

NJ DEP hearing 9-7-11

NJ DEP Public Hearing 8-18-2011

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Transcript of proceedings

NORTHEAST UPGRADE PROJECT
Ringwood Municipal Building
Ringwood, New Jersey

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
Public Hearing on proposed Conveyance of Property under
N.J.S.A. 13:1D-51 et seq.
Ringwood Borough: 8-18-2011
Northeast Upgrade Project
Tennessee Gas Pipeline Company

Thursday, August 18, 2011

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ALSO PRESENT:

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1 MR. GREDVIG: Your attention please.

2 MS. YEANY: I'm Judeth Yeany from the DEP.
3 I'm going to be moderating the hearing. We're
4 going to give people a few more minutes to get
5 here because we were expecting more people in
6 attendance. We'll probably start about ten
7 after.

8 In the meantime there's maps of the
9 pipeline route and some information about the
10 project up on the board so if you want to take
11 a look. Thanks.

12 (Brief recess.)

13 MS. YEANY: Okay. Thanks for coming,
14 everyone.

15 My name is Judeth Yeany, Y-E-A-N-Y. I'm
16 Chief of the Bureau of Legal Services and
17 Stewardship for the Green Acres Program at the
18 DEP in Trenton. And many of you know the Green
19 Acres Program because we acquire land on the
20 behalf of the state to add to state parks and
21 forest and wildlife management areas. But we
22 also get involved when people come to the State
23 to the DEP to ask to acquire rights in state
24 property, including long term uses of state
25 property.

1 So the reason we're here tonight is that
2 Tennessee Gas Pipeline Company has filed a
3 request with the DEP to lease certain areas of
4 right of way on state parks, several state
5 parks that we'll talk about in the few minutes.
6 In order to install several segments of 30-inch
7 interstate natural gas transmission pipeline
8 and under a project that they call the
9 Northeast Upgrade Project.

10 Now, installing interstate pipelines is a
11 pretty highly-regulated industry and the agency
12 that oversees whether the project will
13 ultimately get built is a federal agency called
14 the Federal Energy Regulatory Commission or the
15 FERC.

16 So Tennessee has a filed an application
17 with the FERC seeking approval to build this
18 project and the FERC is in the process of
19 reviewing that application. DEP is a
20 participant in that process, both in our role
21 as a property owner and as a state regulatory
22 agency and we have filed a number of comments
23 on the company's application, essentially
24 objecting to certain aspects of the
25 application.

1 In the end, FERC issues what's called a
2 Certificate of Public Convenience and Necessity
3 and that contains a finding that there's a need
4 for the project and it approves a route for the
5 project. They also conduct an environmental
6 review as part of their process.

7 There are also many other state, local
8 federal approvals that are needed for this
9 project, some of which will come from DEP, such
10 as wetlands permits.

11 We're actually not here today to talk
12 about any of the permits that need to be issued
13 for the project, but what we're here to talk
14 about is the state, as a property owner, and
15 whether at the end of this whole FERC process
16 and permitting process, if this project moves
17 forward, whether we should lease right of way
18 to the company for the project.

19 If all the approvals are issued for the
20 project, we, like many other private property
21 owners expect to end up on the route of the
22 project and we have been asked whether we would
23 consider leasing right of way to the company if
24 all those other approvals are obtained.

25 So when we consider a request of that

1 type, we have a process that we have to follow.
2 Some of you know it as the Odgen Rooney
3 statute, but it does require us to go through a
4 number of steps before we could agree to this
5 kind of lease.

6 So the first step in the process that we
7 have to follow is that we have to write a
8 record analyzing what has been proposed to us.
9 And about a month ago we released that
10 report, it's available on line. Anybody who
11 wants to find it, we can try to post the web
12 address later. And that report analyzes the
13 pros and cons of the requested lease, the
14 environment impacts, particularly recreational
15 impacts and there's also a fiscal analysis of
16 the lease.

17 We are then required to conduct one or
18 more public hearings, and for this project we
19 have scheduled three public hearings. The
20 first one was held last night in Montague. This
21 is the second of the public hearings, and we
22 have another hearing on September 7th at the
23 main DEP building in Trenton.

24 Once we issue the report, have the public
25 hearings and again wait and see if the project

1 really is going to move forward, the proposed
2 lease still requires the approval of our
3 commissioner and the state house commission.
4 And we would not expect that any approvals
5 would be issued for this proposed lease before
6 December of this year. There's time frames
7 that we have to follow and that would take us
8 to the end of the year before any kind of
9 approval could be issued for this lease.

10 So in a minute I'm going to turn this over
11 to Melissa Dettling who's a representative of
12 Tennessee Gas Pipeline Company and she's going
13 to give you an overview of the project. But I
14 did want to talk about a couple of aspects of
15 the project as you're about to hear her
16 describe it.

17 As I mentioned, the company has filed an
18 application with FERC for the approvals they
19 need to construct the project. They have
20 proposed a route to FERC and there's a specific
21 acreage associated with that route. The slides
22 that Melissa is going to show you talk about
23 obtaining a permanent right of way, which we
24 are not proposing to give permanent easements
25 to the company, we're talking about a 25-year

1 lease, and they also include numbers that were
2 in the FERC filing.

3 Our objective with this project, if it
4 does move forward and if we do grant the lease,
5 is to have the company demonstrate first that
6 it can't avoid state property for their new
7 right of way. And in those areas where state
8 property can't be avoided, that it's minimized
9 all the impacts, both by reducing the right of
10 way where they can and minimizing construction
11 related impacts in any areas that they go into
12 on the state parks.

13 So Melissa is going to show you acreage
14 figures that are based on the FERC filing, but
15 we really anticipate that if this project
16 happens and it goes through state property,
17 that the final acreage numbers will be smaller.
18 We consider the acreage figures to be a worse
19 case scenario, but until the company amends its
20 filing with FERC, those are the numbers we have
21 to use and the ones that we're going to discuss
22 tonight.

23 If all that acreage were taken that has
24 been proposed to FERC, we're talking about
25 potentially a rental that the company would

1 have to pay somewhere in the neighborhood of
2 7.8 to \$8.6 million over a 25-year period
3 depending on how much temporary work space ends
4 up being used for the project.

5 But again, if the acreage goes down at the
6 end of this project, those numbers will change.

7 I'm going to talk about compensation after
8 Melissa does her presentation and then we'll
9 open up the meeting to public comments.

10 Thanks.

11 MS. DETTLING: Thank you.

12 My name is Melissa Dettling. I am the
13 environmental project manager for Tennessee Gas
14 Pipeline Company working on the Northeast
15 Upgrade Project. I'll go through the
16 presentation for you.

17 To begin, I'm going to just introduce to
18 few members that we have here. Penny Paul, who
19 is our Stakeholder Outreach Manager is here.
20 Dan Gredvig, who is our land manager working on
21 the project. Pam Herring is in our permitting
22 group as well. Amy Gonzalez is here with AK
23 Environmental who is consulting with us on the
24 project. Jerry Creel over there is our project
25 manager to the Northeast Upgrade Project.

1 So as I go through the presentation or
2 after, we will be here to answer any questions
3 that you might have.

4 Before I begin the presentation or we're
5 going to start with the slides. Penny Paul is
6 going to go through a few of the first slides
7 for us.

8 MS. PAUL: Thanks Melissa and thanks
9 everyone for being here. Can you hear me? Do
10 I need this?

11 VOICE: Yes.

12 MS. PAUL: I need it. Okay. Can you
13 forward the slides?

14 (Viewing the presentation.)

15 MS. PAUL: Just a brief overview of the El
16 Paso Corporation and Tennessee Gas Pipeline.

17 Tennessee Gas Pipeline is a wholly-owned
18 subsidiary of the El Paso Corporation. Our
19 purpose as a company is to provide natural gas
20 and related energy products in a safe,
21 efficient and dependable manner.

22 The Tennessee Gas Pipeline expands over
23 13,000 miles of pipeline from the Mexican
24 border up through Canada. We have over
25 90 billion cubic feet of working gas storage

1 and we supply markets throughout the Northeast
2 including major metropolitan areas in New York,
3 New Jersey and Boston, the mid Atlantic and the
4 Southeast. We have over 50 years of experience
5 in pipeline design, construction and operation.

6 Tennessee Gas Pipeline is prepared to meet
7 the demands of a growing market with the
8 integrity and commitment to service that have
9 made it one of the safest and most reliable
10 pipelines in the United States.

11 This slide shows a forecast over the next
12 ten years for a demand for natural gas. In
13 this region, as you can see, it's broken down,
14 Pennsylvania, New York and New Jersey. In New
15 Jersey specifically we expect in the next
16 decade an increase in demand of between
17 400 million cubic feet per day and 500 million
18 cubic feet per day. That high end is during
19 the peak month. And this research is
20 consistent with industry forecasts including
21 that of the federal government.

22 To go through some of the benefits the
23 project. Currently natural gas storage
24 struggles to meet peak day winter requirements
25 and strains the regional pipeline capacity.

1 The Northeast Upgrade Project will
2 alleviate strain on the infrastructure and
3 provide access to natural gas supplies across
4 the country.

5 This increased access to supply will
6 provide supply reliability, diversification,
7 and price competition, all of which benefits
8 consumers in the Northeast.

9 As Judeth discussed, the Federal Energy
10 Regulatory Commission now assesses the public
11 need for this project. This project fulfills
12 the public need by transporting natural gas to
13 meet the decreasing demand for energy in the
14 Northeastern U.S.

15 The project will help alleviate demand by
16 increasing pipeline capacity to the high demand
17 markets in the Northeast. And it will assist
18 with the FERC's goals of providing natural gas
19 to markets through access to natural gas
20 supplies in the northeast supply.

21 Natural gas is a cleaner source of fuel
22 than either coal or petroleum and this project
23 is consistent with the New Jersey Energy Master
24 Plan.

25 So now, I'm going to turn it over to

1 Melissa.

2 MS. YEANY: I asked Melissa to give me a
3 chance to speak before she launches into the
4 project description because I omitted one
5 crucial fact, which is that in all the areas
6 that we're about to talk about, there is an
7 existing Tennessee gas pipeline in the ground
8 in all of these state parks. It's been there
9 since 1954 and was originally constructed under
10 a 50-year easement that was granted by the
11 predecessor agency to the DEP. That agreement
12 expired in 2004 and was replaced with a 20-year
13 lease.

14 So the proposal that's before us now is to
15 expand that right of way through a separate
16 25-year lease for all the additional areas of
17 the right of way.

18 So we are not talking about a completely
19 new right of way, we're talking about an
20 expansion of the existing right of way.

21 Here you go.

22 MS. DETTLING: Thank you.

23 I'm going to go into a project description
24 for the Northeast Upgrade Project.

25 We've put a map up here, and just as

1 Judeth said, there is an existing pipeline,
2 it's a 24-inch diameter natural gas pipeline.
3 It's shown there on the map. We refer to the
4 section that's shown on the 300 line, pipeline
5 system that's existing.

6 The boxes that are shown up there with
7 numbers are existing compressor stations on
8 that system. There are some areas, as you see,
9 that have double blue lines where the pipeline
10 system is currently being looped or has been
11 looped and I'll go over what that pipeline loop
12 is.

13 There are red sections of pipe that are
14 shown there with mileage numbers. Those are
15 the pipeline looping sections. There are five
16 discreet loops. Those are the areas that are
17 the being proposed for Northeast Upgrade
18 Project.

19 As you can see, there are four loops in
20 Pennsylvania. One of those loops crosses into
21 the State of New Jersey and then there's a
22 fifth loop that's wholly in New Jersey.

23 The entire project consists of
24 approximately 40 miles and we're proposing a
25 30-inch diameter natural gas pipeline loop.

1 The Loop 323, as we refer to it, is the
2 pipeline loop that crosses the state border
3 before Pennsylvania and New Jersey. There's
4 approximately 6.5 miles in New Jersey of that
5 loop.

6 Loop 325, which is a loop at the farthest
7 east end is 7.6 miles approximately and you can
8 see it there in red. The triangle at the end
9 of that is the Mahwah meter station. It's an
10 existing meter station that we'll be making
11 modifications there and it's the proposed
12 delivery point of this gas.

13 The compressor stations that are shown in
14 green, we're proposing to complete some
15 modifications to upgrade those systems and
16 increase the output there of horsepower, but
17 they're all existing and we're not proposing
18 any new compression stations.

19 The project is proposed to be in service
20 in November of 2013. And as I stated, it will
21 add incremental volume of 630,000 dekatherms of
22 gas.

23 Go to the next slide. As I stated, there
24 are pipeline loops being proposed for this
25 project. A pipeline, a loop, we refer to is a

1 pipeline segment that is adjacent to and
2 parallel to an existing pipeline. It ties into
3 the pipeline that's existing at the beginning
4 and end of the loop segment.

5 We're proposing these pipeline loops to be
6 offset 25 feet from out existing pipeline
7 section, and that just allows for additional
8 capacity to run through the system. Where the
9 existing system can't hold additional capacity,
10 we can add an adjacent pipe that can add
11 capacity.

12 The next slide depicts the construction
13 process that we would go through to install
14 these pipeline loop sections. They go through
15 a number of stages that the pipeline
16 construction process goes through, beginning at
17 tree clearing, grading, top soiling, ditching
18 and it goes through the process of welding,
19 installing the pipe, inspecting the pipe,
20 returning the soil back, covering it and
21 regrading, de-compaction and then a restoration
22 and monitoring process.

23 Here is the general timeline being
24 proposed for the project. We've entered into a
25 prefiling process with the Federal Energy

1 Regulatory Commission. The prefiling process
2 is what you can enter into which allows for
3 early outreach to agencies and land owners that
4 a project is coming. We've chose to enter that
5 process and did so very early on.

6 We filed a draft application for
7 certificate from the Federal Energy Regulatory
8 Commission in December of 2010 and our
9 certificate application was filed in March of
10 2011.

11 Through that process there are open houses
12 that we as a company will hold, and FERC as
13 well held scoping meetings to get comments on
14 the project. And those have already happened.

15 And as I stated, part of the certification
16 application is a draft environmental report and
17 then a final environmental report that we as
18 the company prepare. And then when a
19 certificate is issued, FERC will issue their
20 environmental assessment on the project.

21 So through the process we started survey
22 work in 2010. As I stated, we filed the
23 application. We commenced permitting processes
24 with local, federal and state agencies. The
25 FERC MEA that I mentioned, the environmental

1 assessment is anticipated to be issued in the
2 fall or winter of 2011 and certificate, if
3 issued, is being requested in January of 2012.

4 This will allow us to commence
5 construction and be in service by November of
6 2013.

7 So tonight we're here to discuss the state
8 parks that the Northeast Upgrade Project is
9 proposing to cross.

10 First, I'm going to go into High Point
11 State Park and mention there. We have a map --
12 oh, I'm sorry.

13 This is an overview of the two loops and
14 the three parks or four that we'll be talking
15 about tonight. So on the top left corner of
16 the map, you can see High Point State Park.
17 That's Loop 323 that I mentioned. That crosses
18 on the bottom right of the map.

19 You see the two parks, Long Pond Iron
20 Words and Ringwood State Park and then Ramapo
21 State Forest where an access road crosses
22 through. And we'll get into more detailed maps
23 of each of these areas.

24 Here is the map of High Point State Park.
25 The pipeline loop that's being proposed is

1 there in yellow and it has numbers depicting
2 what's starting with an "MP," those are mile
3 posts. That's how we designate moving along
4 the pipeline where we give it a mile post
5 designation starting at zero and going through.
6 All of our reports will tie those areas to that
7 mile posting to reference any area along that
8 pipe or work space.

9 These maps, if you look at them in the
10 report, layout the lots and blocks that are on
11 the Green Acres parcels.

12 These are tables that will outline
13 proposed impacts of the projects on each of the
14 lots and blocks in these state parks that are
15 being crossed by the project. We break out the
16 impacts, as Judeth mentioned, in the new lease
17 area or right of way that the pipeline will
18 need versus temporary or additional temporary
19 work space that's needed for the construction
20 of the project.

21 Those areas will be restored and will not
22 be kept as a lease if a lease is granted on the
23 property. They will be temporary in nature.
24 They will be restored and monitored until they
25 are successfully restored and revegetated and

1 will not be returned to.

2 The numbers in green are the summary total
3 numbers for the lease areas that would be a
4 right of way that would be maintained for the
5 pipeline once it's in service and then the
6 number or temporary impact acres that would be
7 proposed.

8 The next table shows access roads in High
9 Point State Park that we are proposing to use
10 for the project. All three of these roads are
11 existing. We're not proposing to build any new
12 roads for the project, so we'd be proposing to
13 just utilize existing access roads. And so
14 we've identified the acreage that would be
15 needed to do so in these tables, and the length
16 for linear foot.

17 The next slide goes over a high level of
18 environmental aspects in the park that we've
19 identified and reviewed the environmental
20 impacts to the project. I've summarized for
21 each of the state parks all the parcels that
22 we'd be crossing, how many water body crossings
23 there are, how many wetland crossings,
24 including estimated acreage of impacts.

25 The project is proposing to cross two

1 natural area priority sites in High Point State
2 Park. Both of those have been designated in
3 our project crossing area due to rare plant
4 species. And those species have all been
5 surveyed for and none were found during our
6 field surveys.

7 At the bottom there I've just done a high
8 level summary of federal listed species that
9 were surveyed for in High Point State Park;
10 bald eagle, bog turtle, dwarf wedgemussels and
11 Indiana bats. We did analysis of the habitat.
12 We did consult with federal and state agencies
13 and conducted field surveys as needed and the
14 results are outlined in the report as well as
15 on the slide here.

16 We are proposing to -- I don't think it's
17 mentioned on this. Oh, yeah, it is mentioned
18 on the slide.

19 In general the entire project, tree
20 clearing activities will be adhered to
21 recommended tree clearing windows to avoid
22 impacts on migratory birds.

23 So regardless of any survey work that was
24 conducted, we will be clearing all trees for
25 the project if it's approved within recommended

1 clearing restriction dates with migratory
2 birds. That means that we wont be clearing
3 trees before the fall when migration periods
4 have gone through.

5 I'm going to go through similar maps and
6 slides for each of the other state parks. Long
7 Pond Iron Works, Ringwood and Ramapo Mountain
8 State forest.

9 Here's a slide that shows a closer
10 overview of Long Pond Iron Works State Park and
11 Ringwood State Park.

12 As with High Point, the lines in yellow
13 depict the proposed pipeline loops with the
14 mile posts and lots and blocks outlined.

15 Here's a summary table for Long Pond Iron
16 Works State Park that show the proposed acreage
17 of lease area as well as temporary work space
18 acreage.

19 A table was also prepared for Ringwood
20 State Park.

21 And for Long Pond Iron Works as well as
22 Ringwood State Park, we've shown here the six
23 access roads that we're proposing to use in
24 those parks. Again, these are existing access
25 roads. We're not proposing to build any new

1 access roads in the state parks.

2 For Long Pond Iron Works, I've outlined
3 some of the high level impact there. Only two
4 water bodies are proposed to be crossed.

5 Monksville Reservoir we're proposing to cross
6 via horizontal directional drill. The Wanaque
7 River is only approximately 13 feet crossing
8 width there. We're proposing to cross that
9 dry, which means we would either dam and pump
10 or flume the crossing as feasible.

11 I've outlined the wetland crossings.
12 There are no Natural Heritage Priority sites on
13 these parks. On Long Pond Iron Works State
14 Park we did similar state and federal
15 threatened and endangered species habitat
16 reviews as well as extensive field surveys.
17 And no bald eagles, bog turtles, dwarf
18 wedgemussels or Indiana bats were identified in
19 the survey.

20 We're looking at the potential of using an
21 existing area for a pipe yard that's on Long
22 Pond Iron Works State Park. It's referred to
23 as Jungle Habitat. The majority of that area
24 is an existing paved area, approximately 35
25 acres. 27.3 of that are paved and not

1 forested. That is the only acreage that we'd
2 be proposing to impact any trees on that site,
3 should we use it.

4 Here's a map just depicting where jungle
5 habitat is. The top right corner of the map is
6 the beginning of Loop 325 and that's where
7 Monksville Reservoir is, so just to give you an
8 idea where the pipe yard lies.

9 Ringwood State Park, there are seven water
10 body crossings being proposed. Five
11 intermittent, two perennial, 17 wetland
12 crossings, there are no Natural Heritage
13 Priority sites. Federally listed species that
14 were surveyed for, I have a summary here.

15 Ringwood Creek is one of the creek
16 crossings there. We've done preliminary
17 surveys for dwarf wedgemussels, but additional
18 surveys will be ongoing for that stream, so a
19 determination of final presence has not been
20 made.

21 That brings us to Bear Swamp Road. We're
22 proposing to use Bear Swamp Road for access to
23 the Mahwah meter station area and the end of
24 Loop 325.

25 Approximately 7,000 linear feet of that

1 road runs through Ramapo Mountain State Forest.
2 We've estimated that we would be using
3 approximately four acres of that access road
4 through that forest rest.

5 Minimal use is planned on this road.
6 We're not planning on utilizing Bear Swamp Road
7 for major pipeline construction equipment to be
8 accessing. It would be only planned for
9 minimal use. Improvements to the existing road
10 bed would be made as needed. Side trimming of
11 woody vegetation would be done as needed.

