it's relevant. Or,
10 no, this was on the Laser Pipeline. Those hearings for air
11 quality by the DEP, that same night there was hearings as
12 the Susquehanna County Planning Commission to increase the
13 size of that facility although it wasn't reflected in the
14 DEP hearing on the same night, less than two miles away
from
15 each other. And with some of these areas you're going to
16 have rattlesnakes. Harmony Township area, where it follows
17 the blue stone. There's areas where there's rattlesnakes.
18 Area where it doesn't follow the Constitution Pipeline, and
19 its route, which is where I have property on and in fact a
20 hunting stand is 30 feet from the markers where the
21 Constitution is going in --

22 MR. FRIEDMAN: Mr. Jennings, can you now wrap
up?

23 MR. JENNINGS: -- that is -- there's bats and

24 rattlesnake surveys. That area of Harmony Township is full
25 of rattlesnakes. The entire township. The township
doesn't

1 maintain paved roads and has wood-planked bridges.

2 MR. FRIEDMAN: Thank you for your comments.

3 One thing I wanted to make clear to everybody is
4 when you raise issues, whether it's about rattlesnakes or
5 water quality or property rights, we will address those
6 comments in the EIS. So that's why we hold these meetings.
7 We want to hear the comments. We want to know the issues
8 that concern you.

9 Thank you for your comments.

10 AUDIENCE PARTICIPANT: I just have a quick
11 question?

12 MR. FRIEDMAN: No, wait until we're through all
13 of our --

14 AUDIENCE PARTICIPANT: -- the width of the
15 pipeline, why is that not indicated in these papers?

16 MR. FRIEDMAN: Because it's --

17 [SIMULTANEOUS CONVERSATION]

18 MR. FRIEDMAN: -- in resource report one.

19 AUDIENCE PARTICIPANT: Is it in here?

20 MR. FRIEDMAN: Is it in where?

21 AUDIENCE PARTICIPANT: Is it in the paper that
22 you gave us on disk?

23 MR. FRIEDMAN: I don't think it is.

24 AUDIENCE PARTICIPANT: So can you tell us what

it

25 is?

1 MR. FRIEDMAN: I actually don't know what it is.

2 [SIMULTANEOUS CONVERSATION]

3 AUDIENCE PARTICIPANT: 30 inch pipeline, is that
4 what you want? So 30 inches.

5 [SIMULTANEOUS CONVERSATION]

6 AUDIENCE PARTICIPANT: It's 30 or 36.

7 AUDIENCE PARTICIPANT: Actually, according to
the

8 paperwork we received, it's 42.

9 AUDIENCE PARTICIPANT: I think it changes along
10 the route.

11 MR. FRIEDMAN: That's a -- I think it does
change

12 along the route and that's why --

13 [SIMULTANEOUS CONVERSATION]

14 AUDIENCE PARTICIPANT: Thirty to 42.

15 Thank you.

16 MR. FRIEDMAN: All right. Speaker number two.

17 AUDIENCE PARTICIPANT: [INAUDIBLE] I think that
18 was what, March that was filed?

19 MR. FRIEDMAN: Which, the resource report one?

20 AUDIENCE PARTICIPANT: Right.

21 MR. FRIEDMAN: I don't remember.

22 MS. WASNOWIC: My name is Helen Wasnowic,
23 W-a-s-n-o-w-i-c. And the pipeline will go through my
24 property. I am mainly concerned about the deforestation of

some 25 my property which is they're actually going to take 560

1 fee, linear feet, that doesn't include this, you know,
2 whatever hundred feet wide it's going to be that they're
3 going to cut the trees down. And the township of New
4 Milford, that is just under approximately 22,000 feet which
5 is just a little under four miles, they are going to
6 deforest. That's not the whole thing. That is just where
7 they are taking trees down. That's four miles of -- four
8 linear miles of trees they will be taking down. Along with
9 that I currently have a lot of natural springs in the area
10 where they want to come through with the pipeline. Right
11 now these natural springs go down into a wetland that is
12 across from my property. On the other side of the street
13 there is a huge sluice pipe that goes under the road and
14 takes all that water across to the wetlands. What will
15 happen to these natural springs when they put the pipeline
16 in? And what will happen if that water no longer goes over
17 to the wetlands across the road from me?

