

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

FEDERAL ENERGY REGULATORY COMMISSION

Office of Energy Products

- - - - -x

OEP/DG2E/Gas 1 :
Dominion Cove Point, LP : Docket No. PF04-15-000
Dominion Transmission, Inc.:

- - - - -x

Pre-Filing Review

Dove Point LNG Expansion Project

Holiday Inn
US 301 & St. Patrick's Drive
Waldorf, Maryland
Thursday, November 18, 2004

The public hearing, pursuant to notice, convened at 7:05
p.m.

Before a Staff Panel:

ALISA M. LYKENS, Environmental Project Manager
WALTER WASHINGTON, JR., U.S. Army Corps of
Engineers

RICHARD FOLEY, Federal Energy Regulatory
Commission

ALEX DANKANICH, U.S. DOT, Office of Pipeline
Safety

MICHAEL KHAYATA, U.S. DOT, Office of Pipeline Safety

P R O C E E D I N G S

(7:05 p.m.)

MS. LYKENS: We'll get started. Good evening. I'd like to welcome everyone here tonight for the scoping meeting for the Cove Point LNG Expansion Project.

My name is Alisa Lykens. I work for the Federal Energy Regulatory Commission. I am the Environmental Project Manager for this project.

The purpose of tonight's meeting is to get your comments and what issues need to be considered in our Environmental Impact Statement, or EIS for this project. Because the project requires federal approval from the Commission and other federal agencies, an environmental review of the project is required under the National Environmental Policy Act, or NEPA for short.

We expect that several federal agencies, the U.S. Army Corps of Engineers and the U.S. Coast Guard will cooperate with us in producing a joint EIS to meet NEPA requirements on behalf of the various agencies. We will also be including information obtained from state agencies from Pennsylvania, Maryland, and West Virginia in the EIS.

I'd like to introduce a few staff members that are with me tonight. First of all, Rich Foley. He's also with the Commission, and from Tetra Tech, out on the front table is John Scott, he works for Tetra, Tech, FW, out of

1 Boston, and he's going to be our environmental consultant.
2 His team is going to help the Commission Staff prepare the
3 EIS.

4 At this time I'd like to introduce Mr. Walter
5 Washington, Jr. from the Baltimore District of the U.S. Army
6 Corps of Engineers to speak to you about his agency's role
7 in the project.

8 MR. WASHINGTON: Thank you, Alisa.

9 As Alisa stated, my name is Walter Washington,
10 Jr., and I'm with the U.S. Army Corps of Engineers in
11 Baltimore.

12 The Corps of Engineers is cooperating with FERC
13 in preparation of this environmental impact statement,
14 because there are certain aspects of Dominion's project that
15 require the Department of the Army permit from the Corps of
16 Engineers.

17 Basically the pipeline, some portions of the
18 pipeline project will cross streams and/or wetlands, and
19 that will require coming from us. Therefore we are
20 cooperating in the preparation of this EIS.

21 As Alisa stated, we are soliciting your input to
22 help us focus this investigative inquiry into, on the
23 environmental issues that you feel we should look at in the
24 EIS. Therefore, tonight we are expecting you to provide us
25 some input as to what you feel should go into the EIS.

1 Again, I want to thank you for coming and sharing
2 your thoughts with us tonight, and we're looking forward to
3 hearing from you. Thank you.

4 MS. LYKENS: Thank you.

5 At this time I'd like to ask Rich Foley to speak
6 to you about the purpose of our Natural Gas Act and the
7 Commission's Certificate Policy Statement.

8 MR. FOLEY: Thank you, Alisa.

9 The Natural Gas Act goes back to the Thirties;
10 it's a federal statute, and this Act establishes interstate
11 gas pipelines as the wholesale arm of our nation's public
12 utility system.

13 Interstate pipelines have to get a certificate of
14 public convenience and necessity under Section 7 of the Gas
15 Act, from FERC, before they can construct any new or
16 expanded pipelines. The LNG terminal part of this project
17 comes under Section 3 of the Natural Gas Act, which relates
18 specifically to import facilities, and also requires FERC's
19 approval under that section.

20 Pipelines of course file applications at FERC to
21 get approval, and we're now in the pre-filing stage of this
22 process. In the pre-filing process, the company, FERC and
23 other agencies are trying to learn from the public and each
24 other how to file an application that has as much useful
25 information as possible.

1 FERC has described its analytical steps to review
2 and evaluate applications in a 1999 policy statement. FERC
3 staff gathers the facts about an application and presents
4 these facts to the members of the Commission for final
5 decisions. The policy statement in brief states that the
6 Commission will approve an allocation only if the public
7 benefits of the project outweigh any adverse effects. Using
8 the guidance of the policy statement, the Commission looks
9 at the economic and the environmental pros and cons of the
10 project.