12 The next slide just shows a little more
13 zoomed in view of Bear Swamp Road, which is the
14 yellow and black line there. And the box there
15 with Ramapo Mountain State Forest is where it
16 crosses and it reaches the proposed pipeline
17 there between the two state parcels.

18 In High Point State Park, we're proposing
19 to cross the Appalachian Trail. We've prepared
20 a site-specific Appalachian Trail crossing
21 plan, provided it to the New Jersey DEP for
22 review. In that plan, we go through where the
23 crossing is. It's approximately at Mile Post
24 14. We go through a work space reduction that
25 will be made at that site to limit any impact

1 to the trail itself.

2 It goes through what we'll be doing to
3 ensure that the recreational use is kept open
4 as much as possible and what safety measures
5 will be taken to be able to do.

6 In times when that cannot be done, we'll
7 have alternate trails that will be used to
8 reroute the hikers as we're proposing and the
9 plan also goes through that.

10 We're also in the process of preparing a
11 general trails crossing plan to cover the other
12 trails that are crossed by the project. Other
13 than Appalachian trail, we have a preliminary
14 list of trails and we requested an official
15 list from the New Jersey New York Trail
16 Conference.

17 So as we finalize that plan, we will also be
18 finalizing the list of trails that are crossed.

19 We've approximated that two trails will be
20 crossed on to Loop 323 and approximately 16 on
21 Loop 325.

22 The general trail crossing plan will go
23 through the mitigation measures that we'll also
24 be using for those trails so that we can make
25 sure to keep those trails open as long as

1 possible during certain times of construction
2 where it won't be safe for the trails to open
3 when there's active construction of the pipe
4 being put in the trench. We'll go through
5 those specific times lines when we estimate
6 that those trails will need to be kept closed.

7 I put this slide in, and I apologize, it's
8 not in the presentation, but I wanted to make
9 sure that we noted that any work space that we
10 are requesting to use on state lands is subject
11 to the No Net Loss Reforestation Act. So we've
12 prepared a No Net Loss Reforestation plan and
13 we had public meetings to present it. We've
14 presented it, we've provided it to New Jersey
15 DEP for review and the Forestry Council is
16 reviewing it as well as other divisions of DEP.
17 There were comment periods, and the plan goes
18 through the reforestation that we are proposing
19 for the temporary and additional temporary work
20 spaces proposed for the project and any
21 mitigation that we would be doing for the
22 leased areas where the pipeline will be
23 installed where trees cannot be replanted due
24 to safety and maintenance requirements of our
25 pipeline system.

1 As part of the FERC process as well as
2 several of the permitting processes that we go
3 through, we look at the alternatives. As
4 Judeth said, part of the FERC process is
5 approving a route or not approving a route that
6 we've designed or proposed.

7 So from the time that this project is
8 brought when we start looking in the field, we
9 go through what we think has the least impact.
10 We've proposed for this project to loop an
11 existing easement. So by parallelling and
12 utilizing an existing easement, we can reduce
13 impacts to residents and the environment.

14 Now, as we go through this, there are
15 several analysis that FERC requires us to do.
16 One of them would be a no action alternative.
17 That would be what would happen, how would we
18 meet the customer need if no project was built.

19 Others as system alternatives, can we use
20 a system that we have in place to meet the
21 needs of customers? The route alternatives
22 would look at, can you do this project in
23 another way by building alternative routes?

24 Alternative water body crossing methods,
25 for example, drilling, resources, as opposed to

1 open cutting or trenching through and then
2 construction alternatives.

3 As I said with the trail, for example,
4 work space reduction in some areas or maybe
5 going around certain resources. We'll look at
6 those alternatives as well.

7 So here is a map just to show you. We
8 looked at comparing the proposed route through
9 High Point State Park to a route that would
10 completely avoid to the park to the north as
11 wells as to the south. So can we build this
12 pipeline loop and avoid the park completely and
13 what would the compared impacts be.

14 So we have tables that outline those two
15 routes and the impacts that it would have on
16 landowners and environment, forest, wetlands
17 and streams, things of that nature. And we
18 compare those acreages and mileages to show
19 that the proposed route, by looping an easement
20 significantly reduces those impacts to going
21 around a green field route.

22 We've done the same thing for Long Pond
23 Iron Works and Ringwood and we have tables that
24 also show those numbers as well.

25 I'm going now turn this over to Dan

1 Gredvig and he's going to discuss with you some
2 of the other work space alternatives that we're
3 proposing for the project.

4 MR. GREDVIG: Good evening and welcome.

5 My name is Dan Gredvig, manager of right of way
6 and permitting for El Paso Corporation,
7 Tennessee Gas Pipeline.

8 As the slide shows, Tennessee is looking
9 at and has been discussed here tonight,
10 Tennessee is looking at trying to reduce the
11 impacts to New Jersey state lands. A couple of
12 the ways that we're looking at successfully
13 completing that reduction is by shifting our
14 work space, reducing our work space. Not only
15 in our total actual permanent and work space
16 right of way that we're proposing but also in
17 repairing areas going back from 100 feet wide
18 to 75 feet wide.

19 One thing that we need to look at where we
20 have road crossings and steep slide slopes, we
21 need to make sure that "we," from a safety
22 perspective, that we're keeping the appropriate
23 amount of space available so we can safely
24 construct the pipeline.

25 Our plan has to work through the LURP and

1 threatened endangered aspects of the project.
2 They need to be considered and then we also
3 need to do a construability review. All of
4 that goes in together so that we can create a
5 plan that we will be able to take to the DEP
6 for review and request authorization.

7 The thing that the plan needs to do is it
8 needs to maintain its economic viability for
9 the project and at the same time we're looking
10 to reduce those environmental impacts to the
11 state land.

12 The next two drawings that you see on the
13 screen show how we will apply that reduction,
14 and what we're looking to do is to shift our
15 construction work space over so that we're
16 overlapping our existing pipeline that Judeth
17 mentioned earlier that we will be parallelling.

18 We will be able to co-share or use part of
19 that existing right of way overlapping the
20 existing right or way with some of our work
21 space or storage material so that we can
22 effectively reduce our impact to previously
23 undisturbed vegetation.

24 We have that typical construction
25 footprint showing as well as a wetland riparian

1 zone shown on the slide.

2 Another component of our project is to
3 work through the conservation restrictions for
4 parcels that are acquired with Green Acres
5 nonprofit acquisition funds. The NJDEP holds a
6 conservation restriction on properties in
7 accordance with the New Jersey Conservation
8 Restriction and Historic Preservation
9 Restriction Act.

10 In addition to our proposed 25-year lease
11 that we're requesting from NJDEP, the state
12 owns this conservation restriction and we're
13 seeking to have that released so that we can
14 install our pipeline. That release needs to go
15 before the commissioner of the DEP. We are
16 going to be complying with the legal
17 requirements for the partial release in
18 accordance with the Act.

19 The tracts that we're talking are owned by
20 Passaic River Coalition. They are encumbered
21 with the Green Acres restrictions and Tennessee
22 is in negotiations with Passaic River Coalition
23 for the easement and the release of their
24 interest in that restriction. Compensation for
25 that partial release of the conservation

1 restrictions across the Passaic River Coalition
2 properties will be satisfied by the Act
3 requirements.

4 To give you a framework of the properties
5 that we're crossing, we show on this next
6 slide, the TGP mile posts, the tract numbers
7 that are our internal tract numbers and the
8 Green Acres block and lot numbers that are
9 affected.

10 In the next slide we show the impacts,
11 both for what we're requesting in a permanent
12 right of way across the tracts, the temporary
13 work space, additional temporary work space,
14 and at the far right you'll see the total
15 impacts to that Green Acres conservation
16 restriction.

17 As closing for our presentation, I'd like
18 to just remind you that for this hearing, for
19 this public hearing for the Green Acres process
20 the hearing record will close on September 1st.
21 We ask that you submit written comments to
22 the -- besides your comments that will be heard
23 on record tonight that you want to verbally
24 provide, we ask that you provide written
25 comments and submit them by September 1st to

1 Kevin Koslosky, Bureau of Legal Services and
2 Stewardship, Green Acres Program located in
3 Trenton.

4 If you need or want additional information
5 about our project, it is available at the
6 FERC.gov web. You will see the docket number.

7 It was brought to our attention last night
8 that by putting the three zeros after the
9 docket number, which is a sub number is
10 confusing to the database, so if you just, when
11 you get to the FERC web site, just put in
12 CP11-161 and that will bring you to the
13 Northeast Upgrade Project.

14 As Judeth mentioned earlier, there is a
15 Green Acres web site where you can get
16 additional information and then the Northeast
17 Upgrade Project has a web site that would also
18 be available for additional information if you
19 so desire.

20 To bring you to the conclusion is to just
21 to remind everybody that the last meeting is
22 scheduled for Wednesday, September 7, at
23 four p.m. at the DEP offices in Trenton.

24 So with that, Judeth.

25 MS. YEANY: Before we open up the session

1 to public comment, I just wanted to talk about
2 another topic that's covered in the report,
3 which is what we anticipate the compensation to
4 the state would be if we do go forward with
5 this lease.

6 I mentioned before a figure in the range
7 of 7.8 million to 8.6 million as a rental over
8 a 25-year period. That is what we would
9 consider to be the ground lease for the
10 pipeline right of way and it also covers the
11 company renting the temporary work space from
12 the state for the initial two-year construction
13 period that would be needed for the project.

14 So the rental is calculated based on
15 15 cents a square feet in year one of that
16 lease. There's a 2 1/2 percent annual
17 escalator that would be applied to that, and
18 when it is multiplied out to the end of the
19 lease you get that range of 7.8 to 8.6. As I
20 mentioned, that number could go down if the
21 company ends up not leasing as much right of
22 way from us. But the calculation would be the
23 same.

24 One of the things that came up at last
25 night's hearing is someone asked what the

1 number equated to as far as a per acre value.
2 Generally from an appraisal standpoint, rental
3 is roughly 10 percent of fair market of a
4 property, so that 15 cents a square foot, if
5 you take it out to the end of those
6 calculations, equates to roughly \$65,000 an
7 acre. And it's intended to be a commercial
8 value for this property, it's not a preserved
9 value for the properties.

10 And we mentioned last night and mentioned
11 in the project itself that that methodology for
12 calculating that rental is based on the
13 methodology that we've been developing for
14 leases of linear projects on state property,
15 and the report on that subject was issued by
16 the Department today and is available on our
17 web site.

18 The second component of the compensation
19 for this project, if we go through with it,
20 would be that even though we have not proposed
21 to permanently convey any right of way to the
22 company, the history here is that the existing
23 pipeline as been in the ground for over 50
24 years and we would not anticipate that we would
25 be requesting that the company pull the new

1 pipeline after 25 years.

2 We would anticipate renegotiating the
3 lease at that point if we do execute it. But
4 we anticipate that the life of your typical
5 natural gas pipeline is more than 25 years.

6 So we have informed the company and as we
7 have done in the past, that we expect that any
8 areas of what they would call permanent right
9 of way, they would have to come up with
10 replacement land at a four-to-one ratio for any
11 of the areas that we would lease to them for
12 the 25 years.

13 So the example I used last night is in
14 very rough terms, if they end up with 30 acres
15 that we lease to them, they would have to
16 purchase 120 acres to be turned over to the
17 state and added to our state park system.

18 And our objective alternative with that
19 purchase would be to find land that's
20 comparable as far as ecological value that's in
21 a location that we find to be desirable as far
22 as adding it the state parks and managing it
23 from that point forward. So that would be a
24 requirement depending upon what the final
25 acreage is.

1 The third component of the compensation
2 has to do with the fact that if they're not
3 able to avoid state property altogether, we do
4 still expect that the company mitigates for any
5 construction-related impacts of the project on
6 state property. So there are measures such as
7 invasive species control and No Net Law applies
8 to the project regardless, but there are
9 construction-related mitigation measures that
10 we would expect the company to perform to
11 compensate for those impacts on our property.

12 The list of what those measures would be
13 is still being developed and that's something
14 that we would welcome input on.

15 Dan mentioned that the public common
16 period for this hearing technically closes on
17 September 1st. We do have that hearing in
18 Trenton on September 7th and realistically will
19 accept comments, written comments on this
20 project for two weeks after that September 7th
21 hearing. So anything that comes in between now
22 and roughly September 21st, we would consider
23 to be part of the record for this report.

24 And I would encourage you, if you have a
25 written statement you can give it us today for

1 the record. If you think of something you want
2 to say afterwards, send us an additional
3 comment.

4 We did want to ask for those who
5 participated in last night's hearing, we do
6 have a transcript of the hearing. We'd ask
7 that you summarize your comments, if you can,
8 or focus on new issues that you might want to
9 bring our attention.

10 And again, if you have a written
11 statement, we'll take that. There isn't a need
12 read it into the record.

13 We will try to accommodate everybody's
14 comments so at least initially we would like
15 you to limit your remarks to five minutes if
16 you can, and then if we have additional time at
17 the end, we'll take an additional comment.

18 I also, before we open it up, wanted to
19 introduce our other DEP representatives who are
20 here. We have Rich Boornazian, the
21 administrator of the Green Acres Program.
22 Scott Brubaker is here. He's with our office
23 of permit coordination. He's been pretty
24 involved in the permitting aspects of the
25 project and in interacting with FERC on our

1 comments on the project. And we have Donna
2 Mahon from our assistant commissioner's office.

3 So I think we're going to try to push the
4 podium back that way. I'm sorry. This is such
5 a formal setup, but we all tried to sit up here
6 to leave as many chairs out there as possible.

7 So I'm going to hand over the mic. We are
8 going to try to answer comments on the record
9 to the extent we can. If there's things we
10 can't answer, we'll follow up in writing and we
11 will post this presentation on the web site
12 after this hearing is over.

13 MR. GREDVIG: Anybody wish to comment?

14 FEMALE VOICE: Yes. I'll come up.

15 MS. DETTLING: When you comment, would you
16 please spell your last name.

17 MS. NESHEIWAT: Sure. My last name is
18 Nesheiwat, that's N-e-s-h-e-i-w-a-t, and my
19 first name is Amanda. And I actually typed up
20 my public comment if someone wants it here.

21 MS. YEANY: Sure.

22 MS. NESHEIWAT: I'll give it to you.

23 MS. YEANY: Go ahead.

24 MS. NESHEIWAT: Okay. So I'm actually
25 from Secaucus. I'm the Chairperson of the

1 Environmental Committee there so I'm here
2 representing the town. I'm also a college
3 student at Ramapo College, so I'm here
4 representing the college community, and I'm
5 also the state leader for the Energy Action
6 Coalition, so I represent all the youth in the
7 state that are working towards a clean energy
8 economy.

9 I just really want to say, from what I
10 know about the project, the DEP knows that the
11 decision I think they should be making with
12 this and that obviously this pipeline is going
13 to be detrimental to the environment and also
14 to the health and safety of the people that are
15 going to live around these pipelines.

16 And I think that I want to mention,
17 especially on the campus community at Ramapo
18 College that we're worried about the natural
19 gas. That this is a step in the wrong
20 direction. We're worried about the fact that,
21 you know, this natural gas is coming from
22 places that do hydraulic fracturing and we all
23 know the adverse effects of hydraulic
24 fracturing and we don't want it in the state
25 anymore. And we're working very hard in

1 campuses all around the state who I communicate
2 with to work towards a renewable energy, clean
3 energy economy.

4 And basically the Ramapo reservation is
5 our home. We hike there. We do our -- I'm an
6 environmental science major so we do our
7 research projects there and there's so much
8 biodiversity and the forest is very rich and I
9 would hate to see that at all -- you know, it's
10 very sad that New Jersey has more pipelines
11 than a hookah, so I would just like to not have
12 this project go through and I also speak for
13 the college students in the state, so thank
14 you.

15 Good night.

16 (Applause.)

17 MR. GREDVIG: Next speaker.

18 MR. SMITH: Hi. My name is Matt Smith,
19 S-m-i-t-h, and I'm a resident of Wyckoff, New
20 Jersey and lifetime resident to Bergen County.
21 And I am here for selfish reasons. I'm
22 concerned about the project.

23 I've hiked at the Ramapo Reservation and
24 Ringwood State Parks my whole life so the idea
25 of bringing -- you know, construction and

1 industry into -- you know, really the only
2 nature preserve in the area where you can get
3 away from it, is -- you know, it's disturbing,
4 but for less selfish reasons, there's three
5 concerns that, you know, really I object to
6 morally.

7 The first is, you know, I've heard a lot
8 of about Tennessee Gas Pipeline and their
9 excellent reputation, but, you know, no where
10 in the plans do I hear of any monies being put
11 aside as a bond to protect our water shed in
12 the event that there is an explosion or there
13 is a leak in the pipeline.

14 I mean, we all know the effects of methane
15 gas. I mean, anyone that lived in New jersey
16 during the Edison explosion can attest to that
17 and the idea that there's no solid prevention
18 plan in place or bond in place to protect in
19 the event of a disaster is frightening.

20 The second is that, you know, two of the
21 great maps that were shown tonight, there was a
22 lot of blue on those maps and those are going
23 directly through our water shed. So the idea
24 that there could be a gas leak into our water
25 supply is another area of concern.

1 I also -- you know, want to just follow up
2 on Amanda's point about the fact that, you
3 know, I truly belief and -- you know, I would
4 ask Tennessee Gas Pipeline to comment otherwise
5 that the reason for that expansion is to be
6 able to provide an artery for natural gas
7 that's going to be hydraulically fracked out of
8 the Marcellus Shale.

9 The majority of natural gas in that shale
10 can only be accessed through hydraulic
11 fracking, and if you look at hydraulic
12 fracking, it involves hundreds of deadly
13 chemicals being shot into the earth's crust
14 thousands of feet and there's no way to
15 control. There's already thousands of cases of
16 contaminated water in New York state and if we
17 as New Jersey allow this pipeline to be built,
18 what are we saying about our neighbors that
19 live 20 miles over the state line that are
20 right on that shale that we're willing to watch
21 as their water supply gets poisoned?

22 And the last of my concerns is that we all
23 know that fossil fuels are a thing of the past.
24 If we continue to burn fossil fuels, we will
25 experience a climate change that's going to

1 impact not just our grandchildren's lives but
2 our lives and our kid's lives in negative ways.

3 In fact, the leading climate scientist,
4 former Nassau Goddard Institute leader James
5 Hanson says that the only way to avoid the most
6 disastrous impacts of climate change are to
7 move away from coal in 20 years and to leave
8 all existing fossil fuel sources in the ground.
9 That involves the Alberta Tarsands, the
10 Marcellus Shale natural gas.

11 And if we allow this and break our public
12 trust in New Jersey for our state lands to
13 permit an artery for hydraulically fracked gas,
14 not only are we throwing our neighbors in New
15 York directly in the line of fire, but our
16 atmosphere which is a sacred public trust we're
17 putting at severe risk.

18 So those are my three objections to the
19 project and I urge that the State and the DEP
20 to do everything that we can in our power to
21 avoid putting the people at New Jersey at these
22 severe health and safety risks.

23 Thank you.

24 (Applause.)

25 MS. FREY: Hello, good evening. I'm Wilma

1 Frey. That's Wilma and then Frey, F-r-e-y.

2 I'm the senior policy manager for New
3 Jersey Conservation Foundation which is a
4 statewide environmental organization and land
5 trust.

6 We are extremely concerned about the
7 proposed Tennessee Gas Pipeline Northeast
8 Upgrade Project. Tennessee has requested
9 expedited review of this application and wishes
10 to have authorizations by December 15th of this
11 year.

12 We urge the DEP, including Green Acres,
13 the endangered and non-game species program,
14 the land use program and any other affected
15 programs, to take all the time they need to
16 review the information on the proposal received
17 from Tennessee Gas.

18 They right now, there is a need for more
19 substantial, more detailed information, and
20 we're seeing a repeat of what happened with the
21 PSE&G Susquehanna Roseland proposal in which
22 information was released. It kept being
23 changed and it lacked appropriate detail.

24 Green Acres should not be forced by
25 Tennessee and FERC into addressing a moving

1 target.

2 We are concerned that the NJDEP report on
3 the proposed conveyance of lands is inadequate
4 as an analysis of the impacts of the proposed
5 pipeline upgrade to state lands and other
6 preserved and impacts to natural, cultural and
7 recreational resources that are held in trust
8 by the state for the people of New Jersey.

9 The facts provided and the analysis is
10 sketchy, at best. The enormous impacts of this
11 project are substantially under represented by
12 the report. The report is, therefore,
13 inaccurate as a basis for determining the
14 appropriate compensation and mitigation for
15 this project.

16 Let me describe several ways in which this
17 report is inadequate at this time. The
18 engineering and direct impacts of the
19 construction access routes are not described or
20 evaluated in any detail. It is unlikely that
21 the access routes will be confined, quote,
22 within existing access routes, paths or
23 loggings route.

24 As a result, the access routes will, for
25 intents and purposes, be new roads. This is

1 exactly what happened with PSE&G's. While they
2 may talk about 16 or 20 width of the travel
3 way, an area adjacent to the travel way will
4 clearly be subject to vegetation, removal,
5 grading, soil compaction, clearing and
6 straightening and destruction of local plant
7 and animal habitat.