18 Those are my main questions. Thank you.

19 MR. FRIEDMAN: Thank you for your comments.

20 Speaker number three.

21 MS. HOLLERAN: My name is Catherine Holleran,
22 that's Catherine with a C, H-o-l-l-e-r-a-n. We have a 22 -
23 a little over 22-acre parcel setting in Milford. It's a
24 lake-front property and we've got 200-feet on a private
25 spring-fed lake. We already have Constitution Pipeline

1 cutting through. I'm bringing this up because Northeast
2 Energy Direct Project is running completely parallel, I
3 think on most of its route to the Constitution.

4 MR. FRIEDMAN: Well, part is --

5 MS. HOLLERAN: It is on ours. We're already
6 being cut through by Constitution. I've seen the maps and
7 it's on the east side of the Constitution Line directly
8 through our property. So our property is 22-some acres. I
9 see they're taking 6,761 acres to do the Northeast project
10 and so our little 22-acre parcel, we're losing almost a
11 quarter of it already to Constitution. They're taking a
12 little over four, four and a half -- five acres of our
13 22-acre parcel.

14 They are cutting through on a 30-inch pipeline
15 190 feet quarter they want. It's all our woods in the back
16 of our property. We have a maple syrup business. We tap
17 those maple trees. We were tapping those maple trees.

They

18 are going to come through, they've already taken -- we
19 wouldn't sign. We told them we have a lake property,
20 there's wetlands there, there's a natural fed -- spring-fed
21 inlet that goes into the lake which is one of the three
22 major inlets on the lake, it's cutting right through it.
23 It's either going under it, I'm not sure how they're doing
24 it, I guess they're going under it. So this is all right

on

25 our lake-front property, all through our fields, we have

1 three fields, we have three early American natural built
2 stone walls from way back when on our property they're
going
3 through. It's directly behind the homestead on our
property
4 where my sister and her husband live. And it's close to
the
5 well, the drilled well which is our sole source of the
water
6 supply. It's a little bit up the hill. At the top of the
7 hill there's a stone quarry which is the next neighboring
8 property to our west.

9 That's our neighbor and he was okay with it. He
10 only has his property for profit for the stone quarry
which,
11 okay, there's a stony quarry there, I understand that part.
12 But if you look at the topo map, you'll see that on the
13 other side of his stone quarry there's just open--it's
woods
14 and I know it's still more deforestation, but it's up on
top
15 of the mountain and no one lives there, uninhabited.

16 Well, it's not cutting through lake property,
17 it's not cutting right next to our well. It's not taking
18 out all of our forest and all of our trees and all of our
19 maples that we make part of our living off of with our
maple
20 syrup business, it's not cutting through stone walls, it's
21 not not taking all our fields, but did they consider that?

22 No. And we brought it up many times. I have no idea why
23 they did not go with that alternative.

24 So now we've got Constitution who took us by
25 eminent domain, because we never would sign, we're one of

1 seven landowners that refused. We still refuse. We're
2 still in litigation with them and they already call this
3 eminent domain. And now Northeast Direct wants to come
4 right beside it and come closer to our house, take the
5 remainder of whatever trees might still be left.

6 And I don't understand that with 6,700 acres why
7 my 22-acre parcel has to be cut completely through. It
8 makes a 90-degree turn and goes through our whole acreage.
9 So I think it has environmental impact on the part that's
10 the lake property, that's the stream that goes in, all of
11 our early American stone walls, it's the character and land
12 use of our land that's a recreational property. And we
13 have, you know, our cottage -- we have cottages down there
14 and we have our whole lakefront area. So the disruption of
15 real character and land use, that's a major part of my
16 problem.

for

17 Also the fact that we use our woods, not only
18 the aesthetic value and the fact that they are behind our
19 house in the side of the mountain like another person here
20 has already commented on deforestation of your land and the
21 aesthetic value and the character of the land and it's
22 taking out most of all the woods already. So now you want
23 to come through with a second pipeline to take the rest.

24 Our answer will be the same. No, we won't sign.
25 So I just -- I can't understand why we can't get this

1 alternative of somebody to move it to the west of us. I
2 know it's too late because you're already --

3 MR. FRIEDMAN: It's not too late. We're in
4 prefiling. Let me address that exact issue.

5 MS. HOLLERAN: Right.

6 MR. FRIEDMAN: Have you filed a letter with the
7 FERC?

8 MS. HOLLERAN: Yes.

9 MR. FRIEDMAN: Suggesting this alternative?

10 MS. HOLLERAN: Yes.

11 MR. FRIEDMAN: And you've drawn on a map --

12 MS. HOLLERAN: I didn't draw a map. I didn't
13 draw a map, but I did --

14 MR. FRIEDMAN: That would be useful for us to
15 analyze the environment impacts of the --

16 MS. HOLLERAN: My thing --

17 MR. FRIEDMAN: -- if we had the alternative
route
18 drawn on a USGS quad so we could analyze the route that you
19 suggest.