11 My job at the Commission is a general, overall
12 project review coordinator, coordinating the aspects, all
13 the work that Alisa does and other work that our staff
14 accountants and economists do.

15 MS. LYKENS: Thank you.

16 Also tonight with me is Alex Dankanich and Mike
17 Khayata from the U.S. Department of Transportation, Office
18 of Pipeline Safety. They are with the Community Assistance
19 and Technical Services staff.

20 At this time I'd like to invite Mike and Alex to
21 speak to you about their agency's role regarding this
22 project as well.

23 MR. DANKANICH: Thank you, Alisa.

24 Again, my name is Alex Dankanich, I'm with the
25 Office of Pipeline Safety. The Office of Pipeline Safety is

1 a department under the Federal Department of Transportation.

2 The shipping of commodities, either by truck,
3 train, ship and also via pipeline is regulated by the
4 Department of Transportation. The Office of Pipeline Safety
5 is a department under the Department of Transportation. The
6 OPS inspects over 250,000 miles of natural gas transmission
7 lines in this country, and 170,000 miles of liquid
8 transmission pipelines.

9 The Office of Pipeline Safety inspects the
10 design, construction, operation and maintenance of these
11 interstate transmission pipelines and the associated
12 facilities that are connected to the pipelines; facilities
13 such as the Cove Point terminal and pumping stations that
14 would pump liquid commodities.

15 The engineers and inspectors that work for OPS
16 operate out of five regional offices; the District of
17 Columbia office, the Atlanta office, Kansas City, Denver,
18 and Houston.

19 Generally the interstate transmission lines are
20 inspected by the Office of Pipeline Safety. The intrastate
21 distribution lines, or the smaller pipelines that would come
22 up to your house, are generally inspected by state
23 regulatory authority. In Maryland, the regulatory authority
24 rests with the Maryland Public Service Commission; they have
25 a Department of Pipeline Safety.

1 Over the years we have relied greatly on the
2 interstate transmission pipelines that come out of the Gulf
3 and transport products throughout our country. These
4 interstate transmission lines, our capacity is such that
5 they are getting close to being max'd out. As the demand
6 for natural gas and liquid commodities such as gasoline and
7 home heating oil increase, the result is we have to look for
8 products and build pipelines closer to our generating
9 stations and the users of these products.

10 At this time I'd like to turn the microphone over
11 to Michael Khayata. Michael Khayata is also an engineer
12 with the Office of Pipeline Safety; he's working out of the
13 Atlanta office and helping us out in the District of
14 Columbia office.

15 MR. KHAYATA: Thank you. Once again, my name is
16 Mike Khayata with the Office of Pipeline Safety. I just
17 wanted to let you all know that basically the Office of
18 Pipeline Safety is responsible to regulate pipelines as they
19 are in an operation and maintenance perspective. And we
20 have close to, like Alex hinted, we have close to a half a
21 million miles of pipe in this country, and we have about 60
22 to 70 inspectors in our office across the country that are
23 extremely dedicated to ensure that these pipelines operate
24 safely.

25 And just recently, the Office of Pipeline Safety,

1 we've been regulating since 1970, the pipelines. And we've
2 always had regulations that, you know, put certain
3 requirements on these pipeline operators. But just
4 recently, in the last few years, we've also adopted new
5 regulations that are very proactive in ensuring that
6 operators have a proactive approach in monitoring the
7 integrity of their lines.

8 So the effort out there is incredible to make
9 sure that these pipelines are safe; and if you have any
10 questions about our programs or our people, please come to
11 Alex and I and we'd be glad to talk to you about it. And
12 once again, I want to thank you for giving us this
13 opportunity to speak to you. Thank you.

14 MS. LYKENS: Thank you. You may have noticed
15 that we have a court reporter recording the meeting. A
16 record is being made of everything that is said tonight
17 during the official scoping meeting. The transcript will be
18 placed on the FERC website. If you'd like to purchase a
19 copy of the transcript, however, please see the court
20 reporter after the meeting.

21 We also have Dominion's representatives here
22 tonight. They have brought aerial and route maps with them
23 of the project to help you better understand where the route
24 is projected to go, or where they would like to see it go.
25 They are also available after the meeting to answer

1 individual questions you may have.