8 And I cannot tell from the numbers whether
9 that adjacent area is being counted a part of
10 the impacts. I do not think it is.

11 A more realist impact to the extent of the
12 direct impacts due to the construction access
13 routes is between 40 feet in width, 16 feet of
14 the actual travel way, plus a 12-foot
15 disturbance on each side, up to 70 feet, the
16 20 feet for the Harden right of way plus
17 25 feet on each side. These are huge machines
18 that are going to be used to do this project
19 and they have big impacts.

20 So in order to get a realistic context
21 within which to address these impacts, Green
22 Acres should be requiring Tennessee Gas to
23 provide them with detailed information about
24 the size of the largest vehicles that will be
25 required to accommodate the equipment necessary

1 to do the construction, including their width,
2 their length, their height, their weight, the
3 number of axles, the length of segments and
4 perhaps most importantly, the minimum turning
5 radius because that's what determines how tight
6 the turns can be and how much you have to cut
7 down.

8 This must be fully-analyzed and examined
9 by the DEP in order to fully evaluate the
10 impacts.

11 Point No. 2. There is no recognition in
12 the report of the long-term permanent impacts
13 of the access route, which Tennessee Gas
14 chooses to call temporary, the impacts on the
15 eco system.

16 These access routes will facilitate the
17 spread of invasive species of animals and
18 plants causing long-term permanent degradation
19 of the eco system. These impacts cannot be
20 avoided or mitigated by reseeding the access
21 routes. It just doesn't work anymore.

22 These decades long impacts are permanent
23 and must be fully recognized in the leasing
24 agreement and should be compensated for by
25 replacement land preservation at the

1 four-to-one ratio.

2 The third point. There is absolutely no
3 recognition in the report of the forest
4 fragmentation impacts of the construction of
5 the access routes on interior forest species.

6 The Highlands Council Eco Management
7 Technical report defines Highlands interior or
8 core forest as forest that is located more than
9 300 feet from altered land or a road.

10 In core forest areas, if you build an
11 access route that destroys the forest canopy,
12 you destroy interior forest at the rate of one
13 acre per every 72.6 feet of access road length.
14 You are fragmenting specialized habitat
15 critical to rare, threatened endangered
16 species.

17 These impacts are permanent or long term.
18 They are not temporary.

19 And again, Tennessee Gas should be
20 required to provide replacement lands at the
21 four-to-one ratio.

22 Forest fragmentation impacts caused by
23 construction access routes are not even
24 mentioned in the gas application. However, the
25 size of the construction vehicles and equipment

1 will clearly necessitate removal of tree canopy
2 creating these openings that fragment core
3 forest in addition to the impacts directly
4 adjacent to the access routes that I talked
5 about earlier. Calculations so that a 20-foot
6 wide access route within core forest impacts a
7 swath of interior forest habitat 600 feet in
8 width.

9 Every 72 feet of the access route opens up
10 an entire acre of interior forest and thus a
11 single mile of access route destroys 72.7 acres
12 of interior forest habitat.

13 For example, in Ringwood the length of the
14 project is approximately 3.62. Should this be
15 located in core forest, over 263 acres would be
16 permanently impacted as opposed to the 59.86
17 acres noted in the report on page 9.

18 No. 4. The assessment of the
19 environmental impact and the impact on plants
20 endangered and nongame species is entirely
21 inadequate. The presentation just given notes
22 only impacts on federal threatened endangered
23 species.

24 As you know, we have state threatened
25 endangered species in New Jersey as well. In

1 addition, the Highlands Act and the Ringwood
2 area part of this project goes through the
3 Highlands, the Highland Act protects rare as
4 well as threatened endangered species. This
5 report does not even mention this fact.

6 It also does not address the impacts of
7 construction noise and ground vibration from
8 heavy machinery and proposed tunneling on the
9 earth on the behavior of species that will be
10 probably affected, hundreds if not thousands of
11 feet from the actual construction site.

12 So finally, the concept of a give back of
13 10 feet of the existing right of way as a way
14 to reduce Tennessee's obligation for permanent
15 impacts is without merit and should be rejected
16 out of hand by the State of New Jersey.

17 We hope that our state's Green Acres
18 Program and the DEP will stand up for citizens
19 of New Jersey and it's precious park lands that
20 have been worked for and fought for by the
21 public. The trails have been worked for and
22 the people love these parks.

23 So we hope you will stand up for us in
24 this matter we will help you in any way that we
25 can.

1 Thank you very much.

2 (Applause.)

3 MR. INGUI: How are ya? My name is Chris
4 Ingui, I-n-g-u-i. I am the New Jersey program
5 coordinator for the New York/New Jersey Trail
6 Conference.

7 Thank you for the opportunity to speak
8 again and I also thank your, Judeth, for
9 answering my question yesterday about acreage.

10 I did have some follow-up questions
11 regarding mitigation. I'm going to repeat a
12 couple questions just for the benefit of the
13 public.

14 First off, is it fair to say that the
15 \$8.6 million is pretty much the cap at this
16 point? Would the state possibly be getting any
17 more?

18 MS. YEANY: We don't expect to at this
19 time.

20 MR. INGUI: Okay. Is it fair to say that
21 Tennessee Gas Pipeline Company finds the sum of
22 8.6 million fair?

23 MR. GREDVIG: We're working through that
24 as part of the process of our reduction or our
25 impacts that we're still trying to come to. So

1 until we come to that conclusion of our
2 reduction and our minimization, that's when
3 we'll apply the formulas against our impacts.

4 MR. INGUI: Okay. So then it's a
5 possibility that Tennessee Gas would be willing
6 to pay more than 8.6 million for a 25 year
7 lease.

8 MR. GREDVIG: If our impacts came up to be
9 me more then -- it's still the application of
10 that formula against our impacts.

11 MR. INGUI: Okay. I appreciate the number
12 that you gave us, Judeth, but I did some quick
13 math and I just want to just break it down.
14 And please make this an open forum.

15 But according to my math, \$8.6 million
16 dollars over 25 years comes out to \$344,000 a
17 year for 15 miles of 50-foot right of way.

18 According to your presentation that comes
19 to close to 28 acres. \$344,000 for 28 acres for
20 a year. That comes out to \$12,300 a year per
21 acre. A little more, per month that comes our
22 to \$1,025 per year per acre. That is less than
23 the rent that I pay on my one bedroom
24 apartment.

25 It's fair to say that a lot more people

1 than one person uses the parks. I would say
2 that number tallies well over the millions. I
3 think that the sum for mitigation should
4 reflect that.

5 My second question is, can someone please,
6 for the benefit of the public, explain what the
7 sum was in the 50s for the 1954 lease?

8 MS. YEANY: I don't remember but I can get
9 you a copy of that easement. We have it on
10 file.

11 MR. INGUI: I believe it was \$45,000. And
12 anyone is welcome to correct me if that is
13 incorrect.

14 If it is true that \$45,000 the was sum
15 paid in the 50s, I don't know if anyone here
16 could say that that was fair. I'd say it's
17 pretty close to say that's really unfair.

18 So considering that the original pipeline
19 was laid out for a song and a dance and that
20 the new pipeline is being laid out for a sum
21 that's less than a one bedroom apartment, I
22 believe that more money should be given to the
23 state, more so to the North Jersey park system.

24 Thank you.

25 (Applause.)

1 MS. YEANY: Just for the record, I
2 mentioned that the DEP released a report today
3 on the methodology for how we're going to value
4 these types of leases, and so I would encourage
5 you to participate in the process of reviewing
6 and commenting on that report and anyone else
7 that has concerns about the proposed rental,
8 we'd like to hear your input.

9 MS. FREY: Ms. Yeany, did I understand you
10 to say that we can give comments on the report
11 that came out today?

12 MS. YEANY: I was actually up in this part
13 of the state when the report got released so I
14 don't know what the exact process is going to
15 be for commenting on it, but it is available on
16 line.

17 MS. FREY: Well, I only printed it out.

18 What's the web site?

19 MS. YEANY: That's on the main DEP's web
20 site. I think if you were look to under our
21 press releases, there's a link in the press
22 release to the location of the report.

23 VOICE: If you go on the main DEP web
24 site, just click in Google, New Jersey DEP.
25 You'll see the main page and press releases is

1 the first one right on top and click to that
2 and there's a link to it.

3 MS. YEANY: Okay.

4 MR. PERRY: Hi. I'm Duane Perry. I'm the
5 Chief of the Ramapo Lenape people and the Muncy
6 people in the area. This is our ancestral
7 land. I just had a couple questions.

8 What, if any, remediation or protection is
9 going to be provided to the work done around
10 Bear Swamp Lake?

11 And just a little information, I'm sure
12 he's well aware being from DEP that the impact
13 on the water source that's been mentioned a
14 number of times here to our neighbors in the
15 north, New York is one of the seven sole source
16 of aquifers in the country.

17 I think if you contaminate that aquifer,
18 not only is it destroying a national treasure,
19 I think you're going to find a few million New
20 Jersians out of water.

21 And last, but not least, I was just
22 wondering if you guys have any examples of the
23 work you've been doing maybe in a local area or
24 close by somewhere so we can actually observe
25 what this work looks like, what the impact

1 looks like. Something we could sort of have a
2 hands-on approach to evaluate.

3 MR. GREDVIG: Jerry.

4 MR. CREEL: I can. Can you hear me or do
5 I need a microphone?

6 MR. GREDVIG: Just speak up, I think,
7 Jerry.

8 MR. CREEL: Okay. If you can hear me, I
9 think the two questions that I understood.

10 One, Bear Swamp Lake. First of all, our
11 project contemplates only use for access to the
12 existing meter station and to the existing
13 pipeline right of way by vehicles similar to
14 what use it today. And so we're not going to
15 have any significant impact on the access road
16 and so there should not be any impact on Bear
17 Swamp Lake or Bear Swamp Creek, which as you
18 know, the access road follows that for a
19 significance way.

20 We currently operate a meter station at
21 the end of Bear Swamp Road. We share that site
22 with a couple of other companies.

23 Who are the others?

24 MR. GREDVIG: Algonquin and Spectra.

25 MR. CREEL: Algonquin and Spectra also

1 have facilities there. "We," as well as they,
2 currently use this road to access that meter
3 station site and the access that we're going to
4 be using for construction would be very much
5 similar to that, so you won't see a big
6 difference in the use of that road. And that
7 is the only part of Ramapo mountain area that
8 we're using.

9 The pipeline itself is actually on a
10 Bergen County piece and then at Ringwood Park.
11 The pipeline itself is not in Ramapo Mountain
12 Park.

13 Okay. That was one. What was the other
14 one?

15 MR. GREDVIG: Examples of local work.

16 MR. CREEL: Yes. Well, there are good
17 examples. In fact, if you're familiar with the
18 Monksville Reservoir area, starting at Burnt
19 Meadows Road on the west side of Monksville
20 Reservoir, pipeline construction is currently
21 underway for about 16 and half miles, Dan, I
22 believe is right.

23 MR. GREDVIG: Yes.

24 MR. CREEL: And if you would like to visit
25 the pipeline construction, we'd be glad to

1 invite you to come. You'll have to get some
2 safety training and be oriented toward the kind
3 of activity that you'll see, but we'd be glad
4 to take you and show you exactly what the
5 construction contractor is doing, very much the
6 same as we'll be doing when we build the
7 pipeline we're talking about, so we'll be glad
8 to host you.

9 MS. FREY: Would you give that address
10 again please?

11 MR. CREEL: What I would ask you to do is,
12 I would ask you to contact the project
13 management team and, Dan, let's have them call
14 Pam's office in West Milford.

15 MR. GREDVIG: Yes.

16 MR. CREEL: And you want to give that
17 phone number?

18 MR. GREDVIG: We'll write it on the board.
19 We'll get it written on the board so that you
20 can contact -- one thing that --

21 MR. CREEL: Yes, if somebody wants to go
22 and visit and look at the pipeline construction
23 activity, you know, we'll want to coordinate
24 that with the construction contractor as a
25 matter of safety and coordination with all the

1 activities on the site.

2 MR. GREDVIG: And we have to remember also
3 that it is an active pipeline construction.
4 There are safety requirements that not only we
5 have, but our contractor has, and we are
6 dealing with private lands and so that's why we
7 want to have that access coordinated directly
8 with Pam and her office. She will get it set
9 up with construction folks and we'd be more
10 than happy to demonstrate what our ongoing
11 construction activities are on the 300 line
12 project.

13 MR. CREEL: And what it looks like.

14 MR. PERRY: One reason I had mentioned
15 Bear Swamp Lake and perhaps DEP can answer it
16 better, because it appears in my lifetime, and
17 by no means am I an expert, but it looks like
18 there's been an acceleration of the
19 deterioration of the lake over time to include
20 sort of a collapse of what might have been
21 considered a rather old dam and I was just
22 wondering if this nearby -- you said what's
23 normally there. I don't know if that's ATVs or
24 tractors and trailers.

25 I'm just wondering if that has some effect

1 because without question the lake is silting up
2 at an accelerated rate. And good will be God,
3 I'd like to know.

4 Thank you.

5 MR. CREEL: I'm not sure if there was a
6 was question there about siltation of the lake.
7 And I'm not familiar with the siltation that or
8 may not or may not be occurring in Bear Swamp
9 Lake. I'm not familiar with the particular
10 lake. We haven't done any hydraulic surveys or
11 anything to look what the depth is.

12 I am familiar with some folks over in the
13 West Milford area, I think Greenwood Lake is a
14 lake and certainly this has gone on over time.
15 There's been siltation in that lake to the
16 point where they are looking at a dredging
17 project to dredge it out. And that is
18 something that is occurring in a number of
19 water bodies around here, so I wouldn't be
20 surprised.

21 But, you know, as you can tell, just
22 by the distribution of that, it certainly doesn't
23 appear related to the construction of pipeline or
24 any of that activity because it's not in the same
25 place and it's not in the same town.

1 MS. YEANY: I think we're going to have to
2 follow up on that question for you. We'll give
3 you some contract information so we can
4 exchange emails about that.

5 MR. AXELROD: Do you mind if I don't get
6 up? I a having some trouble. My name is Earl
7 Axelrod, A-x-e-l-r-o-d. First name is Earl
8 with no E at the end. I represent no one but
9 myself.

10 I do have a follow-up question on what the
11 chief was asking. There was an article in the
12 local newspaper, the Bergen Record. You may
13 have heard of it. And some woman complaining
14 quite perspicuously that you guys were digging
15 and you put piles of dirt that you had dug up
16 behind some kind of restraining fence. We had
17 some heavy rain and there is a number of brooks
18 that are now full of dirt and are polluted.

19 I'm just wondering, I assume it was you
20 guys because I know the site where she was
21 talking about and I'm familiar with it, and I'm
22 just wondering, is this an example that the
23 chief will not see when he goes up there?

24 It appears that maybe you guys have these
25 great fences that work when it's not raining

1 but when it rains, you get the streams
2 polluted.

3 Now, I don't know if these streams have
4 trout in them or salmon or anything, but still
5 the thought of the dirt in those streams that
6 are now going into the Wanaque Reservoir -- I
7 don't think you'er from New Jersey, I'm from New
8 Jersey and I'm probably going to have to pay a
9 little extra to get that water cleaned up now.
10 So what's going on here now?

11 You're telling us you guys are squeaky
12 clean and the thought didn't even occur to me
13 until the chief asked the question.

14 Good question, Chief, and I didn't even
15 think of it and I remembered that article.
16 What's is going on?

17 I don't represent anybody but myself, but
18 what's going on?

19 MR. CREEL: Okay. Well, I'll try to
20 answer that. I don't know what specific
21 location --

22 MR. AXELROD: I don't have the article, I
23 apologize.

24 MR. CEE: It's called Lake Look Over.

25 MR. CREEL: Okay. I'm very familiar with

1 Lake Look Over.

2 I am very familiar with Lake Look Over.
3 That is a subject that's been very much on our
4 focus of the last few days since a pretty
5 significant rain event happened over the last
6 week or so. A number of problems around the
7 state and in the area has been flooding, a
8 number of things have occurred as a result of
9 the pretty significant rainfall.

10 What I would say about muddy water, okay.
11 We put, install environmental controls,
12 environmental control devices, silt fence, hay
13 bales, filter claws, turbidity curtains, you
14 know, any number of environmental controls that
15 are prescribed for the purpose of mitigating
16 against having turbid water in our water
17 bodies; okay.

18 We're talking about building a pipeline so
19 this a significant amount of land disturbing
20 activity. And if you see our footprint in
21 wetlands, 75-foot wide generally, in upland
22 areas, a 100-foot wide footprint. And so as
23 you can see in the acreage numbers that Dan has
24 put together for the Green Acres Program, there
25 is a fair number of land disturbing activity,

1 and when you do that, you have the potential to
2 generate storm water runoff that will take soil
3 and muddy downstream water bodies if the proper
4 environmental control devices are not installed
5 and maintained properly to mitigate against
6 that.

7 In this particular case, and it's not the
8 only time or issue that has arisen out of this
9 pretty significant rainfall event. We had
10 environmental controls in place. In fact, we
11 had gone back into the agencies and requested
12 and had to get approved, additional over and
13 above normally required environmental controls
14 because of the sensitivity of the lake, which
15 is Bear Fort Waters crossing. Downstream of
16 the Bear Fort Waters crossing, the water goes
17 over a spillway and it enters Lake Look Over.

18 And it's a very active residential area, a
19 homeowners association and they're very much
20 interested and concerned about the quality of
21 the water in their lake. And we were very
22 sensitive to that as well, which is the reason
23 why we installed even more environmental
24 controls as an effort to prevent the kind of
25 turbid water getting into the lake.

1 Unfortunately over the last weekend we had
2 really significant rainfall activity and the
3 turbidity curtains in the stream, the Bear Fort
4 Waters waterway, while we were ditching in the
5 stream, the additional water overwhelmed the
6 environment controls that we had in place and
7 it resulted in water going into Lake Look Over
8 which is cloudy. Not what we wanted.

9 MR. AXELROD: Excuse me, sir. I think
10 that most of the reporting, not cloudy. I
11 believe the word was muddy. But go ahead, I
12 didn't mean to interrupt you.

13 MR. CREEL: Okay. Well, we went out today
14 and I would characterize it as cloudy. You
15 could look and describe it for yourself. But
16 one of the things that we're doing, in addition
17 resolving the issue with the environmental
18 controls that failed, we've addressed that
19 issue to get those things back to place.

20 In addition, we're bringing in special
21 equipment for Lake Look Over. This is
22 equipment that will be filtering about a
23 million gallons a day of water to accelerate
24 the clearing the water in Lake Look Over.

25 And so the way I would answer that for

1 this particular instance, it's a case where we
2 made every effort to do the right thing and
3 have the proper controls in place.

4 We, in fact, try to go above and beyond
5 because we were beforehand aware of and
6 sensitive to the fact that this was a sensitive
7 location for the landowners involved. And once
8 the incident occurred and we had the DCD
9 failure, we reacted immediately to make
10 repairs.

11 In addition, we moved really expeditiously
12 to accelerate the cleanup of the lake.

13 So for that particular instance, that's
14 exactly what happened.

15 MR. AXELROD: Excuse me, can I ask another
16 question. You're going to be putting in a
17 30-inch pipe, and I don't know if there's
18 anybody here who can answer this question for
19 me or not, but I assume from what -- I am an
20 engineer, or was an engineer many years ago.
21 You're going to be putting in below the frost
22 line so it won't buckle or heave when it's
23 freezing.

24 Now, I don't know what the depth would be
25 in this area, but you're not always going to be

1 able reach it every single time, there's going
2 to be rock, so I assume you're going to be
3 doing what they used to call in Brooklyn,
4 blasting or blowing, or whatever, blasting to
5 get down that far.

6 Now what effect, do you have idea, does
7 the DEP, does anybody have any idea what that's
8 going to do to the water table? I mean what
9 effect has it had in the past?

10 Okay, I shouldn't answer that question,
11 which you're never going to tell me, but I'm
12 sure it's going to have an effect.

13 I know I did a little blasting just to run
14 a simple pipe by my house and it took me years
15 to stop the water flow, so I'm assuming we're
16 going to have all kinds of interesting side
17 effects on that blasting and I'm just wondering
18 if anybody can put my mind to rest on that.

19 MR. MANN: Before you answer him, I just
20 want to add to what he was saying, out of 7.
21 something miles, 5.6 miles of it you --

22 MR. GREDVIG: Can you identify yourself?

23 MR. MANN: My name is Chief Vincent Mann,
24 M-a-n-n. Ramapo Lenape Nation.

25 I just want to state that three-quarters

1 of it is going through pure rock by the web
2 site for DEP.

3 MR. CREEL: Well, actually we're in the
4 middle of having a rock study done to determine
5 exactly how much rock is in the area. There is
6 probably a mile and a half section up in higher
7 parts of Ringwood Park where there is a
8 significant amount of what we would call grade
9 rock. That's rock that's set to surface and
10 certainly that's a concern for us in our
11 construction activity.

12 I don't recall how much the anticipated
13 trench rock is, but to answer your question,
14 the pipe will be buried to obtain, at a minimum
15 a 3-foot cover, so with a 30-inch pipe, that
16 would take a 6 to 7 feet deep trenching. And
17 so to the extent that the pipeline ditch is 6
18 to 7 feet deep and rock is encountered during
19 the trenching activity, some blasting may be
20 required to -- in certain places you may not
21 blast. You may actually hammer the rock out or
22 use mechanical means to get the rock out.