20 MS. HOLLERAN: But if here's Constitution and
21 then here's Northeast Direct and Constitution did not move,
22 so how are you going to?

23 MR. FRIEDMAN: I cannot answer that question. I
24 would analyze the alternative. I don't know what the
25 outcome would be. But how can I analyze an alternative I

1 don't know where it is.

2 MS. HOLLERAN: Okay. And I have filed all these
3 comments. I filed them e-filed, and I mailed them in a
4 copy also. But that's my problem.

5 MR. FRIEDMAN: So my suggestion is a map --
6 [SIMULTANEOUS CONVERSATION]

7 MR. FRIEDMAN: -- a map to go along.

8 MS. HOLLERAN: That would be excellent. I did
9 show somebody that when we were at your other meeting at
10 Blue Ridge School. But I don't know how it could be moved
11 now because if Constitution isn't going to move, they
12 haven't cut through our trees yet, because they can't, I
13 don't think, until October. But if they can't move, then I
14 don't know how you can move either.

15 MR. FRIEDMAN: I don't know the outcome.

16 MS. HOLLERAN: Okay.

17 MR. FRIEDMAN: But we would like to analyze all
18 alternatives we're made aware of.

19 MS. HOLLERAN: Okay. Yeah, I have all my
20 comments filed, but I just wanted to make sure that you
21 heard me again. Thank you very much.

22 MR. FRIEDMAN: You're welcome. A map would be
23 useful.

24 MS. HOLLERAN: Okay.

25 MR. FRIEDMAN: Speaker number four.

hard

1 MR. CORRIGAN: I'm speaking here today not on --
2 my name is Barry Corrigan, Jr., C-o-r-r-i-g-a-n. And I'm
3 not speaking here on an environmental level. I'm speaking
4 on a strictly property rights business level.

5 I'm the husband of the woman she was speaking
6 about. They're running right through our property. And I
7 want to present to you a scenario about what they're doing
8 to us so that you can understand.

9 Picture that you have a house with a large
10 section of it that you're not using. And a company comes
to
11 you and says, we would like to build a childcare center in
12 your house. And what we're going to do is we're going to
13 pay you for the rugs and the drapes and the electrical and
14 the flooring, and the furniture. Then we're going to use
it
15 forever and never give you another dime. Your answer is
16 going to be, no, I won't do that. So what they do is they
17 run off to the government and get them to bring police in
18 and steal your property. Now you have a room full of
19 screaming children and, oh, by the way, if you have
20 children, you can't use that facility because it's not like
21 we're going to have access to the gas. You act like it's
an
22 eminent public welfare. It's not. I'm one of the public.
23 I have no access to this gas.

24 Oh, and by the way, I get to pay insurance and

25 taxes on that property while you make a profit the entire

1 time. Not you, FERC, but the company that's running it
2 through, \$720,000 a day is how much money they're going to
3 lose if we hold them up for one day.

4 Well, if you're making \$720,000 a day, and for
5 the entire destruction of our property, for the rest of the
6 life of the property, you're offering us the price of a
7 medium pick-up truck that we have to divide among five
8 people. This is not business. If you're going to use the
9 property for an extended period of time while making money,
10 the family and the property owners have to be reasonably
11 compensated on a regular basis, not a one-time, oh, well,
we
12 paid for that tree, we paid for that ground once. Twenty
13 years from now they're making \$720,000 a day and the
14 families of the people that own the property get nothing.
15 There's no other business in the world that you can have an
16 access of resources for free for ever. And this is what
17 they're doing. And you're facilitating it by allowing them
18 to steal our land.

19 They came to us with a business proposition and
20 we said, no. And you have decided that they should be
21 right. It is wrong, it is immoral, and it is anti-American
22 business. The families have to be compensated on a
23 continual level, especially if they said no. Because
you're
24 forcing it on them. If somebody says, yep, good idea, I'll

25 go along with it, well, they're idiots and that's okay.
But

1 when a family says no and you force them to do it, and you
2 still do not grant them access to what's going through
their
3 land, that's pure thievery. And it's thievery on a
4 continual basis. It's not even a one-time thing. It's a
5 continuous thievery of their property and their assets.