2 Let me briefly describe Dominion's project.

3 Dominion plans to expand its liquefied natural gas, or LNG
4 terminal and build additional pipelines to deliver new gas
5 supplies in the mid-Atlantic and the Northeast. Dominion
6 would add two new 160,000 cubic meter LNG storage tanks at
7 its existing site in Calvert County. LNG consists primarily
8 of methane which has been cooled to -269 degrees Fahrenheit,
9 at which point it becomes a liquid. By converting natural
10 gas to a liquid, the volume is reduced from 620 cubic feet
11 in the gaseous state to one cubic foot in a liquid state.

12 Dominion plans to construct a total of five
13 pipelines, about 161 miles in length, to deliver additional
14 capacity on its system. Four of these pipes are to be
15 located in Pennsylvania. In Maryland, where you folks are
16 concerned, in addition to the two new tanks, Dominion would
17 construct about 47 miles of 36-inch diameter pipeline that
18 would loop its existing pipeline in Calvert, Prince George's
19 and Charles Counties.

20 For those of you who do not know what a loop is,
21 it is a segment of pipeline installed adjacent to an
22 existing pipeline and connected to it at both ends. The
23 loop allows more gas to be moved through the system.

24 Dominion plans on filing its application with the
25 Commission in the first quarter of 2005. Pending Commission

1 approval, Dominion would begin the expansion at the Cove
2 Point LNG Facility as soon as authorization is received, and
3 would construct pipeline facilities as early as the spring
4 of 2006 and 2007.

5 On August 17, 2004, the FERC staff began the pre-
6 filing process to facilitate earlier involvement of the
7 affected stakeholders, which include all of you present
8 tonight. Many of you received the Notice of Intent, which
9 is why you are here. Additional copies are available at the
10 sign-in table.

11 This project is still in the design state;
12 specific details have not yet been finalized. A formal
13 application has not yet been filed with the FERC. The goal
14 of this pre-filing process is to help facilitate the
15 interaction between the federal, state and local agencies
16 and the affected property owners, and other interested
17 stakeholders, by preparing a more complete application for
18 the filing of Dominion's application. We would like to know
19 now what the environmental issues are so we can address it
20 now rather than after the application was filed.

21 I'd also like to state that FERC is an advocate
22 for this pre-filing process, not an advocate for the
23 project.

24 We are still very early in the process and
25 project development, and there will be several other

1 opportunities to comment on the project as the information
2 is made available. More information will be made available
3 on the FERC website as Dominion files and updates its
4 project information. Documents that are filed on the
5 project will be posted on the website, including any written
6 comments that are filed by you. Instructions on how to
7 access the FERC website are addressed in the Notice of
8 Intent that most of you received. The Notice also contains
9 instructions on filing written comments, if you prefer to do
10 that.

11 Please note the Notice states that the comment
12 period expires on November 23, 2004. We recently identified
13 additional stakeholders for the project, and therefore we
14 have decided to extend the comment period for submitting
15 written comments. The comment period now expires on
16 December 10, 2004.

17 Now, let me discuss the EIS process.

18 For the pipelines, Dominion has been conducting
19 environmental studies on its preferred route, and per FERC's
20 regulations and NEPA, is also studying several route
21 variations and alternatives. When Dominion files its
22 application, it will file several environmental resource
23 reports for its preferred route, based on survey results.
24 The resource reports cover geology, soils, vegetation and
25 wildlife, including federally listed species, land use,

1 recreation, cultural resources, reliability and safety, air
2 and noise quality, and alternatives for each segment of
3 pipe.

4 When Dominion files its application, which
5 includes its resource reports, these will be used to develop
6 the EIS. FERC staff will consider Dominion's application,
7 together with the information that is filed by you and the
8 other stakeholders. Then we will prepare a draft EIS for
9 public review and comment.

10 The draft EIS is our independent analysis based
11 on what is filed on the environmental proceedings for this
12 proposal. FERC staff also consults with the appropriate
13 resource agencies to verify information before making any
14 recommendations with state and federal agencies.

15 The draft EIS will include any mitigation or
16 recommendations needed to reduce impacts, as appropriate.
17 Once the draft EIS is issued for public comment, the public
18 will have 45 days to provide written comments. We will also
19 come back here and have another public meeting to hear your
20 comments on the draft EIS, similar to a meeting like this
21 one.

22 Comments received on the draft EIS will be
23 incorporated into a final EIS. Comments will then also be
24 taken on the final EIS, which will be incorporated into the
25 proceeding brought before the Commissioners of the Federal

1 Energy Regulatory Commission. FERC staff will also look at
2 economic issues, the need for the project, the markets,
3 rates, cost of service and other issues. The Commission
4 will use the information gathered in the proceeding, both in
5 the environment and non-environment aspects, and will vote
6 to approve or deny the project.