23 But what I would suggest to you to is the
24 amount of blasting and the charge and weight of
25 the blasting activity is such that we have to

1 insure that it is safe to protect against
2 having any impact on the existing high pressure
3 natural gas line, which will be about 25 feet
4 away.

5 So obviously, we're not going to do a
6 whole lot of significant peak particle velocity
7 impacts, as a matter of course, just to protect
8 our own facilities.

9 Now, the blasting process kind of goes
10 like this. We will have, first of all, a
11 blasting specification for our contractor. Our
12 contractor will be required to hire a certified
13 -- a qualified blasting consultant to conduct
14 all blasting activities.

15 In addition, we will have our own
16 third-party blasting consultant who will review
17 and help us approve or deny the contractor's
18 blasting plans. Once the blasting plans are in
19 place and approved, prior to construction we
20 will do a pre-blast survey to ensure that
21 existing structures and facilities are examined
22 prior to blasting and during blasting
23 operations blasting activity will be monitored
24 to insure that the impact of the blasting
25 activity doesn't have any detrimental effect on

1 adjacent structures.

2 That's kind of the program in a nutshell.
3 Certainly we have done a lot of blasting on the
4 16 and a half miles that is being constructed
5 now. In fact, they have more blasting on that
6 16 and a half miles than we will have on ours.
7 And I believe we have been quite successful at
8 conducting that blasting activities without
9 generating problems with the water.

10 MS. WIELAND: Hi. My name is Rachel
11 Wieland, W-i-e-l-a-n-d. I just want to make a
12 general comment.

13 I'm an educator in this community and I'm
14 really embarrassed. I've been embarrassed to
15 look at these students for the past couple
16 years because at the rate we're trashing the
17 planet is beyond disturbing and it's really
18 hard to look at these young people for me and
19 to educate them, and I appreciate your math
20 because I'm a math professor, and that was
21 right on, thank you.

22 I'm amazed at how we don't do more to
23 invest our money in long-term renewable energy
24 and not this stuff that is just going to last
25 very long and it's going to destroy their

1 future.

2 I'm also the vice-president of NJ HEPS,
3 which is the partnerships for higher education
4 for sustainability in New Jersey. And us
5 professors are just overwhelmed. I mean you
6 can probably see from me standing here, we're
7 just overwhelmed with what we're passing down
8 to this next generation.

9 We are a very intelligent species but we
10 are not very wise and it's hard for me to just
11 watch all of this.

12 I'm very lucky to be working at a college
13 that's getting \$8 million worth of solar
14 panels. We have electric car pumps. We've
15 been converting our lawn to a meadow. So in my
16 immediate vicinity I'm seeing a lot of
17 leadership, a lot of honesty, a lot of positive
18 growth that I can sleep well at night with
19 integrity and look at the faces of people like
20 Matt and Amanda and not be too embarrassed to
21 be an elder in these communities.

22 So I just want to say for the record that
23 some of us are working very hard to do the
24 right thing to make the world sustainable.

25 My father lives on the Marcellus Shale.

1 He's very upset about what's happening. My
2 sister lives in Kentucky with all the
3 mountaintop removal. She is a physician. She
4 sees all the diseases from Ohio County, okay,
5 so I just want to say that we should be doing
6 things better.

7 We could be doing things better, and we're
8 not. And I think if we love our children and
9 life on this plant we need to step it up.

10 Thank you.

11 (Applause.)

12 MR. L. MANN: My name is Lehman,
13 L-e-h-m-a-n. Middle initial A. Last name is
14 Mann, with two Ns, Senior. I'm a elder of the
15 Lenape tribe.

16 I've been listening to all this for quite
17 awhile and I'm listening to you. My question
18 is directed at you, Judeth, because it's about
19 the permitting process.

20 According to you, the permit to have this
21 line go through has not been issued; correct?

22 MS. YEANY: Correct.

23 MR. L. MANN: Now, this line is being
24 constructed as we sit here.

25 MS. YEANY: No, it's a separate project.

1 MR. L. MANN: Well, that's what I want to
2 know. Is this by project permitting? You
3 know, I've been to meetings and I haven't heard
4 that -- can I clarify? Could you clarify that?

5 MS. YEANY: There is a separate project, I
6 believe the company calls it the 300 Line
7 Project, not to be confused with the original
8 300 Line that's already in the ground. But
9 there was a separate project that received all
10 the federal and state approvals back in 2010
11 and is currently under construction. It does
12 cross different state parks than this one is
13 proposed to cross.

14 So when Jerry refers to the project being
15 under construction, it's not what we're talking
16 about leasing to the company now, it's a
17 separate project that was approved last year.

18 MR. L. MANN: You know, we've all been
19 sitting here and I don't know if anybody's like
20 me but it was just not very clear.

21 MS. YEANY: Sorry about it. And I think
22 in very rough terms, this project goes from the
23 Pennsylvania border to the Mahwah station.

24 MS. DETTLING: There's a gap between.

25 MS. YEANY: And the project that's under

1 construction is to the east of that? Correct
2 me if I'm wrong.

3 MR. CREEL: In between that.

4 MS. DETTLING: It's in between ending
5 before the Monksville pipeline.

6 MR. MANN: It's not on the same pipeline?

7 MR. CREEL: Yes, this is the same
8 corridor.

9 MS. YEANY: It parallels the existing
10 pipeline.

11 MR. MANN: And it is part of the loop?

12 MR. CREEL: Yes.

13 MS. DETTLING: It's separate loops.

14 MS. YEANY: Well, the loops are all
15 separate is my understanding.

16 MR. L. MANN: It's really strange.

17 MR. CREEL: Let me help you with that.

18 MR. L. MANN: Can you make it like short
19 and clear?

20 MR. CREEL: I'm going to try. Okay.

21 There is an existing 24-inch pipeline.

22 MR. L. MANN: Yeah, I know that.

23 MS. DETTLING: Bob, go back to the map.

24 MR. CREEL: Over time, short pieces of
25 looping have been added to increase the

1 capacity and the 300 Line Project, which was
2 just referred to, the one that's in
3 construction now adds some loops along that
4 300, that original 24-inch line; okay.

5 Our project, that will be the next project
6 essentially fills in the spaces that were left.
7 Wherever the 30-inch pipe did not extend to the
8 loop, the existing 24-inch, those spaces in
9 between the loops that were already built,
10 that's what we'll be filling in to finish out
11 the two pipe system that will increase the
12 capacity for the system.

13 MR. L. MANN: Okay. Because just
14 listening to you, you know, I'm just a normal
15 guy, an ex-engineer and I'm listening to you,
16 and if you just listen to this verbatim what's
17 going on, you would assume that this is one
18 project; okay. It just wasn't clear to me and
19 I just wanted to make sure it's clear.

20 MR. CREEL: Well, let me see if I can help
21 with that. Each project has to be justified on
22 its own merit. In terms of the need, the
23 justification for the need of the capacity and
24 as the need arises for pipeline capacity, when
25 a project is proposed to fulfill the needs of

1 that requested project, we're only able to
2 build what is required to meet that need. And
3 it's not until later when additional needs are
4 identified that we can build something else.

5 So it looks like it's a piecemeal
6 operation where we're breaking one project down
7 into just multiple segments over time, but each
8 of those different projects has to justify
9 itself based on need.

10 MR. L. MANN: So pretty much what you're
11 saying is for some reason FERC says you cannot
12 go to the next project, then you're stuck where
13 you are and you have to continue with a 24-inch
14 pipe?

15 MR. CREEL: If the need for our project is
16 not approved by FERC, then it will not get
17 built. And we, in our FERC filing, if you'll
18 look on the FERC's web site, and this is kind
19 of how the jurisdiction for the process works.

20 We make our case based on demonstrated
21 need for gas. Supported by contractual
22 arrangements for customers. We make our case
23 for the need for the additional capacity for
24 the pipeline.

25 Others who may feel like there is no need

1 for that are certainly welcome to make their
2 case and put that input in FERC.

3 So, you know, if you look at the
4 application you will see how we describe the
5 need for the project. It will be FERC's
6 decision to determine whether or not the need
7 justifies a certificate of convenience of
8 public necessity.

9 If you have a different opinion on the
10 need for the project, then certainly make your
11 case.

12 MR. L. MANN: The only last comment I have
13 is that, so you already have gas contracted for
14 it. I mean you actually made that statement.

15 MR. CREEL: Certainly it is, it is
16 contracted, but certainly the project doesn't
17 get built unless it gets approved.

18 MR. MANN: Are you saying that that little
19 red spot that's on the right-hand side, is that
20 one continuous pipe? Are you saying that on
21 the right-hand side?

22 MR. CREEL: This small piece here?

23 MR. MANN: Yes.

24 MR. CREEL: This is seven and a half miles
25 plus, this.

1 MR. MANN: Right. The 7.6 miles, are you
2 saying that that is one continuous pipe or that
3 is multiple loops that are being done in the
4 middle of that?

5 MR. CREEL: There's an existing pipe
6 there. The red pipe is one more pipe to loop.

7 MR. MANN: That's about 3,000 feet.

8 MR. CREEL: 7.6 miles.

9 MR. MANN: And there's no other small
10 pipes that comes off, a 30-inch pipe that comes
11 off in between that?

12 MR. CREEL: I'm not sure I'm following
13 you. We can look at the map after if you like.

14 MS. DETTLING: The system in blue is the
15 entire system, is that one continuous 24 and
16 then the red sections, each red section up
17 there with the mileage is just one piece and if
18 there is an existing loop in blue where you see
19 two lines in blue parallelling each other,
20 there's an existing loop, the red will just tie
21 into the existing blue line that's double.

22 MR. MANN: Okay. So right now to the far
23 left of the 6.6 mile pipe that you're going to
24 put in, where is that starting at?

25 MR. CREEL: Let me just -- you see the

1 blue line here, this second blue line?

2 MR. MANN: Yes.

3 MR. CREEL: That second blue line is the
4 thing that is being constructed right now.
5 That's in construction.

6 MR. MANN: Where does that end though?

7 MS. DETTLING: Before Monksville
8 Reservoir.

9 MR. CREEL: This starts at Monksville
10 Reservoir on the west side --

11 MR. MANN: -- reservoir.

12 MR. CREEL: And this goes over through
13 Vernon and that was mentioned where Look Over
14 Lake is, to a point downstream to that existing
15 compressor station. I think it's 16 and a half
16 miles of blue and there was a little piece that
17 was previously looped years ago.

18 MR. MANN: Thank you.

19 MS. SCHRAMM: Please hold that picture,
20 because that's what I was going to ask you to
21 put up.

22 My name is Jackie Schramm, S-c-h-r-a-m-m.
23 I'm the director of Social Justice Ministry in
24 a Franciscan parish in Pompton Lakes, New
25 Jersey. It's a huge parish. It serves over 18

1 communities, including New York State.

2 We are the ones that everybody comes to
3 for flooding or any kind of environmental
4 problems. We provide service to many
5 communities.

6 Social justice means looking upriver, and
7 I really like this image of, you know, why the
8 expansion of the pipelines? Why are we
9 predicting this large influx of natural gas
10 requirement in the next ten years. And, you
11 know, the word "hydraulic," you know, hydro
12 fracking, it's a new term for me, but clearly
13 that Marcellus Shale is the reason why this is
14 happening. And I'm very new to this issue, I
15 admit, but I lived in the Philippines for 11
16 years, and what's happening trumps what
17 happened during the Marcos dictatorship.

18 Americans, we're in a democracy. This is
19 supposed to be freedom. People don't know
20 what's going on. Long time environmentalists
21 from West Milford who were instrumental in
22 preserving this land didn't know these
23 pipelines were coming through, you know, so
24 there's -- you know, talk about the muddy
25 waters. That's a beautiful metaphor for what I

1 see happening right now. And I just would like
2 for the record, for the DEP to know that we are
3 beginning to get on to it.

4 I'm going to be having the director of Gas
5 Land coming to St. Mary's on September 14th.
6 We're inviting the governor. We're inviting
7 the authors of the bill in New Jersey, assembly
8 women and senate that just put a bill to ban
9 fracking in New Jersey awaiting the signature
10 from Governor Christy.

11 I mean this is an issue that suddenly, it
12 has no regulations, it's been exempted but it's
13 on the radar now.

14 And I just ask that you look at why are we
15 expanding these pipelines in the first place is
16 because of this hydro fracking. You know, and
17 even if we ban it in New Jersey, you know, if
18 we have these pipelines coming through and
19 where's the water going to be used for the
20 fracking and what are the water treatment
21 plants -- you know, who is going to treat all
22 this used water and water knows no bounds?

23 So thank very much for your attention.

24 And I invite anybody here to attend the
25 screening and Josh Fox will introduce and he

1 will lead the discussion and we expect to have
2 a lot of political leaders present as well as
3 community people and environmental people. So
4 this a cordial invitation.

5 Thank you.

6 (Applause.)

7 MS. BUDZ: Good evening. Beverly Budz,
8 B-u-d-z. I'm from Vernon and my town is a
9 result of the 300 pipeline. And sir, I don't
10 know your name.

11 MR. CREEL: I'm Jerry. I'm sorry, Jerry
12 Creel.

13 MS. BUDZ: I'd like to ask you, these two
14 hay bales with the four sticks in it, is this
15 our high tech filtration system that you speak
16 of?

17 MR. CREEL: No, that would not be the high
18 tech filtration system.

19 MS. BUDZ: Because that didn't hold back
20 the mudslide from Vernon. You can have that
21 paper.

22 MR. CREEL: Thank you.

23 MS. BUDZ: Chief, I have some information
24 for you. I can show you what you're asking and
25 what you're looking to see. You want to see

1 some finished product. I can give you that.

2 MR. L. MANN: Thank you.

3 MS. BUDZ: And I have some for you, and I
4 have one for anyone else who might like one.

5 After reading the Herald today, I would
6 hope the town's fighting to preserve the
7 integrity of their state parks will not lose
8 hope. You may not be able to stop the
9 so-called need for progress being shoved down
10 our throats by the government but you can make
11 sure as individuals you get involved. Ask for
12 a copy of this final mitigation plan. Ask to
13 see the insurance contract that they committed
14 to.

15 Find out from El Paso when the next safety
16 course will be offered on Burnt Meadow Road.
17 This will allow you walk the work site safely
18 and legally giving you the ability to be eyes
19 and ears for your town.

20 Form small volunteer groups that can
21 record the progress from beginning to end, and
22 be on the lookout for everything that doesn't
23 look right.

24 I was quoted in the Herald as saying
25 "Vernon has been destroyed." I cannot say for

1 sure if I chose that word, but for the record,
2 I live in one of the most beautiful towns in
3 New Jersey, rich in resource and wildlife. But
4 don't get me wrong, Vernon has been permanently
5 scarred and we in Vernon will watch this
6 project going forward to make sure that
7 complete mitigation is rendered.

8 We must remember, we are the stewards of
9 this earth. It is our responsibility to watch
10 over it.

11 Thank you.

12 (Applause.)

13 MS. YEANY: Thank you.

14 MS. SULLIVAN: Hi. My name is Judy
15 Sullivan. I live in Oakland, New Jersey.
16 Actually my home fingers into the Ramapo
17 Mountain area.

18 I spoke at the last meeting so I'm not
19 going to go into a whole bunch of the same
20 questions, but I had some just additional
21 follow-up questions. And I'm not really good
22 at the excellent statistics. I was so
23 impressed with the environmental issues, but
24 I'm learning very quickly.

25 I was fooling around on New Jersey GIS the

1 other day and I saw that there are two
2 earthquake epicenters inside the park very near
3 the pipeline and I wondered if anybody knew
4 about that from Tennessee and if anybody has
5 taken that into consideration.

6 MR. CREEL: The answer is yes. And I
7 think you will find in our filing, the seismic
8 activity addressed in our resource reports.

9 MS. SULLIVAN: Okay. Thank you.

10 What is going to happen to the abandoned
11 compressor station, will it just be left in
12 place?

13 MR. CREEL: Well, there's not going to be
14 an abandoned compressor station.

15 MS. SULLIVAN: Well, if there was an
16 abandoned meter station, I'm sorry, at the end
17 in Mahwah, is that just going to be left there?

18 MR. CREEL: The Mahwah meter station will
19 be upgraded and replaced. So there will be a
20 new facility in place of the existing -- it's
21 generally a piping arrangement with some long
22 straight tubes which are used to meter.

23 MS. SULLIVAN: So when they use the word
24 "abandoned," what does that mean when they
25 refer to that meter station?

1 MR. GREDVIG: It's part of the regulatory
2 process through FERC.

3 MS. SULLIVAN: I see. So it's a
4 term-of-art.

5 MR. GREDVIG: It is, yes.

6 MS. SULLIVAN: Got it. Okay.

7 The acreage that's in your reports that
8 you talked about tonight, is that based on
9 permanent or temporary clearance?

10 MR. GREDVIG: Both. There's a
11 combination, and as an Judith has reminded us,
12 we're looking at a 25-year lease and not at
13 permanent grant, and so what we term as
14 permanent is what we're going to be asking for
15 the permanency of the lease term.

16 MS. SULLIVAN: Got it. Okay.

17 I tried to very quickly review that report
18 that you talked about. The link is broken on
19 the State of New Jersey web site, so if I have
20 some additional questions maybe I can email
21 them. I actually spoke to Kevin today so maybe
22 I can email them to Kevin.

23 MS. YEANY: Okay.

24 MS. SULLIVAN: When you say dam and pump
25 the river or reservoir, I think I'm not sure

1 what I heard some people were trying to correct
2 me. Is it dam and pump the reservoir?

3 MS. YEANY: No.

4 MS. SULLIVAN: Okay. It's dam and pump
5 the river; right?

6 MR. CREEL: Let me give you that. It's a
7 stream crossing technique. In order to
8 minimize the impact to the water body, in order
9 to prevent having the turbid water go
10 downstream and have an impact on downstream
11 resources, the technique is to conduct what's
12 known as a dry crossing, meaning that you
13 divert the water either by way of flume pipes
14 installed and then you dig underneath the flume
15 pipes between the dams or you -- with the
16 stream down you have pumps that pump the water
17 around the activity so the clean water
18 circumvents the construction activity to keep
19 it from becoming turbid.

20 MS. SULLIVAN: So you haven't really
21 decided? You're not sure. Who said that you
22 aren't sure?

23 MR. CREEL: Well, depending on the size of
24 the stream and the location, the application
25 may lend itself better for a flume pipe method

1 or a dam and pump method, but generally
2 speaking, all streams, particularly all streams
3 that are high value streams are going to be
4 crossed by the dry crossing method in order to
5 minimize the impacts.

6 Now, other water body crossings will be
7 done, for example, the Monksville Reservoir
8 will get a direct drill possibly, which is a
9 longer, more sophisticated crossing path.

10 MS. SULLIVAN: And is that above the
11 water?

12 MR. CREEL: No, it's below.

13 MS. SULLIVAN: And I'm assuming there's a
14 gazillion permits involved that the DEP is
15 going to supervise with respect to that?

16 MR. CREEL: Well, "a gazillion" is
17 probably not what I would say.

18 MS. SULLIVAN: That's what I would hope.

19 MR. CREEL: A lot of permitting
20 requirements have to be met.

21 MR. GREDVIG: Also, by the US Army Corps
22 of Engineers.

23 MS. SULLIVAN: Okay. I was also fooling
24 around the other day and I was looking at the
25 New Jersey Landscape Project. You know, that

1 project talks extensively about, you know, the
2 bald eagles and the bog turtles and there was
3 one other thing that you said you couldn't
4 find, the Indiana bats. So I'm confused
5 because that report talks about, you know, it's
6 not just sort my latest and favorite word,
7 siloed approach. It's, you know, there's
8 kilometers of space that these animals need.

9 So when I seen on the screen it says you
10 didn't catch any Indiana bats through the mist
11 nets, but that is the end of the discussion or
12 is there something else I'm missing? I mean,
13 has anybody really come in there?

14 It seems a little -- it seems like oh, my
15 gosh, then they read the landscape report.

16 MS. DETTLING: Yes, we did extensive field
17 surveys. We do habitat analysis on a much
18 bigger corridor than what we're proposing to
19 you.

20 MS. SULLIVAN: Right.

21 MS. DETTLING: We also consult with
22 agencies within a quarter of the mile of any of
23 the work space we're proposing to use.

24 MS. SULLIVAN: We go through that process,
25 whittle down, identify a potential habitat as

1 opposed to a habitat that's not likely to be
2 used, for example, for a species, you know,
3 species dependent. And then from that we
4 consult with the agency to determine the place
5 where they would like us to do additional
6 surveys or that's for your fish and wildlife
7 service, they've identified areas where they
8 think are most likely where they'd like us to
9 do mist net, for example, surveys. And we do
10 several of those and they have survey protocol
11 that they approve. And once those surveys are
12 done, no, that's not a determination, for
13 example, that there are no bats in the state or
14 that there are no bats within miles of our work
15 space.

16 Fish and wildlife service will make a
17 determination whether our project is likely or
18 unlikely or not going to have an adverse affect
19 on that species, and then they make that
20 determination as part of the their
21 environmental assessment process.