6 I'm done.

7 MR. FRIEDMAN: Thank you for your comment. I do
8 want to clarify one thing. The Commission has not made a
9 decision about this project.

10 MR. CORRIGAN: You did with Constitution. We've
11 already not had our pants pulled down.

12 MR. FRIEDMAN: That's a different project. I'm
13 only here to discuss the Tennessee Gas Project.

14 MR. CORRIGAN: Well, you're right and I'm sorry,
15 we shall not take your earlier screw ups into account.

16 MR. FRIEDMAN: All right. Speaker number five.

17 MR. BARONI: I'm Tony Baroni or Anthony if you
18 want to be formal. I'm a landowner on Sutton Road in New
19 Milford.

20 I got a letter from Tennessee and then it says,
21 "To minimize the impacts from construction, the proposed
22 pipeline facilities will be collated -- collocated for a
23 majority of the length with the existing utility corridor."
24 Well, that's a false statement. I hope you people realize
25 it. Because what they're doing, they're not minimizing it,

1 they're just taking the impact they already made and making
2 them worse.

3 Now, I have dealt with Constitution and have
come
4 to a conclusion that it's great to have FERC -- a FERC
5 project. The land man will come and tell us, this is
6 federal project so everything is going to be done right to
7 the -- and everything is going to be done right. We're
8 going to get everything squared away because the feds are
9 going to be on it. FERC is on it. Well, I know that
doesn't
10 work. It doesn't play that way.

11 I saw the document with Constitution. The
impact
12 statement I've only got 600-some feet they're going across.
13 FERC buys the right-of-way and what's in the impact
14 statement shows it in a different area. Nobody comes and
15 checks. I don't see the FERC people out there. I see
16 surveyors that are working for the company.

17 I wish that you people would take the citizens
18 into account as much as you do the wetlands and the bats.
19 We are part of the environment also. And I think I'm
20 echoing what some other say, that they don't seem to
21 consider us.

22 Blue Stone came through my property. I'm a
23 gas-friendly person. I sold them the right-of-way, they
24 came through. But they weren't a federal project. So they

when 25 bought options, they bought options to buy a path. And

1 those options didn't link up, they bought an option from me
2 that said, we couldn't make the connections. Some of the
3 people didn't want to link up with us so we'd rather go
4 through in a different direction, and that's what they did.

5 That is what you should be making these people
6 do. We're in a gas-friendly county here. They don't have
7 to follow the same route that the last guy went through.
8 You see what's happening to us, one after another, you

know,

9 three pipelines coming through your property. Pretty soon
10 -- and how many more are going to come along? So they're
11 actually making it worse. They're not negating impact.

And

12 I hope you take that into consideration and I hope you take
13 this into consideration. When it's a federal project they
14 come down and say, ah-ha, this is a federal project. So

you

15 better sign up with us or we're going to take your land
16 anyway. That's -- they come in heavy-handed, Constitution
17 did. Tennessee doesn't seem, from the first couple letters
18 they got from them to be quite as heavy handed as them.

But

19 I think you should understand that, that they use that as
20 leverage because all's we've got to do is draw a line and
21 then make a big complicated impact statement, EIS, that
22 who's going to read when it's 3,700 pages long or whatever
23 it is?

24 I doubt you'll read the whole thing even though

25 everything comes across your desk, it's probably gets
pretty

1 boring. But it has errors. That's where I think you
should
2 make them go through the way they do as if it's not a
3 federal project. Because once it's federal, they just draw
4 the straightest line as they can, the easiest line across
5 the map, and then say, well, we'll treat you here, there,
6 whatever we can do to accommodate FERC. And I've talked to
7 the surveyors, when I said, "Why are you going here where
we
8 got a wetland? You could go over there up on the hill
where
9 there's no wetland." The surveyor gets a blank look on his
10 face like, nah.

11 He goes, too late now, we're too far downstream,
12 FERC won't let us change at this point and they go.

13 So that's my comments.

14 MR. FRIEDMAN: Thank you for your comment.

15 Again, I'm going to say it, you know, it's not too late,
16 we're in pre-filing, no decision has been made about this
17 project. We have not written one word of the EIS. We're
18 listening to your comments. If you have an alternative
19 route, if you'll inform us about that route, you will need
a
20 little map with a line drawn on it, we would analyze that.
21 I can't guarantee what the outcome will be.