7 Finally, as part of the process, or as part of
8 the process for the EIS, we will do a cryogenic design
9 review. Because the expansion at the Cove Point facility is
10 LNG, we will do a separate review of the plant design, the
11 safety systems, the detection systems, hazard control, and
12 spill containment. And the results of that review will also
13 be disclosed in the EIS.

14 You've heard from the other agencies that are
15 here tonight and hopefully you now understand that Dominion
16 has a lot of work to do, and we do, too.

17 We are just about ready to hear from you. If you
18 do not feel comfortable speaking tonight, please understand
19 that written comments are considered equally by the
20 Commission, so I encourage you to write to the Secretary of
21 the Commission.

22 Now for those of you who are on my speaker's
23 list, please come to the microphone when I call your name,
24 and bear with me on the pronunciations. Please say your
25 name slowly and spell your last name for the court reporter.

1 Remember, the more specific your comments about the
2 environment, the more useful they'll be for us.

3 I am specifically looking for comments on the
4 record tonight. The team will be glad to answer your
5 individual questions after the formal proceedings are
6 concluded.

7 Our first speaker is Brenda Beard.

8 @ MS. BEARD: My name is Brenda Beard, B e a r d.

9 This letter is in regard to the potential impact
10 on our residential property near the TL-532 pipeline route.

11 My husband and I have had plans since we bought
12 and lived on our seven acre property about 25 years ago what
13 we were going to do on it once he retired several years from
14 now. Then a Dominion land predator came onto our property
15 with plans to disrupt our plans.

16 My nightmare began when I found our property was
17 in Dominion's path to detour away from their existing 36-
18 inch pipeline right-of-way and go through the back of our
19 property and then cross a new four lane highway to get to a
20 neighbor's large acre parcel about a quarter mile away.
21 Never mind there was sufficient land paralleling Dominion's
22 existing pipeline about 225 feet behind our property and
23 also further down the line. They appeared to be on a land
24 grab mission, and we were in their way.

25 May 20, 2004, a Dominion land predator from

1 Universal Field Services, Inc., an agent for Dominion
2 Transmission, Incorporated, came to our property to inform
3 me that he was there for my signature to do a little
4 surveying on our property. "To survey for what?" I asked.
5 "To survey for a pipeline to go through the back of your
6 property," he replied.

7 I asked "What kind of pipeline?" He said, "A 36
8 inch gas pipeline." He showed me a map, and said plans were
9 for a 50 foot wide right-of-way which would cross the back
10 of our property; the survey would make the determination.

11 I asked for a copy of his map with the line
12 showing this, and was told it was the only copy and I could
13 not have it. I suggested I follow him to have it copied,
14 and he said no, that he was just here for my husband's and
15 my signature. I told him I wanted to go to a public meeting
16 about this, and he laughed and said the meetings were all
17 over, and he wasn't here to answer questions. All he's here
18 for is a signature, he said.

19 I said "No signature. We have plans for our
20 children on this land." He said "We could take your front
21 yard."

22 I told him that that's our septic system in the
23 front yard, and that I'd call the cops if Dominion came to
24 survey my property for a gas line. I said that gas
25 frightens me, and that Washington Gas already has a 8 inch

1 gas line in the space along the east and front of our
2 property, and we didn't need any more gas lines.

3 He said "But it wasn't Dominion's." I asked what
4 happens now, and he said that I'd be receiving a letter from
5 Dominion, which I did two days later, dated May 21st,
6 stating that they would survey on or after May 11, 2004,
7 that they had the right as a matter of law according to
8 Section 12-111 of the Maryland Real Property Code.

9 When I went to the Charles County Planning and
10 Growth Management Office, P&GM, the following week, I
11 discovered that on the maps submitted to our county May 5th
12 by Dominion, we were neither the alternate route in green,
13 which paralleled Dominion's existing gas line about 225 feet
14 behind our property, nor the preferred route in red which
15 was for sale at a commercial rate. I was told by the
16 planner that Dominion was going to resubmit shortly, and I
17 was also told that I could catch more, you know, with honey,
18 than you can with -- well, you know the rest.

19 August 5, 2004 I again went to P&GM and the same
20 routes not affecting our property were shown on the updated
21 maps submitted by Dominion. I also said I wasn't interested
22 in catching flies; all I wanted was to keep my land intact.
23 April 11, 2004, I received a visit from two Dominion land
24 predators, one from Dominion Transmission, Inc., and one
25 from Universal Field Services, Incorporated, who said they

1 had read my letter to the editor in the newspaper. They
2 didn't say which one; my husband and I had two. And that
3 they were not putting the gas line through our property,
4 that there was sufficient land paralleling their existing
5 pipeline and right-of-way, and they'd like to show it to me
6 if I'd like to see. They gave me some of their literature.