22 MS. SULLIVAN: So let me ask you, have you
23 ever read the New Jersey Landscape Project?

24 MS. DETTLING: I have not.

25 MS. SULLIVAN: Has anybody on the team it

1 read it at El Paso?

2 MS. DETTLING: I can't answer for anyone
3 else on the team.

4 MS. MAHON: The Department relies on that
5 Landscape Project and it's developed by DEP so
6 the endangered --

7 MS. SULLIVAN: Yes, I know, it's a great
8 document.

9 MS. MAHON: -- rely on that when they're
10 working with our land use regulation program.

11 MS. SULLIVAN: Excellent.

12 MS. MAHON: So our CNE species experts
13 coordinate with our department's land use
14 regulation program.

15 MS. SULLIVAN: Okay. I got a little
16 worried because -- so what is the value then of
17 them going in and doing these mist nettings?
18 It seems like it's so comprehensive and so
19 valuable that that report, it just seemed...

20 MS. MAHON: I think it's in a combination
21 with the surveys, the ground truthing and so
22 forth with the landscape plan.

23 MS. SULLIVAN: Okay. Excellent. Okay.

24 MS. YEANY: I think it ends up being
25 multiple layers of environmental review. I

1 mean part of what FERC does is they're
2 essentially going through the eco process, the
3 federal level environmental review. You have
4 the US Fish and Wildlife Service involved in
5 this one and then you have the Threatened
6 Endangered Species review as part of our --

7 MS. SULLIVAN: Okay. Excellent.

8 One last question. Could I just have the
9 name of the person at FERC who you ultimately
10 report to? Is there one regulator that sort of
11 supervises everything?

12 MS. DETTLING: We have project managers
13 that are assigned to our project but there is
14 no one that we report to.

15 MS. SULLIVAN: There's no one FERC person?

16 MS. DETTLING: If you go on the FERC web
17 site under the docket --

18 MS. SULLIVAN: I don't want to do that. I
19 did that. I spent six hours. I'm 25 years a
20 lawyer. I don't even know how anybody in their
21 right mind can expect a layperson to understand
22 that site. I was embarrassed.

23 MS. DETTLING: There are a team of
24 reviewers --

25 MS. SULLIVAN: So there's no one FERC

1 person that you can give me any name, any
2 superior, anyone that's in charge of the
3 project?

4 A VOICE: There are five commissions.

5 MS. SULLIVAN: Yes, I know that. But is
6 there somebody who is in charge of this
7 project? I don't know the structure, it's not
8 an area I practice in.

9 MR. BRUBAKER: You do have a project
10 manager in the DEP --

11 MS. SULLIVAN: Right.

12 MR. BRUBAKER: -- in contact with the
13 project manager at FERC for this project.

14 MS. SULLIVAN: Okay. What's that person's
15 name?

16 MR. BRUBAKER: David Hanobic.

17 MS. DETTLING: H-a-n-o-b-i-c, but he's the
18 environmental review only. There are several
19 FERC reviews for the project.

20 MS. SULLIVAN: Okay.

21 MS. DETTLING: He's the environmental
22 project --

23 MS. SULLIVAN: I spoke today to a guy at
24 the DOT who's in charge of pipeline safety and
25 he didn't know anything about the project.

1 He's like the -- supposed to be the community
2 liaison person, so I'm supposing that DOT is
3 involved.

4 MR. BOORNAZIAN: Federal or state?

5 MS. SULLIVAN: Federal. Federal. His
6 name is Alec Canaverich. I can get you his
7 name, but it just struck me funny. A part of
8 the take away on this whole thing, you read in
9 the newspapers articles is that, you know,
10 there doesn't seem to be, and it sounds like
11 there is.

12 You know, there doesn't seem to be enough
13 transparency in terms of how many people really
14 know. Like the mayor of my town didn't even
15 know about the last meeting. I think I
16 mentioned that last time.

17 But if there are people, you know, that
18 are talking about this and supervising it and
19 reading the Landscape Project reports and that
20 should be more forthcoming because I think it
21 will give people, you know, to the extent
22 possible a little more confidence in the
23 process.

24 So, but that worried me a little bit that
25 he didn't know about it. So I can get you his

1 name. But that's all I have.

2 MR. GREDVIG: There's a sequence in steps,
3 though, to our application process.

4 MS. SULLIVAN: Yeah, I understand it's
5 once the pipe is constructed as I understand,
6 he's sort of the -- DOT sort of supervises the
7 safety thereafter; right?

8 MR. GREDVIG: Through the construction.

9 MS. SULLIVAN: Some parts of it, yeah,
10 yeah. I mean he wasn't really interested in
11 knowing about some of the concerns that we had.
12 But okay, thank you very much.

13 MR. BRUBAKER: Could I just also add --

14 MS. SULLIVAN: I'm sorry, I have an eight
15 year old outside who's having a complete
16 conniption.

17 MR. BRUBAKER: As far as the DEP is
18 concerned, although we do have contact with
19 FERC throughout this process to insure that New
20 Jersey's interests are looked after, this
21 project has not even applied for permits from
22 the New Jersey DEP yet.

23 MS. SULLIVAN: Yeah, I did read that.

24 MR. BRUBAKER: It's very early in the
25 process. There will be another complete, more

1 detailed analysis of this pipeline.

2 MS. SULLIVAN: And will there be public
3 comment and that stuff?

4 MR. BRUBAKER: Yes. There's public
5 comment on all the permits that will have to be
6 issued, so just beginning this process, there's
7 a long way from the process being approved by
8 New Jersey DEP. They haven't even applied yet.
9 We haven't even started our environmental
10 review, which will be more in detail and much
11 more, in my opinion, demanding, than the FERC
12 review that they're going through now with
13 it...

14 MS. SULLIVAN: Wonderful. Thank you.

15 MR. BRUBAKER: So please understand that.

16 MS. SULLIVAN: Thank you very much.

17 MR. MANN: My name is Chief Vincent Mann,
18 M-a-n-n. I'm a subchief of the Ramapo Lenape
19 Nation. We, again, also were at the meeting in
20 Bergen County. The first part, I understand it
21 now, but I'm just going to say this but I know
22 the reason why now.

23 When we were at that meeting somebody was
24 there had actually asked you, Jerry, if you
25 guys were working in West Milford and you said

1 to them, no.

2 Now, I'm assuming that you're saying to
3 them no meant that you're not talking about
4 this pipeline, that you were referring to the
5 300. I'm assuming because I don't know.

6 MR. CREEL: Well, I don't recall the
7 particular question, but certainly if we were
8 addressing the Northeast Upgrade Project, it's
9 not in Milford. The other project, the 300
10 Line Project is in construction and I'm very
11 much aware of that so I certainly would not
12 have intended --

13 MR. MANN: Like I said, I imagine that it
14 was because you were probably thinking the 300
15 Line, but nobody was saying anything to anybody
16 that was there asking that question. They
17 wouldn't have known that until today.

18 We were there and we didn't know until you
19 explained it to us.

20 MR. CREEL: That the other project was
21 under construction in the West Milford area.

22 MR. MANN: Right.

23 MR. CREEL: I have to be careful because
24 our project also goes through New Milford.
25 West Milford is actually east of Milford. So I

1 don't always keep that straight.

2 MR. MANN: I'm going to try not to go over
3 five minutes, but I don't know, Rachel, maybe I
4 can have your five minutes if I have to. I
5 don't think I will but...

6 HDD drilling, that is a type of hydraulic
7 fracking; is that correct?

8 MR. CREEL: No, it is not. It is a
9 directional drilling technique that uses
10 drilling mud to facilitate the drilling process
11 with mechanical bits to drill. But the mud
12 formulation for those drills is primarily a
13 bentonite clay with water with some additives.
14 Those additives are, and we will proscribe as
15 being suitable for use for water wells.

16 MR. MANN: Can you tell me what that is?

17 MR. CREEL: I can't quote the
18 specification for that, but there is a
19 specification that says that these materials
20 meet the drinking water standard for use.

21 MR. MANN: Not to cut you off, but I
22 imagine that they probably say that about
23 fracking also.

24 MR. CREEL: I do not think so. It's a
25 different operation.

1 MR. MANN: So I understand, what do you do
2 with that mud mixture after it comes out?

3 MR. CREEL: During the process of
4 drilling, you'll have drilling mud, the
5 bentonite clay essentially and, of course,
6 while you're drilling you'll generate some
7 materials that's being excavated from
8 underneath and the rock fragments and dirt
9 that's coming out of the drill.

10 During the drilling process there's a
11 recycling process to reuse the clay, and once
12 that has run its course, the material then has
13 to be -- in New Jersey, actually in another
14 parts of the country it's allowed to be land
15 farmed because the farmers find it beneficial
16 fertilizer. But in New Jersey there is no land
17 farming of this material. It has to be
18 disposed of properly and I believe it will be
19 in a benign or inert facility that's approved
20 for the purpose.

21 MR. MANN: Okay. The reason I asked that
22 is because in reviewing the Northeast Upgrade
23 Project on line, the big 10 million files, they
24 have a contingency plan in there, I guess, the
25 federal government does, to actually have

1 oversight when you're doing that. From what I
2 read in there, basically what I got out of it
3 was that they will be there monitoring that
4 part of it because if it does fail, then you
5 have to find another way to go.

6 MR. CREEL: Well, what I would say about
7 the federal monitoring activity, take for
8 example, the existing construction activity on
9 the 300 Line to the west of here. There are
10 FERC monitors who are on-site who are on the
11 project on a full-time basis who inspect and
12 oversee the activity on the project to insure
13 that what we're doing is in compliance with
14 federal rules and regulations related to the
15 construction of pipeline. And I would say that
16 periodically I think there's the other agency
17 inspections as well as.

18 MR. MANN: Okay. Long Pond. You say that
19 you're going to be coming across Long Pond and
20 obviously we've had some discussion before at
21 the other meeting. We actually have a burial
22 site at Long Pond that's not marked, for
23 obvious reasons, because we don't need people
24 going in there digging up the remains of our
25 ancestors.

1 MR. CREEL: Well, let me say that I
2 appreciate the fact that it's a sensitive
3 resource and confidential in nature and some
4 things you don't want to publicize. And what I
5 would add is that as part of our process for
6 identifying resources on the project, we have
7 an archeological consultant who had examined
8 all the work spaces and some of the reports
9 where resources have been identified are not
10 published for public consumption because, for
11 obviously reasons, just as you would say.

12 And so what I would say is we've been
13 through that whole process and maybe Melissa is
14 better at this than I to explain, but we've
15 been through the cultural resource study
16 effort. Certainly part of the effort ought to
17 be consultation with any tribes and we
18 attempted to do that. I don't know if anybody
19 has followed up from previous...

20 MR. MANN: Ms. Sullivan obviously has been
21 talking with you folks, but we still haven't,
22 not to this day, received at least not even one
23 phone call from El Paso, Tennessee, the State
24 of New Jersey, the federal government, no one.
25 And regardless of the fact that whether or not

1 we're federally recognized or not, we are who
2 we are. And you can ask anybody that's here,
3 especially this area you're coming through now.

4 You know, these mountains are sacred to us.

5 We come along with this because it's
6 important to everybody, but our cultural
7 resources that are out there, you guys don't
8 know about. There's some that we don't even
9 know about.

10 You know, I talked to an academic from
11 Georgetown University that even said that just
12 by your blasting or just by your pounding that
13 rock with those machines, that any artifacts
14 that are from our ancestors that are buried in
15 the ground are going to be destroyed.

16 When there's old trees that are sitting
17 there outside of where your guys are actually
18 working, that ground shakes, those trees come
19 down. Maybe there's an eagles nest there, you
20 know. Maybe there isn't. Maybe there's one of
21 your employees that's sitting there. Maybe
22 it's one our family member that tramps through
23 this whole upper Ringwood and Ramapo mountains
24 from here to one other side, maybe it's not
25 even a Ramapo.

1 You know, maybe it's your grandson because
2 you brought him along with you up there to see
3 the big machines. It could be any of those
4 things.

5 So yes, these mountains are sacred to us.
6 You know, you're talking about my family, the
7 tribe who has been here in this area from
8 before somebody came with a pen and started
9 writing. Our families are the ones that helped
10 build these mines, you know.

11 Did you know that the Capitol building,
12 the dome, do you know where the steel came for
13 that? From right here.

14 You know, your pipeline is going to come
15 right between this building and that little
16 river over there. That's what you showed up in
17 Bergen County when I asked you to zoom in, I
18 asked you to tell me how far we were from those
19 mines. You said it's less than a mile.

20 MR. CREEL: Are you talking about the Ford
21 site?

22 MR. MANN: That's correct.

23 MR. CREEL: Yeah, it's about nine-tenths
24 of a mile.

25 MR. MANN: That's correct. Regardless of

1 how far away that is, how the bird flies and
2 stuff, given all those years, those
3 contaminates aren't only located there, they're
4 located all the way down here and it effects --
5 if they could get into the river, they go into
6 the Wanaque Reservoir. You guys are going to
7 be working with the Wanaque River which flows
8 into the Wanaque Reservoir. There's actually a
9 mine that's inside of that river also.

10 I don't know how close you guys are to
11 that, but how could you even know whether or
12 not that you're going to damage something
13 that's below there with 17 layers of mine
14 shafts that are there. It's 20 something
15 hundred feet deep, you know.

16 I mean, I don't know how you could ever
17 replace what would happen if you guys have a
18 catastrophe like that.

19 And not only that. If you run into an
20 area over here that you have to blast, you
21 know, my family members live up there. They're
22 already dying. There is already been mine
23 collapses. Kids have been lost, there's been
24 sink holes in yards, people have had to get to
25 rid of their homes.

1 It won't take much for you to cause one of
2 those mine shafts to open, and if one of my
3 family members dies because of that, who's
4 going to be responsible for that? You, Ford,
5 Ringwood Realty Company that bought that for
6 Ford, the federal government?

7 You don't have to answer to any of that
8 stuff but I want it to be on record because
9 it's very important. You know, all those
10 things.

11 You showed the other stuff over there
12 about the big runoffs. You said something
13 about a big project, big footprint, significant
14 land disturbing. That's what we're here for
15 because you are going to do that.

16 All these pictures, aerial photographs,
17 some of that are up there, they show you where
18 you have failure and it's not cloudy, it's
19 muddy. And that's a big lake.

20 I mean, this stuff right here, you know,
21 that's sacred ground and it has a scar that
22 runs right through it and it runs through us
23 and all these people that are there also.

24 Other than that, one of the biggest things
25 is our people and I would think that you guys

1 have to do some kind of surveying, something to
2 make sure that they're safe, because you guys,
3 one mistake with that and those mine shafts
4 collapse, there's 40 something homes up there.
5 You know, they're already being killed.

6 (Applause.)

7 MR. PERRY: So now that we're sort of
8 adjusted to reality in a little closer nature.
9 I'd like to follow on what I spoke of before.

10 It's quite apparent after the -- and I
11 realize you're all good people with good
12 conscience, but after the EPA and the Ford
13 fiasco, this continuing of no one's responsible
14 but it's okay if a few people die, which is
15 exactly what is happening. The State not
16 responsible. Ford's not responsible. EPA's
17 not responsible. The federal government, don't
18 know where they are, okay, no problem.

19 Let me suggest that until -- and I asked
20 this before, no one here is directly
21 responsible, I understand that. So let me ask
22 personally, Chief Duane Groford Perry of Ramapo
23 Lenape, Muncy, that you provide your decision
24 makers with the fact that there is a question
25 of health and safety to the point that it could

1 be critical and/or lethal and those decision
2 makers would like to sit with the tribal
3 people? I know it's going to hurt the
4 Americans, and come up with a comprehensive
5 plan that is going to suitably house my people
6 in the event of El Paso isn't responsibility.
7 The EPA was not there and God help us if the
8 governor knew.

9 So I'm asking for a moratorium until we
10 can put together a comprehensive task force to
11 develop some sort of suitable housing and
12 safety for the remainder of my people that live
13 in upper Ringwood.

14 Thank you.

15 (Applause.)

16 MS. DETTLING: I just want to comment
17 really quickly, we are going to be reaching out
18 and we have attempted to contact you. After
19 the last meeting, I specifically went and
20 looked. Two letters were sent out. One as
21 early as last year -- I understand. I'm not --
22 what I'm saying is, you know, we made attempts
23 and I want to speak with you about it. We have
24 the letters, we could show you. If there's an
25 error in the data that we've received in how to

1 reach you. We have numbers.

2 MR. PERRY: It must be the address.

3 MS. DETTLING: We've attempted phone calls
4 as well. And so we'd certainly like to talk to
5 you and I'll get with you after this.

6 MR. PERRY: Yeah, I can bring a card, but
7 I'd like to say this.

8 I believe you've made an attempt, but to
9 date, we have had no contact. And I'd like to
10 say this directly to those people who are
11 hopefully carrying this to the decision makers.
12 Do not go to upper Ringwood and start picking
13 out my people one for one. If you want to talk
14 to the representative of the tribe, I'm the
15 representative.

16 This is not an individual issue. It's
17 more than disingenuous that you go to an elder
18 and start talking foolishness about dust
19 particles. I'm livid about that. The tribal
20 council is livid.

21 We have stood back for about five years
22 looking at this, whatever you think you call
23 it, but I'm sure you wouldn't allow it to
24 happen to your own families.

25 So I'm asking you people to have your

1 decision makers, when they pull up their pants,
2 wherever they've pulling up, to contact our
3 tribal office directly and we can sit down and
4 work in a collegial manner to develop a
5 comprehensive program, okay.

6 I think anything short of that is
7 continuing with this fiasco we're living with
8 now, which is dead elders and children being
9 affected.

10 And Vinny can give you my address. I
11 didn't bring a card. I didn't think I would
12 need it.

13 MR. DEGROAT: My name is Chief Richard
14 Wolf Paul Degroat.

15 THE REPORTER: Spell the last name.

16 MR. DEGROAT: D-e-g-r-o-a-t.

17 I've been listening. I'm a graduate of
18 Columbia University School of Architecture and
19 I've seen many, many reports. I'd just like
20 to, from listening, to say one thing.

21 From a first nation indigenous people, I
22 read that Tennessee, this is you folks here.
23 Tennessee Gas and Pipeline, with over 50 years
24 of experience cannot, and I say cannot compete
25 with the billions of years that it took the

1 creator to create the majestic mountains, the
2 Ramapo Mountains.

3 And in closing, everybody, if they haven't
4 heard this, every action has an equal and
5 opposite reaction as it relates to the proposed
6 pipeline.

7 So again, I look at the big picture of
8 what's is going to happen in the future for our
9 children. I would hope that you would think
10 about that.

11 Thank you.

12 (Applause.)

13 MS. VAN AUKEN: Thank you. My name is
14 Erica Van Auken. That's E-r-i-c-a V-a-n
15 A-u-k-e-n.

16 I'm the campaigning Grass Roots
17 coordinator at the New Jersey Highlands
18 Coalition. As an organization that works
19 specifically with environmental, cultural and
20 planning issues that impact the Highlands, we
21 have a vested interest in the conditioned
22 preservation of protected land in the Highlands
23 because our research has shown us that the
24 negative impacts of construction consistently
25 outweigh any benefits.

1 We request that you not trade priceless
2 public land for a comparatively small fee for
3 the construction of an unnecessary and unwanted
4 pipeline. We recognize that the DEP is
5 negotiating the reduction of the proposed right
6 of way for construction and other mitigation
7 measures, but the right of way and temporary
8 work space for the pipeline will require the
9 deforestation and frackmentaion of critical
10 forest resources, a permanent loss of
11 ecological services, the loss of forest
12 activity and threatened and endangered species
13 habitat.

14 Long term maintenance of even a reduced
15 right of way would prevent these resources from
16 being restored and will further encourage
17 invasive species infestation. All of which
18 will detract from the natural integrity of the
19 Highlands.

20 With such a long list of negative side
21 effects, it will be far easier to avoid
22 environmental degradation than to mitigate for
23 it.

24 This proposal leads us to believe that all
25 damaged caused by construction could be

1 mitigated through a four-to-one land
2 compensation ratio.

3 First, such mitigation is meaningless if
4 the land is not adjacent or at least very close
5 to land lost.

6 Second, the negative impacts within the
7 temporary work spaces are not addressed in this
8 proposal.

9 We are to assume that permanent damage
10 will only occur along the right of way,
11 however, damage caused to these temporary work
12 spaces will never fully recover after the
13 construction equipment is gone.

14 These spaces should receive the same
15 mitigation as land along the right of way.
16 DEP's proposal states that TGP will only have
17 to, quote, purchase replacement land for any
18 areas of temporary work spaces that must be
19 blasted in order to install new pipeline, end
20 quote. Not all of the permanently impacted
21 temporary work spaces.

22 In addition, the proposal to give back
23 10 feet of the right of way in exchange for
24 reduction in mitigation obligations lacks
25 merit. Why not make TGP give back the

1 additional 10 feet and purchase land on a
2 four-to-one ratio. These two mitigation
3 proposals are not equal and should not be
4 treated as such.

5 So if it all falls into place, we are
6 giving away our valuable and increasingly rare
7 natural resources, the integrity of our
8 communities and the quality of our lives for a
9 few dollars in right of way fees, a few more
10 dollars lands in land leases.