22 AUDIENCE PARTICIPANT: I can.

23 MR. FRIEDMAN: But I can tell you that we could

24 analyze it.

25 MR. BARONI: The point I tried to make was, they

1 should come up with the alternative routes. If they did it
2 the way -- if it was not an interstate pipeline the way
Blue
3 Stone, BP and Blue Stone did because that wasn't
interstate,
4 they couldn't get eminent domain. They had to work with
the
5 landowners. They went through the people who were willing
6 to sell their right-of-way. And for sure, there's got to
be
7 ways through Susquehanna County where you can minimize the
8 number of people they're aggravating. Because I think over
9 all you'll find this is a very gas-friendly county. I am,
10 but -- All right. They get worn down after a few of us.

11 MR. FRIEDMAN: We're at speaker number six.

12 MS. SCROGGINS: Do we give names or no?

13 MR. FRIEDMAN: Yes.

14 MS. SCROGGINS: Vera Scroggins from Citizens for
15 Clean Water.

16 MR. FRIEDMAN: And please spell your name for
the
17 court reporter.

18 MS. SCROGGINS: The whole thing?

19 MR. FRIEDMAN: Yeah.

20 MS. SCROGGINS: V like in Victor, e-ra,
21 S-c-r-o-g-g-i-n-s. And I'm in Susquehanna County. And
like
22 some of the previous speakers have said, get ready for your

23 next pipeline. We have two on this family's property,
24 number three for, sounds like for the Baronis, so get ready
25 for number three, number four, because it's just going to

1 keep going. And I consider that absolutely an outrage that
2 we have to endure this and for what?

FERC

3 So I want to say that FERC, I don't consider
4 really working in our interests. I don't consider the FERC
5 actually deciding in our interest, but basically working
6 for the industry.

and

7 You're going to be cutting through 87 streams
8 rivers, 53 wetlands, 33 public parks, 33 lands protected by
9 conservation easements. And you will have people --
10 thousands of people that will be impacted and in a

potential

11 blast zone. If there is a leak -- gas leak and if there is
12 an explosion, we're talking about all kinds of people that
13 are in that blast zone. It's a dangerous thing to be next
14 to high pressure, 30-inches to 36-inch pipelines. This is
15 not like suburbia. I'm from suburbia. Twenty-five years
16 ago we did not have such pipelines in our roads in front of
17 our homes like they have now. And there's no minimum
18 setback as far as I have found. That means they could put
19 it within 50 feet of homes, they have it on school
20 properties, it can be next to schools, it can be next to
21 anything, farms, where we grow our food. Consider that
22 unacceptable and outrage to the American public.

also

23 And of course property values are going to be

24 reduced. In this particular write up it says 20 to 30
25 percent, but I consider it more than that because if I was

1 going to buy property that had three pipelines --
2 high-pressure, large-size pipelines on their property, I
3 wouldn't consider buying that property unless they were
4 basically giving it away. So we have that situation.

I've
5 I'd like to be an intervener at some point.
6 intervened on several pipelines and as far as I can see,
7 they all get approved. So we can delay it as much as
8 possible. We need to delay these pipelines and cost them
9 millions every single day. And then they possibly may not
10 build it. And then you have to see if it's really
necessary

11 to have this pipeline. The demand is not there. The need
12 is not there for this gas. And you're going through, it
13 looks like, at least five states, 412 miles, nine
compressor
14 stations. Absolutely outrage.

like
15 They are going to emit toxic emissions. And

16 I even asked you, you don't even know if there's
dehydration
17 at these compressor stations. We have enough compressor
18 stations already in our county. These are nine along of
19 course the whole route, we're going to get at least one
that

20 I know of in the New Milford area where we have two
21 stations. Twelve compressor stations in one -- 12
22 compressors in one station which to me is like even hard to

23 fathom that they would even do such a thing, and it's near
24 homes and they're emitting every day, plus the noise
25 everyday besides the toxic emissions, and the potential for

1 risk and explosion.

2 So that's what you're going to add. And, of
3 course, you're going to approve this, unless, of course, we
4 can show there's no need for it. Or if they decide to opt
5 out of it, they don't have enough money and investors,

which

6 that might happen. Because right now gas prices are down.
7 They've plummeted. Oil prices have plummeted. So this
8 whole project may be withdrawn. Anybody in their sane mind
9 who is an investor should not invest in something like

this.

10 And as far as this being a gas-friendly, I would
11 have to disagree with Mr. Baroni. It's a increasingly
12 becoming less of a gas-friendly county. After we see all
13 the things that we're going through that we have to be
14 subjected to including what he's being subjected to, and
15 there will be more down the road, so it will be less and
16 less gas friendly.

17 And I would like to say that these pipelines are
18 large 30 to 36 inches. And as far as environmental, you

can

19 have thousands of pages, what does it mean? It doesn't

mean

20 much of anything because I can see if it's in the public
21 convenience and you think there's a demand, you will

improve

22 this. No matter what we say here, I've been to a whole
23 group of these hearings. They all have gotten approved at

24 this point unless the company themselves opts out. So it's
25 basically a joke, it's basically a sham, you're here to

1 present as if you're going to help us and take care of us
2 and it's just a nice little series of events for us to go
3 through and to present our material.

4 MR. FRIEDMAN: Thank you for your comments.

5 MS. SCROGGINS: And is it five minutes yet?

6 MR. FRIEDMAN: Yep.

7 MS. SCROGGINS: Thank you.

8 MR. FRIEDMAN: Speaker number seven, please?

9 MR. LOTORTO: Hello, my name is Alex Lotorto,
10 L-o-t-o-r-t-o. Speaking first in my capacity as a
landscape
11 contractor and also as an environmentalist. My
organization
12 that I work with is Energy Justice Network. Our
13 organization is specifically right now counseling a number
14 of landowners in the number of 75 to 100 along the Atlantic
15 Sunrise Pipeline right-of-way in Susquehanna, Wyoming, and
16 Missouri and Luzerne County. I had spoken at a similar
17 hearing like this, this time last year on the Atlantic
18 Sunrise and I'll repeat some of the things I want to note.
19 One is landowner rights. There was a decision
in
20 the Federal Supreme Court that was called Kilo, it was a
21 decision about a pharmaceutical company in Connecticut that
22 received eminent domain power because of an economically
23 distressed neighborhood. Pennsylvania in response passed
24 very strict laws about the use of eminent domain in our

25 Commonwealth to protect landowners from eminent domain for

1 use by private companies for private profit and in a
utility
2 capacity. And we have those laws in place today and
they've
3 been most recently reviewed in this county by -- there was
a
4 project called a laser pipeline which is now owned by
5 Williams that was subjected to the Public Utility
Commission
6 and their permitting process. And they withdrew that
permit
7 because we don't know exactly why, but in the opinions of
8 the dissenting commissioners on the PUC, that this did not
9 -- that a gathering line system in Susquehanna County did
10 not meet the utility status and was not a public
convenience
11 and necessity according to Pennsylvania's laws.

12 So after that round of permitting in 2011 and
'12
13 you see a lot more FERC applications coming from these
14 companies, and it's a pattern. They don't want to go
15 through gathering line permitting for the PUC. They don't
16 feel that they can get enough landowners in a line to agree
17 to their easement offers that are pathetic and according to
18 those landowners and they're not willing to fairly
negotiate
19 for the fair value of those properties as we heard today.

20 So I think that FERC needs to consider costs
that
21 for the landowners including their own appraisals that have

22 to be bought in your economic review, appraisals for real
23 properties, that include forestry, agricultural uses,
quarry
24 rights, mineral rights, alternative uses of those property
25 subdivisions all have to be done by special rural property

1 appraisers in Pennsylvania that are licensed professionally
2 and most of them are out of Clark Summit. And most of
those
3 appraisers work for the gas companies on these projects,
4 also the electric utilities. So it's very hard to find
5 someone without a conflict of interest. And these
6 landowners work very hard to do that. And I think that
7 that's not -- it's not fair, obviously to these landowners
8 to have to go up against a mammoth agency and a mammoth
9 company to make the case that their property is worth more
10 than the company's appraisal. And that has to be
considered
11 in your economic analysis.

12 They also have environmental rights in
13 Pennsylvania. The Pennsylvania constitution has the right
14 to clean air, pure water, and the rural scenic and
aesthetic
15 values of the environment. It's in our Pennsylvania
16 constitution and it's the job of our agencies, not the
17 federal agencies, but our agencies to protect those rights.
18 And I've lobbied very hard, you know, with our landowners
19 and our group to change how FERC is allowed to put these
20 things into place. I think that it's a violation of our
21 rights.