11 It is for these reasons that we recommend
12 that the value of a land recognized as such and
13 preserved accordingly remain protected from
14 this pipeline and any future projects.

15 Thank you.

16 (Applause.)

17 MS. REIK: Good evening. My name is
18 Linda, R-e-i-k. And I want to say that I
19 completely agree with previous speaker who said
20 that we should and we could be doing things
21 better. And what I'd like to do is tell you
22 about the information session from a few weeks.
23 It was not a hearing as we have tonight. But
24 some things were revealed that night about
25 behaviors and operations of Tennessee Gas that

1 were appalling to me and if not even illegal.

2 I see Tennessee Gas representatives here
3 and I'm speaking now to relay those incidents
4 that I learned about that night to be on
5 record, and for the DEP representatives to know
6 that it's possible that the best workmanship is
7 not being done already.

8 It's possible that a gas company proposing
9 this needs to be highly regulated and monitored
10 with a fine tooth comb. That scepticism is
11 actually widespread. If you drive through the
12 Catskills you'll see plenty of billboards and
13 signs that say, "They said it was safe to drill
14 in the Gulf too."

15 So my points that I learned about that
16 night at the information hearing and I'll try
17 to be brief and I may be entirely 100 percent
18 accurate. But basically the gist was that
19 Tennessee Gas said that they had been working
20 on this since 2009, surveying the area and
21 they've talked to just about everybody that
22 they needed to.

23 Well, as you heard tonight, the Ramapo
24 Lenape Nation had not been contacted since
25 2009. Still have not been contacted in the

1 last couple of weeks. Does that make sense?
2 Is that legitimate? Is that the best
3 workmanship on the part of a company that's
4 going right through hundreds of years of their
5 land?

6 Secondly, I learned that there was a
7 resident from Mahwah who got up and spoke that
8 night, an elderly man. His family has owned
9 thousands of acres in the Ramapo Mountains
10 since 1939. No one had contacted him since
11 2009. All the work that the gas company had
12 been doing up there, he only learned about it
13 because surveyors were walking all over his
14 personal home residence. He owns Bear Swamp
15 Road, the road that the gas company was
16 proposing to access. He didn't even know about
17 it. They hadn't even researched the deeds well
18 enough to know about it. Is that the best
19 workmanship?

20 DEP, please, get on it, stay on it. It
21 needs really good management and regulation.

22 Let's see. I also would like to let DEP
23 know that in October of 2010, Bergen County
24 Department of Parks hosted a meeting up in
25 Ramsey, I think it was, at a hotel for Bergen

1 County residents to attend and to discuss. We
2 actually broke into work groups to discuss what
3 kind of recreation use should be allowed in the
4 Ramapo Reservation, because, for example,
5 currently no mountain bicycling is allowed in
6 any Bergen County park. And there were groups
7 there from every facet of outdoor recreation.
8 And I have to tell you that not one sentence
9 was spoken in October of 2010 about a gas
10 pipeline going through the Ramapo reservation.

11 Who is responsible for not communicating
12 to hundreds of recreation people who were there
13 that night?

14 And I would ask you that since the
15 information has not been communicated, that no
16 fast tracking be done. The population in
17 Bergen County deserves to be educated about
18 this, to become aware of it, and as you say,
19 have a chance to really give feedback in a
20 public session. We're nowhere near that.

21 Also, I'd just like to relay another
22 incident I remember from that night when there
23 was discussion about how the need for natural
24 gas is going to increase and that's why
25 Marcellus Shale is being looked at. And one of

1 the members of the audience asked Tennessee
2 Gas, so who are the people that need this gas?
3 Who are you contracting with? And not one of
4 the people that's sitting here, and I think you
5 were the one that answered the question, said,
6 I really don't have their names.

7 Well, if this is as such an important
8 source and need for this gas, why doesn't
9 Tennessee Gas know the names of the contractors
10 and give it to the public when they're asked.

11 And finally, I would like to comment on
12 the question tonight about where is current
13 activity that could be seen, and the Milford,
14 PA office phone number has been given over
15 there. That night a few weeks ago I gave the
16 example of Uniondale, Pennsylvania, which is a
17 small town in Northeast Pennsylvania. The
18 second weekend in July, I happened to be there.

19 The Tennessee Gas pipeline is currently
20 being laid there. It's wide open, the pits are
21 open, you can see it. And I was there on a
22 Saturday night when the fireworks had ceased
23 from the annual picnic. It was about 10:30 at
24 night, and after that I said to my host, what's
25 that noise? And they that's the chippers. The

1 gas line is working 24/7. So at 10:30 on a
2 Saturday night we could hear the chippers from
3 one to two miles away where that pipeline is
4 going in.

5 Also in Pennsylvania, very close to
6 Milford, there's an active site of installation
7 of this line going under the Lakawaxen River.
8 The Lakawaxen River is a beautiful piece of
9 river. It was damned up to make Lake
10 Wallenpaupack and it has been known for years
11 to be annual visits by bald eagles and nesting
12 habitats there.

13 So I'm lucky I don't live in Pennsylvania
14 or I'd be really upset that that pipeline is
15 going under the Lakawaxen River and this kind
16 of construction is being held in that kind
17 natural territory.

18 So those are the little snippets of
19 stories that I have of things that are already
20 been done. It really makes me skeptical and
21 frightened for what could happened in the
22 future if this is not highly regulated and
23 closely monitored.

24 Let's not have any other similar incidents
25 to what we've seen with gas and oil in this

1 country. Thank you.

2 (Applause.)

3 MS. GEISEL: Good evening. My name is Amy
4 Boyle, B-o-y-l-e, Geisel, G-e-i-s-e-l. I'm a
5 homeowner in Ringwood, I'm the parent of two
6 small kids. An attorney admitted in New York
7 state with a background in litigation. I'm
8 here to get some information. So I appreciate
9 all the information you all have given us.

10 Just so you know where I'm coming from
11 too, I'm a member of New York/New Jersey Trail
12 Conference, so I worry about the hiking trails.

13 I'm a member of the New Jersey Botanic
14 Garden. We go to the state park every weekend.
15 And we're also member of the New Jersey Audubon
16 Society, specifically the Y Center here in
17 Ringwood. We moved to Ringwood because it's
18 beautiful, open spaces, great place to raise
19 kids.

20 I'm concerned tonight, I'm trying to keep
21 an open mind as I'm taking in all the
22 information. I appreciate the presentation,
23 the maps and everything. There's a few
24 questions I have because I'm getting a lot at
25 once.

1 The first thing I'm concerned about, has
2 this application, in fact, been fast tracked
3 for this particular part of the process for the
4 New Jersey approval? Because I've heard that
5 at least four times. Has the State placed this
6 on a fast track for this part of the
7 administrative process?

8 MS. YEANY: I wouldn't say that, no.

9 MR. BRUBAKER: Again, because they have
10 not applied to DEP for permits.

11 MS. GEISEL: Okay. So this is the first
12 tier of state approval.

13 MR. BRUBAKER: Well, they're still in the
14 federal process and they'll finish the federal
15 process and then they'll go through the state
16 process. So they haven't even come to DEP.

17 MS. GEISEL: I appreciate it,
18 Mr. Brubaker, because you responded to an
19 earlier e-mail of mine, because I'm confused
20 too about there was activity in West Milford,
21 which has been discussed tonight.

22 In my mind, I take my kids to day camp and
23 I passed twice a week for two weeks in July and
24 it's Greenwood Lake Turnpike to Marshall Hill
25 Road where the West Milford airport is and it's

1 right in back of the paint guy. You know,
2 instead of shooting guns they shoot balls of
3 paint at each other.

4 MR. BRUBAKER: Paint ball.

5 MS. GEISEL: Is that the 300 project or is
6 that part of this project?

7 MR. CREEL: That would be the 300 project.
8 If I understand where you're -- I'm not a
9 local --

10 MR. MANN: Yes, you're right.

11 MS. GEISEL: So that's west. I thought
12 that was part of the Long Pond project phase of
13 this particular project. So that's separate.

14 MR. CREEL: The project in construction is
15 not part of the project that we're discussing.

16 MS. GEISEL: We're talking about tonight.
17 So that's the 300 Pipeline Project.

18 MR. CREEL: Yes.

19 MS. GEISEL: Is that the same kind of
20 configuration you're using, same size of pipes,
21 same trenching process?

22 MR. CREEL: Yes.

23 MS. GEISEL: So is it realistic for us to
24 expect that kind of construction site in like
25 Ringwood State Park?

1 MR. CREEL: Yes.

2 MS. GEISEL: Okay. So if anybody wants to
3 see it, you can see it, it's really close. If
4 you take Greenwood Lake Turnpike to that split
5 towards West Milford, it's right there? It's
6 right next to the West Milford airport. So I
7 went by that twice a day for two weeks from
8 July 18 to July 29.

9 What struck me was they took the topsoil
10 down a lot farther than I anticipated. So if
11 you're talking about trenching and you're
12 getting this pipe below freezing, first they're
13 taking off the topsoil; am I right? You've
14 like graded it.

15 MR. CREEL: It's being graded.

16 MR. GREDVIG: One clarification, we do not
17 go below frost level.

18 MS. GEISEL: Okay.

19 MR. GREDVIG: There's no need to that.

20 MS. GEISEL: So first I saw that, because
21 I saw two weeks of this which was kind of
22 fascinating to watch as you're driving back and
23 forth two little kids is you're seeing the
24 topsoil is being taken off; right? There's no
25 rocks, there's no shrubs. Then I saw the

1 trenching process, which is you're talking 6 to
2 7 feet of trenching across, which is 25 feet
3 away from the first pipe; right?

4 MR. CREEL: Yes.

5 MS. GEISEL: So you have your first pipe
6 which is laid 25 years ago?

7 MR. CREEL: 1955.

8 MS. GEISEL: 1955, 25 feet across, you're
9 trenching down 6 to 7 feet; right?

10 MR. CREEL: Right.

11 MS. GEISEL: But meanwhile we've taken
12 what, if you know, in the plans, like 4 inches
13 of topsoil off before we start the trenching
14 process?

15 MR. CREEL: Well, it depends, it depends
16 very much on the location and what's there.
17 For example, in an agricultural area, you know,
18 the topsoil would be taken off and segregated
19 and saved to put back on top later.

20 MS. GEISEL: Okay. Right, to regrade it.

21 MR. CREEL: Yeah. And in upland forested
22 areas where it's not an agricultural area where
23 it's mostly rock, what you may have simply seen
24 is the cut being made to level the work space
25 so that the equipment and crew can safely

1 install the pipe.

2 MS. GEISEL: Okay. So in two weeks the
3 pipe was being installed at that particular
4 West Milford spot. So it's trenched out, were
5 starting to lay pipe and I saw even night
6 lights, so they're working at night, I can
7 assume, because I saw what to me looks like
8 lights they use on the highway construction
9 projects.

10 MR. CREEL: It's very likely that you saw
11 a light plant of some type to provide lights
12 for working after hours.

13 I can tell you that generally speaking the
14 construction schedule is six 10-hour days.

15 MS. GEISEL: Okay.

16 MR. CREEL: Six days a week, Monday
17 through Saturday, ten hours a day.

18 Depending on the construction activity, if
19 there is some particular need to continue a
20 process until a logical completion or a safe
21 completion point, then they may, you know,
22 extend their hours, you know, into the evening
23 to do that, but there's -- certainly it's not
24 an intent and the normal work schedule is just
25 six 10s and it's generally from seven to seven

1 in between that.

2 MS. GEISEL: Okay. So then the removed
3 the topsoil with the rocks, the shrubs, we're
4 going to grade it back, bring it back up to
5 surface grade.

6 MR. CREEL: Yes.

7 MS. GEISEL: Because my concern now is
8 there's certain lease terms that appear to not
9 have been negotiated. Like we have a lease
10 with big clauses that simply don't exist yet.
11 We haven't agreed to the term mitigation;
12 right?

13 MS. YEANY: Correct.

14 MS. GEISEL: We haven't agreed to what's
15 going to happen, when you guys are going to put
16 this big, what looks like to me like a ski hill
17 that now looks like clay back into the
18 condition before we trenched and put the
19 pipeline in; right? So we don't have a
20 definition for the word "mitigation".

21 MS. YEANY: Well, I would say that most of
22 what you're talking about there is covered by
23 the federal approval. And regardless of
24 whether this happens on state property, they
25 have to bring it up to a certain standard. And

1 that's not one that we specified. What we're
2 talking about are impacts above and beyond
3 that. Because of the fact that this is a state
4 park or --

5 MS. GEISEL: Right, because now I see, we
6 go hiking in Ringwood State Park and I see the
7 surveys flags and I see this huge swath of land
8 that it's going to go. The trees are going to
9 go. It's going to go below grade. We're going
10 to get big trenches in there and I'm wondering
11 what their legal obligation is going to be to
12 restore that land after they finish trenching
13 and bring everything back up to grade.

14 MR. GREDVIG: It's our requirement, both
15 federally and through our right of way permits
16 with the private landowners, with the DEP, to
17 restore that right of way back as close as
18 possible to its original condition contour and
19 to do the reclamation.

20 MS. GEISEL: Okay. So "contour" means
21 back to grade; right? So you're going to
22 restore the hiking paths, but in Ringwood State
23 Park there's big tracks the old growth, so
24 that's what I get concerned about. What are we
25 going to do about those old growth trees?

1 Because it's a mixture of pine, you know, old
2 growth oak. They are big, so how do we
3 mitigate that kind of track?

4 MR. GREDVIG: That's part of the
5 compensation both for the lease of the property
6 and then also for the mitigation that Judeth
7 was talking about earlier, to offset the impact
8 to those trees, and so we're looking for
9 replacement lands that have the same type of
10 resource that's being removed.

11 MS. GEISEL: Right.

12 MR. GREDVIG: And then we're also doing
13 reforestation.

14 MS. GEISEL: So that is sounds reasonable.
15 What we're talking about is you're going to
16 provide, at some future date, parcels, you're
17 going to identify hopefully throughout New
18 Jersey that are close to these impacted state
19 lands that Tennessee is going to transfer to
20 New Jersey, free of charge; right?

21 But this too is not incorporated into what
22 we're discussing tonight, which is a proposed
23 lease.

24 That is a big lease term, a contract term,
25 and we haven't, you know, had a meeting of the

1 minds of it yet. So that's what concerns me
2 like sitting here tonight what I'm hearing,
3 what I think I'm hearing from the audience
4 tonight is like we are going full steam ahead,
5 and I can recognize in this economy that New
6 Jersey needs money and we need big chunks of
7 money from deals like this, but do we have
8 enough information and have we negotiated
9 enough of these terms to make sure that New
10 Jersey is protected?

11 MS. YEANY: Well, I said this last night
12 and I'll repeat it. I mean, we're not
13 approaching this project in any way it's a
14 revenue opportunity for the state. I mean,
15 we're in the proposed path of the pipeline and
16 the discussion is about how we would handle
17 that if the project ends up being approved.

18 MS. GEISEL: Right.

19 MS. YEANY: So for us the revenue is
20 really secondary, even though, if the project
21 happens, it would certainly benefit our state
22 park systems.

23 As far as the lease not being drafted or
24 negotiated yet, you know, I don't think we feel
25 it would be would appropriate to prevent a

1 negotiated lease when what we're here to
2 discuss is whether we should lease the property
3 at all.

4 What we indicated in the report is that
5 four-to-one mitigation for the perimeter, what
6 they call the perimeter right of way,
7 four-to-one land compensation would be a
8 component of the lease, and the lease, if it's
9 ever drafted would certainly specify that.

10 MS. GEISEL: You know, those are concerns
11 that I have too because it's -- what are they
12 going to do in terms of like remediation and
13 compensation if they don't fulfill some of
14 these terms of the lease. Like if they start
15 encroaching on some of this land that's
16 protected by that Act and then don't compensate
17 the state or don't come up with a four-to-one
18 ratio on acceptable land for New Jersey?

19 MS. YEANY: Well, ultimately this
20 transaction, which has to be approved by our
21 commissioner and the State House Commission,
22 which is a legislative body, they would both
23 impose those conditions as a condition of their
24 approval and that would then be reflected in
25 the lease.

1 You know, we have every recourse that's
2 normally available to us when it comes to
3 dealing with encroachments or people not
4 complying with permit conditions if the company
5 doesn't live up to its obligations.

6 MS. GEISEL: Is it normal to hold any
7 money, like to demand a bond or any kind of
8 money in escrow in case they do default? I
9 mean, because is, as I'm looking at it, this is
10 a permanent, you know, 25, 50 year lease.

11 MS. YEANY: No, I do understand the
12 concern. I can tell you in the past I don't
13 think we have required a bond but, you know,
14 part of this exercise is for us to do better
15 for this project than we have the previous
16 projects as far as protecting the public
17 interests, so we're opened to suggestions and
18 we have to discuss those issues with company.

19 MS. GEISEL: Thank you. I appreciate
20 that, and I know this is a late night for
21 everybody, but there are certain terms that I
22 just don't understand as a lay person, so I
23 have to ask you because I've heard them, you
24 know, reading your literature tonight.

25 The thing that kind of spooks me is the

1 HDD. When you're talking about the horizontal
2 drilling and then I see it in your literature
3 that you're going to use it to go under the
4 Wanaque River and the Monksville Reservoir.

5 MR. CREEL: Horizontal direction drilling,
6 HDD --

7 MS. GEISEL: Right, so you're talking
8 about --

9 MR. CREEL: -- that crossing technique is
10 going to be employed at the Monksville
11 Reservoir.

12 MS. GEISEL: Right. The largest probably
13 body of the water in the area that you're going
14 through.

15 MR. CREEL: Yes.

16 MS. GEISEL: So you're talking about
17 adding, and please correct me, big mine clay?
18 You're using clay.

19 MR. CREEL: Bentonite clay.

20 MS. GEISEL: Bentonite, thank you. See.
21 As a layperson, I don't understand these terms,
22 with additives to make the bit go through
23 different surfaces? You're going under a body
24 of water.

25 MR. CREEL: The Bentonite clay and

1 additives that are used as a mixture of
2 drilling mud is used to facilitate the drilling
3 operation.

4 MS. GEISEL: What is that? What is
5 Betadine clay, it's a lubricant?

6 VOICE: It's a natural clay that for the
7 most part they recover from mines in Wyoming.

8 MS. GEISEL: Oh, okay.

9 VOICE: It's a natural clay.

10 MS. GEISEL: It's a natural substance but
11 you're bringing it in there from someplace else
12 to lubricate the bit, the drill heads; okay.

13 So you're only using that for the larger
14 bodies of water, you're not using that in the
15 Ringwood section which goes under --

16 MR. CREEL: We're doing that for the
17 Monksville Reservoir and the Delaware River and
18 the Susquehanna River.

19 MS. GEISEL: Okay. Then you had mentioned
20 something, the turbidity curtain. What is a
21 "turbidity curtain," something to prevent the
22 runoff from getting into a body of water?

23 MR. CREEL: A turbidity curtain is an
24 environmental control device who's purpose is
25 to try to prevent or to mitigate against muddy

1 water, turbid water from migrating from the
2 work space downstream to, you know, other
3 resources, like a downstream river.

4 MS. GEISEL: Is it something that is
5 manufactured or you guys make using bales of
6 hay?

7 MR. CREEL: We don't make it. It's a
8 manufactured product.

9 MS. GEISEL: Okay. And then you were
10 talking about also in your literature on Page
11 33 was rock wind rows, which is of interest of
12 me because you're preserving hiking trails with
13 that. What is that?

14 MR. CREEL: And we're still working on the
15 plan for what to with large excess rocks in the
16 rocky areas. They will be placed in the
17 temporary work space and the plan for putting
18 them in the temporary work space either as a
19 wind row or sort of a line in certain places
20 where you're making a linear structure,
21 although broken and intermittent, sort of a
22 linear structure referred to as wind rowing.
23 Or moon scaping, which is really just a
24 scattering of rock in the work space.

25 MS. GEISEL: So you're trying to recreate

1 rock structure.

2 MR. CREEL: Trying to recreate what the
3 rocks in the woods naturally would be and to
4 promote -- try to promote the revegetation and
5 restoration reforestation, you know, in that
6 temporary work space with the rock interspaced,
7 you know, in the forested area much as is it in
8 the adjacent property.

9 MS. GEISEL: Okay. The thing that got me
10 concerned too is you mentioned that you were in
11 the middle of studies to find out or ascertain
12 the impact of grade rock blowing.

13 MR. CREEL: It's really not so much of
14 determining what impacts are, it's simply a
15 matter of us finding out how much there is
16 because it's a cost issue for us.

17 MS. GEISEL: Right. Because there's a lot
18 of it in Ringwood State Park, if you hike those
19 trails.

20 MR. CREEL: I know where there's a pretty
21 good bit about within about a-mile-and-a-half
22 length of the pipeline there's a high part of
23 Ringwood Park where the pipeline deviates off
24 of a straight line and sort winds way up.
25 There's some grade rock in that area.

1 MS. GEISEL: So there's concern then
2 you'll have to use explosives?

3 MR. CREEL: We may have to use explosives
4 to clear some of the grade rock.

5 MS. GEISEL: And we still don't know where
6 or how much yet or what the impact's going to
7 be.

8 MR. CREEL: It's not a matter of impact.
9 It's just a matter of us to study as to
10 quantify the expected volume of rock blasting
11 that would be necessary.