22 Recently just some environmental issues, the
23 northern Myotis bat is a long-eared bat recently listed on
24 the endangered species list. They found 44 of those,

25 according to the environmental impact statement for the

1 Constitution Pipeline. Those at the time were not
federally
2 listed, now they are. And you need to consider that.
3 You're not supposed to cut a tree -- any landowner is not
4 supposed to cut a tree within ten miles of hibernacula
which
5 is where they sleep at night -- or sleep in the wintertime.

6 The U.S. Fish and Wildlife Service in New York
7 has been very grateful, Tim Sullivan is a biologist there,
8 to limit the tree-cutting period to February and March to
9 protect bats. And the companies are pushing very hard to
10 keep cutting in off season and things like that. That
needs
11 to be considered.

12 Also, this pipeline starts in the 300 line of
the
13 Tennessee Pipeline which is part of a recent D.C. Circuit
14 Court of Appeals decision that Delaware River Keeper
Network
15 had filed in relation to the Northeast upgrade project and
16 their 300 line upgrade in 2011 and 2013, which I was very
17 involved in monitoring and we found \$4 million worth of
18 fines -- violations and fines, the Delaware River Keeper
19 Network, in wetlands, with woodchip piles three feet high
20 around the base of rare species of trees. And when they
did
21 their replanting they put yellow and red pines at high
22 elevation that weren't native to the forest. They put

23 conifers in wooded areas and deciduous areas. And I felt
24 very -- you know, as a landscape contractor, very just
25 offended by the lack of respect. That was in a Delaware

1 state forest and I haven't even gone onto all the private
2 properties to take a look. But those violations alone in
3 the Delaware state forest in Pinchot Brook wetland which
was
4 a core habitat for endangered species were permitted by
FERC
5 to happen and now you have fragmity, which is an invasive
6 species, you have multi-flora rose, you have barberry and
7 you have -- what else did we find? Knotweed, Japanese
8 knotweed in the right-of-way that's being very poorly
9 maintained. And all these landowners have to do that
10 themselves because it's after two years, they're released
11 from really significant maintenance of invasives.

12 The soil was so compacted in the right-of-way,
it
13 was more compacted than an earthen dam in Pike County. And
14 that means that runoff from that into the wetlands is
15 disrupting, you know, our sensitive wetlands. And I can't
16 dig in a wetland, you can't dig in a wetland, if you're a
17 private landowner, but these pipeline can dig through, you
18 know, whatever they'd like to do with your permission.

19 And finally, as a union member I wanted to say,
20 I've noticed among one of their contractor is Micheal
21 Pipeline Construction, there's a common contractor for
22 Kinder Morgan, frequent OSHA violations. You are not
23 allowed to drop a tree within two lengths of that tree's
24 radius if someone is not wearing protective gear. When I

25 was monitoring trees were dropping all around me. We had

1 guys jump staring -- kick starting their chain saws instead
2 of setting it down. They were sent onto the job in the
3 middle of February with sleet on 80-degree grade slopes and
4 they were falling with chain saws with no blade covers on
5 them. You have to look at the compliance history of all
6 their contractors and all their history in this state and
7 I'd like, you know, FERC to take a look in the last two
8 years of their compliance history with other agencies.

9 And the last thing I want to say is it's a more
10 moderate complaint, but PPL has announced plans to put a
11 high-voltage power line from Towanda with that that new
12 Moxie Panda Energy Plan through what looks like the
13 collocation with the Tennessee Pipeline. It's going to
14 cross Susquehanna County in the southern into Bradford
15 County in the southern part. There is a best practice in
16 the industry that the EPA Natural Gas star program
17 recommends which is to run compressors with electric motors
18 which reduces the exhaust by 100 percent because there's no
19 exhaust. The only emissions then are blow downs and vented
20 tanks. That can also be reduced. And I don't see any
21 reason now that regulations are being adapted from that
22 natural gas star program that the FERC can't require those
23 best practices. So I encourage you to --

24 MR. FRIEDMAN: Can you wrap up?

25 MR. LOTORTO: I encourage you to look at all the

1 best practices recommended by EPA and require them on all
2 your dockets that you're looking at now because they are
3 soon going to be regulations and they may have to retrofit
4 them anyway.

5 MR. FRIEDMAN: Thank you for your comments.

6 That's the last of the people who have signed
the
7 sheet. However, this is an open forum, so if anyone else
8 would like to speak, please, all you have to do is raise
9 your hand.

10 No one is raising their hand. All right. If
11 that's that last --

12 AUDIENCE PARTICIPANT: (Inaudible).

13 MR. FRIEDMAN: All right.

14 MR. GOFF: Ronald Goff from New Milford on
Sutton
15 Road. I live within a half mile of the compressor station
16 that's there now. And the new compressor station, which I
17 believe is going to be two compressors in it is going to be
18 within a half mile of that. We've talked about air
quality.
19 How is the air quality monitored? And can there be
20 real-time air quality monitoring of that? And then a
21 warning -- a way to allow the homeowners in the area to
know
22 when the air quality is getting at critical levels or
23 whatever, you know, that could be harmful to them.

24 MR. FRIEDMAN: I don't know the answer to that
25 question. I do know that the company would have to get a

in 1 state permit for air quality. But since you've raised it
2 the scoping, we'll address the answer after doing some
3 research in the EIS.

4 MR. GOFF: And who is the regulatory committee
5 for -- I mean, I understand -- does FERC regulate what they
6 do, or who is the actual regulatory commission for --

7 MR. FRIEDMAN: Yeah, we regulate -- we regulate
8 lots of things. We regulate all the environmental impacts.
9 So we'll have -- for a project this size, we'll hire a
10 contractor because I don't have enough FERC staff to go out
11 and monitor construction by inspecting construction as it
12 occurs, 24/7. Okay. So that's one thing we regulate.

13 Of course, we regulate rates and we regulate
14 tariffs.

15 MR. GOFF: Okay. I'm only looking at regulation
16 of compliance. The compliance of like the air quality and
17 stuff like that. And --

18 MR. FRIEDMAN: I believe that air quality is
19 regulated by the state under a delegated permit from the
20 Clean Air Act, but I'm not certain. But since you've
raised 21 the issue, we'll do some more research on that.

22 MR. GOFF: Okay. Thank you.

23 MR. FRIEDMAN: You're welcome.

24 MR. CORRIGAN: I have a question.

25

MR. FRIEDMAN: Yes.

1 MR. CORRIGAN: You say you don't regulate
2 [INAUDIBLE] contract it out.

3 MR. FRIEDMAN: That's correct.

4 MR. CORRIGAN: Do you somehow feel that would be
5 cheaper than in-house work?

6 MR. FRIEDMAN: Because we're funded by the U.S.
7 Congress, they actually --

8 MR. CORRIGAN: They get the money from
somewhere.

9 MR. FRIEDMAN: I'll tell you the answer to your
10 question. I actually don't. Because we're funded by the
11 U.S. Congress, they tell us how many people we can employ.
12 So we can't have more FTEs than Congress give us. So we
13 have to contract a lot of work.

14 MR. CORRIGAN: [INAUDIBLE].

15 MR. FRIEDMAN: We have enough money to pay the
16 contractors.

17 MR. CORRIGAN: Yeah, which means you could do it
18 cheaper in-house, but you're inflating a budget by
19 eliminating --

20 MR. FRIEDMAN: Well, what we're doing, we cannot
21 increase staff levels, so we have to find a way of
22 increasing staff levels some other way, and so we use
23 contractors.

24 MR. CORRIGAN: Costs more.

25 MR. FRIEDMAN: Well, typically we ask the

1 companies to pay for that, so that it's not a burden on the
2 taxpayer.

3 Yes, sir.

4 AUDIENCE PARTICIPANT: Being the air quality
came

5 up, I have another question and I have a video here that I
6 couldn't show. Can I show you this after we're closed?

7 MR. FRIEDMAN: You could. Do we take
8 post-hearing videos in the library?

9 No, they can't. All right. You can show it to
10 me afterwards.

11 AUDIENCE PARTICIPANT: Well, can I -- it's only
12 16 seconds long.

13 MR. FRIEDMAN: All right. You can show it to me
14 afterwards.

15 All right. So on behalf of the FERC, I would
16 like to thank you all for coming here tonight to help us
17 focus the environmental review process on those issues that
18 are of concern to you.

19 Let the record show that this meeting concluded
20 at 7:34 p.m.

21 (Whereupon, at 7:34 p.m., the meeting was
22 adjourned.)

23

24

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