12 MS. GEISEL: Because as I walked the
13 surveyors markers, it's inundated with rock
14 formations so that concerns me that there's no
15 study --

16 MR. CREEL: Yeah, I've walked the whole
17 area myself. I know pretty much where the rock
18 is.

19 MS. GEISEL: So who do we use? Who do we
20 use, geologists? Do you have in-house staff
21 who are doing these studies, the surveys?

22 MR. CREEL: We have a consultant who is a
23 geologist.

24 MS. GEISEL: Okay. Who you guys use?

25 MR. CREEL: Well, Geo Engineers is one of

1 out consultants. MacTech is another of our
2 consultants who is working specifically on the
3 rock study.

4 MS. GEISEL: So what happens with this
5 information? Is there a separate report that's
6 created from those consultants and goes back to
7 New Jersey so they can see what the impact or
8 the long-terms are going to be?

9 MR. CREEL: I believe there's rock
10 information, rocky area information that's put
11 in the FERC filing.

12 MS. DETTLING: Yes, there is. There's a
13 resource report. When you go to the FERC web
14 site and all the environmental reports that
15 we've prepared, those are what on FERC's web
16 site at this time, and including a blasting
17 plan.

18 When you talked about the HDD contingency,
19 those aren't federal documents. Those were
20 submitted by TGP for FERC's review. They will
21 then review those and prepare their own
22 determination and environmental documents and
23 those are available. When we submit an
24 environmental report, one of those reports
25 specifically addresses soil and geological

1 setting of the area.

2 MS. GEISEL: Okay. The language I heard
3 that got me concerned, you know, as a resident
4 is again we're in the middle of studies.

5 MR. CREEL: Well, that's not to indicate
6 that we're not aware that there's rock there.
7 The study is more about the quantity
8 determining for cost purposes.

9 MS. GEISEL: How we're going to take care
10 are of it or if we have to use high grade
11 explosives.

12 MR. CREEL: Well, we know, for example,
13 trench rock in the areas may need to -- well,
14 there's no "may" to it. There will some
15 blasting associated with trenching the ditch in
16 rocky areas.

17 On the 300 Line Project there has been
18 blasting associated with the clearing of grade
19 rock or above ground rock that needed to be
20 graded in order to facilitate the installation
21 of the pipeline in a safe efficient way.

22 MS. GEISEL: Right.

23 MR. CREEL: So we're very much aware of
24 those places where that kind of activity is
25 going to be required and I believe all of that

1 information is included in our resource
2 reports.

3 MR. GREDVIG: And just to add to Jerry's
4 comment, a lot of these studies that we're
5 doing also, besides being applicable to the
6 environmental reports, it also has to do with
7 when we identify our contractor, we have to
8 give OUR contractor the heads up.

9 MS. GEISEL: Right.

10 MR. GREDVIG: This IS what they have to
11 expect so they plan on it so that our plan
12 project for construction can move forward on
13 the time schedule that we've laid out for them.

14 MR. CREEL: For example, whereas our
15 resource reports may identify the location and
16 nature of rock structures and things that are
17 part of the environmental analysis, it wouldn't
18 necessarily provide a contractor with a
19 quantity or a volume that we could expect. And
20 this latter study that we're talking about is
21 what that's all about.

22 MR. MANN: The study that they're talking
23 about is actually very informational and I
24 imagine that it's put together by your team of
25 people that are supporting this whole thing,

1 the resource.

2 MS. DETTLING: Yes.

3 MR. CREEL: A resource report is put
4 together by our consultants, yes.

5 MR. MANN: But when you go on there,
6 though, it will tell you, okay, the study is
7 supposed to be done at this time and it will
8 tell whether it's complete or not complete.
9 And they do list, for me, and I've been going
10 over this and over this, and there seems to be
11 a conflict in stuff in those reports to what
12 actually what we see on here, the thing about
13 the bats and the bog turtles and all that
14 stuff, and is it is on there, I have seen it.

15 MS. GEISEL: Well, I have to say, I'm
16 still gathering information, but I'm concerned
17 because it does seem to be like we're on the
18 back side of the approval process and there's
19 still more information that we need and there's
20 more negotiations that have to be done.

21 Especially since I saw that West Milford
22 300 Pipeline Project, in the two weeks, the
23 speed of that construction was amazing to me.
24 It's efficiency in and of itself, which is a
25 good thing, but it's also a bad thing, if the

1 community still doesn't feel that they're on
2 top of what's going on or what's coming right
3 down at them.

4 The other thing I have to say is, do we
5 know, I'm not a big fan of fracking. Where is
6 most of this product, this gas product that's
7 going across this pipeline coming from? Is it
8 coming from specific wells, specific parts of
9 this country, going across the pipeline to the
10 Northeast to meet the new demand?

11 MR. GREDVIG: We have customers. We have
12 customers who come to us and they bring their
13 gas from where ever they develop it from. It
14 may be Marcellus, it may be coming from Texas,
15 it may be coming from wherever their system
16 would allow or wherever their protection is.
17 They're going to put their reserve capacity in
18 our pipeline.

19 MS. GEISEL: Okay.

20 MR. GREDVIG: Ship along our pipeline, and
21 then so that's the production side, and then
22 the customer side is where the receipt point
23 is.

24 MS. GEISEL: Right. So are you buying at
25 that end?

1 MR. GREDVIG: We do not buy the gas. We do
2 not own the gas. All we do is transport the
3 gas.

4 MS. GEISEL: Transport it. So you really
5 don't know the source when you're getting it.

6 MR. GREDVIG: That is correct.

7 MS. GEISEL: What is like, for lack of the
8 correct term, because again, I'm a lay person?
9 What's like the drop off point? Where does
10 this pipeline initiate or receive product?

11 MR. CREEL: Look, I think it's pretty
12 clear that the incremental capacity being built
13 for pipelines in the area are related
14 additional reserves that have been developed
15 and a lot of that is in the Marcellus Shale
16 area.

17 MS. GEISEL: Okay. But we don't have --

18 MR. CREEL: We're not pretending we don't
19 know where the gas is coming from.

20 MS. GEISEL: Okay.

21 MR. CREEL: It's just that it's not our
22 piece. We're the transport.

23 MS. GEISEL: Right. Do we have
24 percentage, though, that's carried? Do we have
25 any idea of that?

1 MR. CREEL: There's existing gas supplies
2 as far south the Gulf of Mexico that currently
3 enter the system and go into the pipeline and
4 are delivered at all points along the line. I
5 couldn't tell you where the individual
6 molecules come in and go out.

7 MS. GEISEL: I appreciate that.

8 MR. GREDVIG: We have separate delivery
9 plants along our system.

10 MS. GEISEL: Oh, you do. Okay. All
11 right. That I didn't understand when we were
12 getting into this.

13 I'm trying to keep an open mind. But I
14 just have no comfort from the fact that there's
15 still certain un-negotiated portions of this
16 lease.

17 We've got a long-term lease contract for
18 something that's going to remain in the ground,
19 have a big impact on this area. So I have to
20 say that in some aspects, a lot of the
21 community is upset because they feel -- we saw
22 like two articles in Suburban Trends. I just
23 drove by it and I contact Mr. Brubaker, who was
24 kind enough to get back to me to explain to me
25 what was happening on the pipeline 300.

1 I feel like I'm relatively in touch. You
2 know, I read the newspaper, I listen to the
3 radio. Still, this came at me like a bolt from
4 the blue. That's probably my fault, not your
5 fault, of course, just as our representatives
6 from the state level and the federal level, you
7 have to appreciate that there's a lot of
8 concern in Ringwood and West Milford because
9 this is a big thing for us. This has a huge
10 impact.

11 You know, I have to go by this and explain
12 this to my kids and like this is energy, our
13 country needs energy. You know, we're in a
14 recession. The state needs money. But we're
15 concerned because we don't want what looked
16 like in West Milford for a layperson, a strip
17 mine. And that's what I saw every day for two
18 weeks without any explanation until Mr.
19 Brubaker got back to me and explained it to me
20 that this was approved, they did the process,
21 everything was done in the right way.

22 But now there's a separate one coming
23 through really close to that one and we're
24 going through this at what seems like putting
25 the cart before the horse.

1 So my concerns as a homeowner for
2 this area are, I really appreciate the work you've
3 been doing. I appreciate all the information, how
4 everyone was so well prepared. But if you tell me
5 this is fast tracked, it makes me nervous because I
6 still don't understand a lot of the lease terms and
7 I'm a litigator and I'm still not so sure about what
8 they're going to do afterwards because of what I've
9 seen in West Milford. That was down way below
10 grade, and there wasn't a rock, not a pebble, not a
11 shrub left. It was clay based, which surprised me,
12 because I didn't know that's what was under that
13 forest there.

14 So take your time, look it over, do a
15 thorough job because that's what we ask you do to as
16 our representatives.

17 Thank you very much.

18 (Applause.)

19 MR. INGUI: Chris Ingui, New York/New
20 Jersey Trail Conference. I just have one
21 closing, if I may, and I wanted for this
22 question to basically separate DEP a bit from
23 the Tennessee Gas Company mainly because the
24 money is not coming from DEP. The money is
25 going to be coming from Tennessee Gas.

1 And the only question I had was why the
2 upper portion of that money that you're going
3 to give, 8.6 million, why that is fair in your
4 own view?

5 MR. GREDVIG: Why what?

6 MR. CREEL: I don't think it's appropriate
7 for us to express an opinion about that. You
8 can ask specific questions about the project.
9 We can certainly listen to comments and input
10 for the project and we can answer specific
11 questions. But I don't think it would be
12 appropriate for us to express an opinion or,
13 you know, be subjective in that way.

14 MR. INGUI: All right. Fair enough.
15 Thank you.

16 MR. SCHERER: Hello, my name is Keith
17 Scherer, S-c-h-e-r-e-r. I'm a Hewitt, New
18 Jersey resident. I am volunteer for the New
19 Jersey/New Jersey Trail Conference.

20 My position with the Trail Conference is
21 I'm the Wawayanda east trail maintenance
22 supervisor.

23 Many people have talked tonight about the
24 activity that has gone in West Milford.

25 The supervisor area that I'm responsible

1 for, that 300 section of pipeline crosses
2 directly on top of the Terrace Pond North
3 Trail.

4 The state has closed the trail since
5 March, at which point no volunteers have been
6 able to maintain the hiking trail since then.
7 That hasn't stopped hikers from hiking it,
8 especially while were blasting.

9 There is a really bad section of the trail
10 that has lacked maintenance for quite some time
11 that we were planning on working on this
12 spring. The pipeline work has made it very
13 difficult to access that section of the trail
14 that we want to maintain.

15 It is at the top of Bear Fort Mountain.
16 It's 1200 feet in elevation. It is on bed
17 rock. There is no of, ands or buts about it,
18 it's on bed rock.

19 I had to take about a 4-mile trail to get
20 to that section of trail because the trail was
21 closed. Usually it's about a mile, a little
22 bit more.

23 I experienced the blasting myself
24 firsthand while working on the trail. You
25 could feel it in the rock. It's no joke. The

1 rock moves. And people are hiking the trail.
2 They're crossing near where they're blasting.
3 People are out there.

4 I just feel that, you know, I would like
5 to know what they're going to do in Ringwood
6 because you're bisecting the entire state park.
7 Yes, you only cross 16 hiking trails. Some of
8 those hiking trails you cross multiple times.

9 To me it seems like the whole park is
10 going to be closed for over a year. Now, I
11 know not the whole park is going to be closed,
12 but who's going to go on hikes of segmented
13 loops when all this work is cutting the trails
14 in pieces?

15 I mean, right now my trail's cut into even
16 more pieces than it was when it was skirting
17 the pipeline and no work was being done.

18 And I just think that the core group of
19 people that use that park, hikers,
20 birdwatchers, mountain bikers, walkers, geo
21 catchers, they're going to be out of a park for
22 an entire year, and I don't think that
23 \$8.6 million or 330 something thousand per year
24 is worth losing not one, but almost two state
25 parks for an entire season. Especially to our

1 local economy, that brings to this area to
2 spend money the our delis, in our stores in the
3 area.

4 MR. GREDVIG: To try to address one of
5 your concerns about the trails and trying to
6 keep them open.

7 Trails have really become a larger
8 component of this discussion than it was on the
9 previous 300 Line. So that's why we are trying
10 to take a proactive approach to how to manage
11 our crossing over those trails with a plan so
12 that we can minimize the disturbance for that
13 hiking experience and to keep those trails open
14 as much as possible so that they're not closed
15 the way they similarly are right now on the 300
16 Line construction.

17 Those trails, to that degree, was not
18 addressed in the same way that we're addressing
19 these for this move forward project.

20 MR. CREEL: Yes. I could tell that I'm
21 aware, I didn't recall the trail name in
22 Wawayanda State Park, but I was aware that
23 there was a trail that did cross our pipeline,
24 I think it's in two different places.

25 MR. SCHERER: It actually is congruent,

1 not crossed, it's congruent.

2 MR. CREEL: It's actually co-located for a
3 distance?

4 MR. SCHERER: Yes, in two sections.

5 MR. CREEL: Yeah. I wasn't aware of that
6 but I was aware that there was a problem with
7 that trail and being closed for an extended
8 period of time and when I first heard of that,
9 my expectation was, you know, a lack of
10 planning ahead of time to make accommodation
11 with the contractor to leave openings and a
12 safe way for the trail to be used, except in,
13 you know, short time periods when specific
14 construction activities were occurring. That
15 is what I assumed.

16 I understand now, knowing a little bit
17 more about where it is. The location of the
18 trail presents some unique, and if you've been
19 up there, you'll know that it presents some
20 unique challenges.

21 MR. SCHERER: I think the whole mountain
22 presents unique challenges.

23 MR. CREEL: It certainly does. And so I
24 think there's -- that's a very difficult
25 situation. I don't know how much better

1 planning ahead of time would have made in that
2 particular instance, but what it does suggest
3 to us is that we need to know about all of the
4 trails and all the trail crossings and to have
5 all those things incorporated into our plan for
6 construction so we can, in Ringwood and
7 wherever we're crossing trails here, minimize
8 the impact and including access for use by
9 hikers.

10 And so we have a very specific crossing
11 plan for the Appalachian Trail, obviously a
12 unique resource that commands great attention.
13 But we're also going to have another general
14 plan for the other trail crossings and we are
15 looking for additional information to make sure
16 that we've identified all those crossings, to
17 identify any structures associated with those
18 trails that need to be accommodated by
19 construction activity as well as after
20 construction, look at the whole issue of ATV
21 encroachment and the impact that it could have.

22 You know, we're all on the same team on
23 that one because we don't want the ATVs on our
24 right of way, not more than you want --

25 MR. SCHERER: And the right of way was

1 very rugged previously in that particular
2 section.

3 Now, what I'm afraid of is now that this
4 new work has been done it's going to be made
5 easier and we're putting it next to a
6 60-year-old pipeline. When is that pipeline
7 going to need fixing? Are these hundred year
8 pipelines? Are we going to be back here 20
9 years from now to fix the original is my really
10 question?

11 MR. CREEL: Okay. But that's a different
12 question. Let's talk about the existing
13 pipelines.

14 MR. SCHERER: Yeah.

15 MR. CREEL: The existing pipeline was
16 installed originally in 1955, I believe.

17 MR. GREDVIG: 1954.

18 MR. CREEL: Is it '4 or '5?

19 MR. GREDVIG: 1955.

20 MR. CREEL: Okay. And it's been in
21 operation since then. Most recently over the
22 past couple years, particularly with the new
23 and fairly sophisticated internal inspection
24 devices that we have now, all of our 300 Line
25 loops have been inspected internally to ensure

1 that these pipes are -- the integrity is not in
2 question of all pipes.

3 This is a carbon steel pipe. It's
4 cathodically protected. Generally speaking, as
5 long as the pipe is maintained and protected
6 appropriately, the life span of the pipe is --
7 it's not going to rust if you take measures to
8 prevent it from rusting, if you will. So from
9 that perspective, as long as you operate and
10 maintain the facility properly it's an
11 indefinite life span.

12 Now, what will happen over time, in a lot
13 places the population density will change,
14 increase to the point where segments of the
15 line are no longer qualified for that
16 population density and here will be a
17 replacement required just to meet safety
18 compliance standards there. On top of the
19 mountain, though, I don't think we have that
20 class location change that shouldn't be so.

21 The biggest impact on pipelines that
22 causes us maintenance and to have to go and fix
23 things is third-party damage, and that's why
24 have such a rigorous program of trying to mark
25 and do public outreach to make sure that people

1 know that the pipe is there. It's why we have
2 a restricted right of way to keep from
3 structures and other things encroaching on the
4 piping and putting themselves in danger.

5 So all of those activities are done, and
6 if you do that properly, so long as it's not a
7 victim of third-party inflicted damage, the
8 pipe has an indefinite life span.

9 MR. SCHERER: Okay. Thank you.

10 MS. GAINES: My name is Camille Gaines,
11 G-a-i-n-e-s. I'm very new to all this. And as
12 this is very simple as a layman sitting here
13 listening to all of this. It sounds to me that
14 this whole project and the impact that it's
15 really for the best of Tennessee, whatever
16 you're called. It's a moneymaking project for
17 you. It's for you to make money. And all I'm
18 doing sitting back and hearing how dramatically
19 your project, which you're going to make money
20 from, is impacting so many, many, many people.

21 I personally know somebody who's in
22 Pennsylvania in Houtbag, Pennsylvania who was
23 approached, two gentlemen in 80s, who leased
24 their land, hundred acres of beautiful land to
25 one of these companies and now this fracking is

1 going on, has pit neighbor against neighbor,
2 and their beautiful lakes, we anticipate, are
3 going to be polluted from the chemicals.

4 I sit down and I look at this all this and
5 I'm thinking, first of all, this gas isn't
6 necessary to help us in New Jersey. This gas
7 is coming from way up New England to Tennessee.

8 So how is this project really helping or
9 affecting those of us that you're impacting? I
10 mean, to what extent? Since you're saying it's
11 not a moneymaker, and particularly since
12 they're only benefiting with a thousand dollars
13 per acres, I mean, you're right. That's not
14 very much at all.

15 I sit back and I see you have all this
16 negative impact and it's really just to benefit
17 you. How is it going to be positive for all
18 these people that you're impacting in a
19 negative? It's way very simple.

20 MR. GREDVIG: If you look at our one slide
21 that we showed, we showed the added capacity
22 that's needed for New Jersey, the residents of
23 New Jersey, the pipeline, the gas flow that
24 we're going to be delivering comes to Mahwah
25 meter station that delivers to customers that

1 are within New Jersey. Gas is flowing through
2 the pipeline. We'll fill that. That pipeline
3 will be for the customers that are being
4 serviced by the local distributions companies
5 that service either New Jersey or surrounding
6 areas that provide that are part of our market
7 area.

8 So that's one way that the pipeline will
9 facilitate and help the residents of New
10 Jersey.

11 Plus, as we build the pipeline there is an
12 ad valorem tax that is collected by the state
13 and the counties and townships, and so goes
14 back into the revenue base of each one of those
15 areas that we go through with the pipeline and
16 that's and ongoing, ever...

17 MR. CREEL: Yeah, I would touch on two
18 things. The first time is simply the matter of
19 making domestic natural gas as a clean,
20 efficient source of energy available for energy
21 needs in the country, in New Jersey and
22 elsewhere, is a benefit of the project.

23 More locally, you know, we've commenced
24 the study for Rutgers, the blasting study that
25 describes the economic impacts, some of which

1 Dan has talked about, so, you know, is that on
2 the web site? So you can look at the blasting
3 study that will describe the impacts in terms
4 of taxes that will be paid, jobs that will be
5 generated during this construction, other
6 expenditures for local contractors and
7 merchants.

8 So there's a number of local and direct
9 benefits to the economy in New Jersey, and
10 that's classified and reported pretty well, I
11 think, in that study, so you can take a look at
12 that.

13 But I think the general context of your
14 question, and I took it not to just be
15 rhetorical in terms of expressing an opinion,
16 but, you know, making available a clean,
17 efficient source of energy for the country's
18 energy needs, we would view that as a very
19 positive effect.

20 If you have domestic sources of gas,
21 certainly that displaces the foreign sources.
22 Certainly if you have a more abundant supply,
23 that has an impact on the supply and demand
24 equation and the price and cost that we all
25 together pay for our energy.

1 MS. GAINES: Well, it just seems that, and
2 at least in this area, which is so -- we are so
3 rich in natural resources, it just seems that
4 there should be some -- I don't know, whether
5 maybe in this area, this is very simplistic,
6 you not have this additional capacity but you
7 do come up with some other, because but it just
8 seems that this area is just so special.

9 And I also am very, very concerned about
10 fracking and I know this Marcellus Shale is
11 very valuable and quite a natural resource and,
12 you know, if Governor Christie doesn't sign the
13 ban, you know, what's going to stop you from
14 starting to drill right nearby?

15 I think it seems to me that this is
16 something that has come upon us rather quickly
17 and a little bit under the radar and is opening
18 the Pandora's box to something that I think,
19 people -- I'm only just learning about it and I
20 think a lot more people need to be aware of the
21 possible, you know, more of the negative impact
22 that this is having.

23 It's sounds very simplistic because
24 you're, you know, putting this along where
25 there's an existing line, but there's more to

1 it than that and it is opening up, you know,
2 the possibility of fracking and which there's a
3 lot of concern with fracking, and you know all
4 about that.

5 MR. CREEL: Well, let me try to address
6 that. I don't know all about fracking because
7 that's not us, we're not the ENP group. We're
8 the pipeline. We're the transport. We're sort
9 of the trucking outfit, if you will, for the
10 gas and that's that our so we're not -- I'm
11 certainly not an expert on fracking. But I
12 know that the industry has some information and
13 if we had an ANGO -- does anybody have the ANGO
14 web site?

15 I would encourage you to look at the gas
16 association web site to see, at least hear the
17 other side of the story when it comes to
18 developing shale formations by drilling and
19 hydraulic fracturing. There's other
20 information there that tells a different side
21 of that story and I'd encourage you to look at
22 that.

23 But in our case, we're the trucking
24 company, we're not the fracking company.

25 MS. GAINES: First you have the pipe and

1 then you maybe have the fracking or the
2 fracking in the pipe for the pipes.

3 MR. CREEL: Actually, it doesn't work that
4 way. In fact, what happens is, and we have a
5 contract -- our customers have contracted for
6 capacity on the pipeline and my understanding
7 is that that is for gas, that's not
8 speculative. That's not for future gas.
9 That's for gas that has either been produced or
10 is being drilled now or has already been
11 permitted.

12 So, you know, part of it is it's the need
13 for the pipeline follows the production and not
14 other way round.

15 MS. GAINES: Well, thank you very much.

16 MR. MANN: Dan, Chief Mann again. You're
17 saying that the pipeline that exists now
18 supplies residents of New Jersey?

19 MR. GREDVIG: We supply local distribution
20 companies in this area or other pipelines that
21 provide gas to local distribution companies.

22 MR. MANN: Existing.

23 MR. GREDVIG: Existing.

24 MR. MANN: Are the two people that we
25 don't know who are they yet, are they from New

1 Jersey?

2 MR. CREEL: Well, we don't have any
3 problem telling you who the customers of the
4 pipeline project are.

5 MR. MANN: The two that had you said when
6 we were in Bergen County you said that you have
7 customers, because you have to show the need
8 and the demand for it in order for this thing
9 to move forward.

10 MR. CREEL: Who has the contracts for the
11 capacity on Northeast upgrade? I believe it's
12 Stat Oil and Chesapeake, I believe were the
13 customers.

14 MR. GREDVIG: That's correct. I don't
15 have those names but they are part of the FERC
16 filing as well.

17 MR. MANN: I didn't remember but I just
18 wanted to know because --

19 MR. CREEL: Yes, that's not anything
20 that's -- I believe it's Stat Oil.

21 MR. MANN: And the only reason why I asked
22 that question was because it was a question
23 that was asked before and going through the
24 documentation I actually seen it myself. But
25 then again she asked that again and didn't get

1 the answer.

2 MR. CREEL: Yeah. I think I remember the
3 incident. I don't think we understood quite
4 exactly what the question was.

5 MR. MANN: Everybody was asking whether or
6 not the need for this is for need residents of
7 New Jersey or is the need for it because of the
8 people you have more customers are just showing
9 the demand and you need to do from other state.

10 MR. CREEL: Well, I would say that the
11 fact that domestic source of gas is available
12 for use off the system, whether the initial end
13 user for a particular set of molecules is a
14 power plant in New York or whatever it is.

15 MR. MANN: Right.

16 MR. CREEL: It, in fact, changes supply
17 and demand equation and has an impact for on
18 the price of gas, not just for that particular
19 end user but for everyone who is an end user.
20 And if you don't have gas to your house,
21 understand also that if you buy electricity at
22 a large degree, new generation sources of
23 electrical power are fired by natural gas.

24 So the supply/demand equation for natural
25 gas has an impact on everyone's economics, not

1 just for those particular people who have a tap
2 at their house.

3 MR. MANN: I agree, and it wasn't my
4 question, but I just want to clarify because
5 they're asking you because you're doing this in
6 the State of New Jersey, not in the State of
7 New York.

8 MR. CREEL: I think we have a lot of
9 information that kind of chronicles the
10 benefits for the State of New Jersey and the
11 residents in our applications.

12 MR. GREDVIG: Any other comment?

13 MR. CEE: Michael Cee, Vernon, New Jersey.
14 Thank you.

15 I just had a quick question for you. I
16 did ask a couple last night and they were
17 answered.

18 According to your mitigation plan you're
19 taking between 75 and 100 foot width through
20 the forest area. What I've seen actually I
21 think is bit of a contradiction in the
22 Wawayanda State Park area, we measured it, it
23 was definitely over 150 feet.

24 My question is, are there times during
25 this construction that you do need to expand

1 your width of deforestation along the line
2 because I know you say it's 75 to 100 but I've
3 actually seen it firsthand that's it's about
4 over 150 feet.

5 MR. CREEL: I'll give you the three
6 different components of the footprint, if you
7 will, or the impact area of the project. What
8 we call the permanent easement, the piece that
9 will be leased from the New Jersey in this
10 case, that will be permanently maintained,
11 that's a piece.

12 Then there is normal temporary work space.
13 That's where you get 75 feet in the wetland and
14 that's where you get 100 feet in upland. As a
15 general rule that's the width of the corridor.

16 For certain areas, for example, on either
17 side of a big wetland area where additional
18 spoil storage is required, additional temporary
19 work space, it's called ATWS, will expand that
20 100-foot width, but what I would say is that is
21 required generally at road crossings, it's
22 required general in major wetland areas. It
23 will be required where there is as steep side
24 slope or additional work space, but there are
25 specific areas where that kind of additional

1 temporary work space is needed.

2 I would go on to say that all of our work
3 spaces are approved work spaces in the permit,
4 in the approval, and those are the only work
5 spaces that we are allowed to use. And one of
6 the things that the monitoring program by the
7 federal agency does is ensure that we only use
8 what has been approved as work space for the
9 project.

10 MR. CEE: I see. Okay. Thank you.

11 MS. WOOD: Margaret Wood from West
12 Milford. Does the drilling mud contain heavy
13 metals?

14 MR. CREEL: The drilling mud does not
15 contain heavy metals as part of the formulation
16 for use to support the drilling operation. I'm
17 a little worried to say blanket because once
18 you drill, it would be stuff that comes out of
19 the ground.

20 MS. WOOD: Exactly. Okay. When you drill
21 chips come up and it needs to be disposed of, do
22 these chips contain radioactive elements and do
23 they could heavy metals?

24 MR. CREEL: The material that is disposed
25 of from the drilling operation is generally

1 disposed of in a benign or inert material
2 disposal, so if there were any contaminants,
3 then it would be handled as a hazardous waste.

4 MS. WOOD: Not a toxic waste, hazardous
5 waste.

6 MR. CREEL: Hazardous waste. Hazardous
7 waste, toxicity is one of the characteristics
8 of a hazardous waste. If you're familiar with
9 the hazardous waste regulations, if you have
10 such a waste, then it has to be treated
11 separately and special and disposed of in an
12 approve appropriate facility for that.

13 MS. WOOD: I believe that's appropriate,
14 but I've heard that a lot of the stuff is being
15 classified as toxic leaving it up to the
16 municipalities to dispose of an adding extra
17 cost to the municipalities to clean up the
18 filth left behind.

19 MR. CREEL: I'm certainly not aware of
20 that at all on any of our projects.

21 MS. WOOD: Kathy, who owns the bait shop
22 of Warwick Turnpike has been saving all the
23 newspaper articles about the pipeline since the
24 day she found out about it. Every single
25 article. There was one informational meeting

1 in West Milford. She says it was about this
2 big in the paper (indicating.) And anything
3 else about the pipeline we didn't hear about
4 until after the meeting had occurred. There
5 was no mention of a meeting beforehand to let
6 us know. So this came as a surprise to us.

7 Now, I have new comments of my own. I
8 object to your first chart saying that there
9 will be an increase in demand for fracked gas.
10 Well, my word is "fracked," you just said
11 "gas," for the next ten years. I'm saying
12 "fracked" because I know a lot of this gas will
13 be fracked gas.

14 I believe there will be a need for energy
15 but the source of that energy can come from
16 green sustainable energy sources, it doesn't
17 need to come from fracked gas.

18 I object to your referring to this gas as
19 natural. Fracked gas is far from natural since
20 it will also contain some of the fracking fluid
21 that leaks into the pipeline. It will contain
22 contaminants such as benzene and radioactive
23 elements.

24 This plan it not consistent with the New
25 Jersey Energy Master Plan. At this time we are

1 still bound by the 2008 Master Plan which calls
2 for a 30 percent reduction in fossil fuel by
3 the year 2020. The revision which you are
4 referring to was proposed by Christie but
5 hasn't been passed at this time. It is still
6 in the phase of public commentary and there is
7 much public outcry against it.

8 So don't mislead the people sitting here
9 today with statements like that which represent
10 your wish list for that Master Plan to come
11 into effect when it is not in effect yet.

12 I object to your statement that we need
13 more fracked gas energy. Gas prices are low
14 now. The demand does not exist in the U.S. We
15 saw from evidence presented at the Montague
16 meeting that this gas company is owned by
17 foreign investors.

18 I saw maps on line that show all the
19 pipelines from the various companies are
20 interconnected, and you just admitted to that.

21 Presumably so that they can trade gas with
22 each other as needed; which you just admitted
23 to.

24 These interconnecting pipelines continue
25 to the east coast where the gas can be

1 liquified and shipped overseas.

2 I have seen this economic play played out
3 in South America and Third World countries
4 where a big corporation would come in, take
5 advantage of the population, grab the
6 resources, bribe the public officials. Give no
7 money to the people who live there and then
8 sell the resource overseas.

9 And now they're doing that to America.
10 They're treating us like a Third World country
11 and I don't want this to happen here.

12 Now, yesterday I gave you this article
13 from "Methane and the Greenhouse Gas Footprint
14 of Natural Gas from Shale Formations" by Robert
15 Wholeworth, Rene Santuro and Anthony Ingraphia
16 and I asked you if you would put it into the
17 record. And I saw heads shake yes but I didn't
18 hear you verbally.

19 Could you verbally confirm that this
20 entire paper will be entered into the record as
21 evidence?

22 MS. YEANY: Certainly.

23 MS. WOOD: Thank you. I'll give it you to
24 again.

25 MS. YEANY: Thank you.

1 MS. WOOD: Because now your verbal
2 admission shows on the record that you are
3 aware of it and that you must respond to it.
4 Thank you.

5 I have a great fear of public speaking.
6 Let me just summarize this article where he has
7 proven that fracked gas has a larger greenhouse
8 gas footprint than dirty coal. So it is the
9 wrong plan to use it as the transition energy
10 if you are concerned about global warming. It
11 is worse than what we have now and it should
12 not be used. And since this pipeline is going
13 to contain mostly fracked gas, this pipeline
14 should not be built.

15 Also, fracked gas is very toxic,
16 containing things like benzene. Some of that
17 will leak into the pipeline. All pipelines
18 leak 3 percent of their contents. That's the
19 national average throughout all on the
20 pipelines so you can expect those toxins to get
21 into the water, into the land. Water flows
22 downhill. We're in the Highlands. It's going
23 to flow downhill, it's going affect all our
24 waters. It won't stay put.

25 And also, these toxins, most of them are

1 not biodegradable so will be with us for a
2 very, very long time.

3 (Applause.)

4 MS. BUDZ: I have a quick question and I
5 need this explained to me.

6 In Vernon if we have a 7 mile run 200 feet
7 wide and you want to lease, how much of that do
8 you want to lease the 200-foot wide? How much
9 are you going to be leasing of that 200-foot
10 wide stretch that you opened up in the state
11 park?

12 MR. CREEL: I believe the terms of the
13 lease include both temporary and pieces
14 that --

15 MS. BUDZ: So all destructed land. So
16 200-feet wide you're going to pay.

17 MR. GREDVIG: The plan that we present and
18 finalize with the DEP will be for using the fee
19 schedule as authorized by the commission for
20 the application against our pipeline facility
21 and so the DEP will apply that calculation
22 against our footprint for our construction.

23 MS. BUDZ: Your total footprint.

24 MR. GREDVIG: Our total footprint for out
25 construction, and then ultimately against what

1 we term our is permanent right of way or that
2 lease term of 25 years what we would manage and
3 maintain.

4 MS. BUDZ: Okay. So for 25 years,
5 200 feet of our forest is gone, so you're going
6 to pay how much on -- explain to me. Your
7 pipeline is 30-inches wide.

8 MS. YEANY: I don't want mislead on you
9 this.

10 MS. BUDZ: Yeah. I'm getting the
11 impression that the 200 feet that's gone, that
12 that's going to be cropped down to a certain
13 amount of feet and that's what you're guys are
14 to be paying on for 25 years.

15 MS. YEANY: They will pay for permanent
16 occupation which they will --

17 MS. BUDZ: Which is how much?

18 MS. YEANY: What they would characterize
19 as the permanent right of way, which I believe
20 ranges in width between 75 and 100 feet.

21 MS. BUDZ: Okay. So the extra hundred
22 feet that we're missing in our forest.

23 MS. YEANY: Will continue to be owned by
24 the State. They will pay for using it during
25 the period that they are using it. It will be

1 covered by a right of entry, not the lease
2 itself.

3 MS. BUDZ: So we're not going to be making
4 money for 25 years on the other hundred feet of
5 forest that's missing.

6 MS. YEANY: No.

7 MS. BUDZ: So how do you compensate for
8 coming in and taking that? Because mitigation
9 as this plan here, which I suggest everybody
10 get, the mitigation plan which is presented to
11 each town, clearly states, every seed, every
12 flower, every tree that's going to be going
13 back in, only one-third of what has been taken
14 is really regulated that needs to go back in.
15 Not 100 feet.

16 If it's 200-foot wide, you're going to
17 look at, maybe 70 feet is going to be put back?

18 Can you tell me what you know about that?

19 MR. GREDVIG: What we're concerning to be
20 the permanent easement as of our FERC filing
21 and for the calculations that are being used
22 right now, we're looking at an additional
23 25 feet. We have an existing 50-foot wide
24 permanent long-term easement. We're going to
25 add 25 feet and then we're going to have

1 whatever our temporary work space is for the
2 term of our construction.

3 MS. BUDZ: The term of the construction.
4 So the minute you're out of there, that's it,
5 you're only paying on 75 feet.

6 MR. GREDVIG: Then we're applying the
7 mitigation, no net loss.

8 MS. BUDZ: Well, I have all that down
9 here, but when I was out with Mike walking the
10 site, I was told by numerous people that only a
11 third is really -- they're only required to put
12 a third back of what they take.

13 MR. GREDVIG: We have to do three things.
14 One, we have to reclaim the right of a way. We
15 have to reseed all of the right of way, we
16 reforest.

17 MS. BUDZ: Right, that's a problem too.
18 What you took out of Vernon is not seed area.
19 It's all trees. Thousands and thousands and
20 thousands of trees, and to go put back the seed
21 mix, the Pennsylvania Smart Weed, which I saw a
22 million times is just Pennsylvania Smart Weed
23 is really -- it serves no purpose. Insects
24 don't eat it. Really, it's an invasive taking
25 over plant.

1 And I'm sorry, I was going to make this
2 short, but I've gone over this and I suggest
3 everybody get this from the town that you have
4 to have the plan. It's 172 pages. It needs to
5 be looked over because there are a lot of
6 things in here that are not true to what has
7 happened in our town and it's a little scary,
8 it's a little deceiving.

9 MS. DETTLING: We had the meeting here to
10 go over the No Net Loss Reforestation plan and
11 it's actually right behind you available and in
12 the library, so if you want to want see that
13 which is, you know, the seeding that we propose
14 for stabilization is very different from what
15 we restore so those plans are available.

16 MS. BUDZ: So you're going to seed and
17 then you're going to go back and then you're
18 going to plant trees. So you're going to be in
19 and out, in and out.

20 MS. DETTLING: No. The schedule is all in
21 there and it's a reforestation plan.

22 MS. BUDZ: I have that.

23 MS. YEANY: That's actually dictated by
24 state statute, the level of reforestation.

25 MS. BUDZ: So it's tree for tree. Don't

1 misunderstand that it's tree for trees going
2 back, because it's not.

3 MS. YEANY: Well, I wasn't saying that.

4 THE WITNESS: I just want people to be
5 aware, it's not a tree for tree.

6 MS. YEANY: No, it's not.

7 MS. BUDZ: It's not. So the forest will
8 never be exactly the way that it was and you
9 only have to pay for 75 feet, maybe 100 or 25
10 years and then the other hundred that's gone,
11 you only have to pay for it for as long you're
12 working there, but you will throw some seed
13 down to compensate.

14 MR. GREDVIG: All that still is being
15 worked out between the DEP under their
16 regulations and needs to be applied against our
17 construction footprint.

18 MS. BUDZ: I understand. I'm not slamming
19 you guys. I just want you to know that you're
20 proposing to them something that we've been
21 through and I can say that I've seen from my
22 own eyes and what's happening, it doesn't quite
23 measure up to what it seems that you guys are
24 putting out to the new areas that are going to
25 be going through this. And I want them to be

1 aware, to ask questions, to not take this as
2 gospel because it's not and we want to have
3 clarity to this. That's the only reason I'm
4 here, is just so we have clarity.

5 MR. CREEL: I would add two things. One,
6 we are a long way from being finished with the
7 300 Line construction, including restoration
8 and revegetation and reforestation and all of
9 those things, No. 1.

10 No. 2, we will be complying with all the
11 requirements of our permits and other approvals
12 to do the project.

13 MS. BUDZ: Well, I feel that you should
14 not just be able to pay for the 100 feet of the
15 line and then what you need, but the 100 feet
16 that you take away, I don't think that we
17 should have to eat that. I think that there
18 should be more restoration and I think money
19 should go back to Vernon. You took a lot out
20 of Vernon. Looks like you want to take a
21 little less from the rest, and I think that's
22 really good. I think we made some mistakes in
23 Vernon and I think we might have learned with
24 the mud slides and the other issues there,
25 which is great.

1 Unfortunately, we were the Guinea pigs so
2 four miles from my house we have a big major
3 situation that we have to live with for the
4 rest of our lives.

5 My daughter will grow up seeing that
6 forever. That 100 feet of forest that's
7 missing, you're basically saying that you're
8 going to walk away from that and you're going
9 to put some stuff down and hope it grows and
10 that's kind of just that's the way that it is.
11 So you're only going to pay for 100 but you
12 took 200.

13 That is my problem. I'm unhappy with
14 that. It's unfair. It's unfair to Mother
15 Earth first. Then it's unfair for me as a
16 taxpayer in that town.

17 This is the problem with that. I think we
18 need to look at that. That project is not
19 finished yet. We need to readdress that
20 because that's just not fair and it's not going
21 to be fair to any of you guys either.

22 You're going you take it. You have only
23 to pay for it because you're renting it.
24 You're leasing it like a car and then you're
25 done with it. You might be renting the 100 but

1 the 100 looks like heck, we're stuck with
2 forever.

3 Trees are going to take a long time to
4 grow, a long time. And Pennsylvania Smart Weed
5 is not what I see what back when there was a
6 beautiful 100-foot oak tree. It's not the same
7 thing. It's not the same thing.

8 You want to look good in everyone's eyes
9 as you go forward. Do the right thing, start
10 with Vernon. Start with where you already made
11 the mistakes. Let's fix that. Let's make good
12 on that, that's what I say. That's what I say.

13 That 100 feet of ripped out forest, it's
14 not acceptable to sit there an lay there.
15 We're not making any money on it. It's going
16 to take forever to grow it. Shame. It's not
17 right and it doesn't look good as you go
18 further in this project.

19 You can't have people trust you if you
20 can't make good on that. And I'm here to speak
21 and I'll speak at every place that you go to
22 let people know that I can show them what's
23 happened to our town. So let's make good on
24 it, let's do something about it, okay. That's
25 what I say.

1 MR. GREDVIG: Thank you for your comments.

2 MS. YEANY: Thank you.

3 (Applause.)

4 MS. BUDZ: Put this into the record.

5 Thank you very much.

6 MS. YEANY: I'm going to have to close the
7 record. But I do want to encourage people, as
8 I said, to submit written comments if there is
9 anything you wanted to follow up on. We will
10 accept them at least through September 21st.

11 I encourage you to participate in the FERC
12 process if you have to concerns about where the
13 gas is coming and where the need for the
14 project is and also to keep and eye on our
15 permanent process because there are be other
16 opportunities for public input.

17 Thank you for coming.

18 (Meeting adjourned at 10:40 p.m.)

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1 C E R T I F I C A T E

2
3 I, KAREN GAGLIARDOTTO KOCSIS,
4 a Certified Court Reporter of the State of New
5 Jersey, authorized to administer oaths pursuant to
6 R.S. 41:2-2, do hereby certify that prior to the
7 commencement of the examination, the witness was
8 sworn by me to testify to the truth, the whole truth
9 and nothing but the truth.

10 I DO FURTHER CERTIFY that the
11 foregoing is a true and accurate transcript of the
12 testimony as taken stenographically by and before me
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14 forth.

15 I DO FURTHER CERTIFY that I am
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