7 When we walked to the back of my property, one of
8 Dominion's land predators oogled our property and commented
9 to me how nice it was. And I said "Now you're going to want
10 to take it." To which the land predator from Dominion
11 Transmission replied No, shaking his head "No" also and
12 asking me, "Don't you trust us?" I told him it was hard,
13 seeing that while they were presenting one set of routes to
14 the county, they were going behind the county's back to
15 landowners, showing another route not even presented to the
16 county. I then pointed out to him the building plans our
17 family has for our children on our property.

18 We then continued to Dominion's existing gas line
19 where I was shown the orange flag, proving, they said, that
20 a survey had already been done paralleling their existing
21 pipeline, showing sufficient land there and further down the
22 line to put in their new pipeline.

23 I asked if Dominion would put in writing that
24 they were not going to take our property, and the Dominion
25 land predator from Dominion Transmission said No, he

1 wouldn't do that until they had approval from the FERC for
2 the route submitted, but he assured me they, Dominion,
3 weren't going to go through my property.

4 At my request, one of the land predators from
5 Universal Field Services drew a penciled line on my map
6 showing the green line, alternate route, running parallel to
7 the existing pipeline in the same right-of-way area which
8 they said they were submitting to the FERC now as the
9 preferred route.

10 I asked if they had permission from the
11 landowners, and they said they did. I asked what happens if
12 the FERC does not approve the line. "If not approved, we,
13 Dominion, have to start the process again," the land
14 predator from Dominion Transmission said. I asked for what
15 reason would the FERC not approve the alternate green line
16 route, which was now the preferred route, paralleling the
17 existing gas line. He said if those people -- motioning
18 with his hand and arm the people on the other-north side of
19 the existing gas line, came to the FERC meeting when
20 scheduled, saying they didn't want it, it probably would not
21 be approved. And then we, Dominion, would have to look at
22 other options. I took that as a veiled threat of
23 intimidation to mean our property. Veiled, but a threat
24 nevertheless.

25 We came back, entering the east side of my

1 property, where I said that Washington Gas already had an 8
2 inch gas line running along the outside of my property
3 there. One Dominion land predator said, "But it's not ours,
4 it's not Dominion's." He mentioned the tree-lined buffer
5 along our property there, and I said it was ours.

6 I reminded them that the land across the street
7 was their proposed first choice, red line on the map that
8 they presented to the county and they could buy it, because
9 it was for sale, commercial price. The land predator then
10 insulted me by saying "Why don't you sell and move?" I said
11 "I told you that we have plans for our family on our
12 property." He then replied, "Yeah, I know, you told me, you
13 already have plans for your property."

14 Some people may enjoy living on the edge, but I
15 consider a natural gas transmission pipeline as a time bomb
16 ticking away, waiting to explode. This dangerous threat
17 lurking underground, running through our property would
18 destroy my peace of mind, and the plans for which we bought
19 our land in the first place. Maybe instead of building our
20 childrens' homes, we should be planning building blast
21 shelters for them instead.

22 For Dominion land predators to come on our
23 property with the evil desire of disrupting our way of life
24 at the present and turning our family dreams into a
25 nightmare with the future possibility of an explosion on our

1 property in order for them to profit is wrong!

2 Toward the end of the Calvert Recorder news
3 article, "Dominion sues property owners over pipeline right-
4 of-way" dated August 20, 2004, Dominion's Dan Donovan
5 stated: "I don't think you can say we've been ignoring
6 concerned property owners. We've been listening to them."
7 And then ignoring us, leaving us dangling as an additional
8 possible alternate while they decide what's best for them.
9 I don't like living on the edge, and this is so unfair to be
10 terrorized by Dominion's land predators as a backup. Thank
11 you.

12 MS. LYKENS: David Collins.

13 @ MR. COLLINS: David Collins, D a v i d C o l l i
14 n s. I'm here for information. I saw an article in The
15 Washington Post stating Marshall Hall. I live on Marshall
16 Hall Road. I just want to know information. I'd just like
17 the information as to just what is happening, where is it
18 that Cove Point, why is it that that is the port of entry?

19 How many ports of entry do they have on the East
20 Coast?

21 MS. LYKENS: Sir, we can have Dominion talk to
22 you about the project at the end of the line with you after
23 the meeting.

24 MR. COLLINS: Well, I'm just here for
25 information. I'm not representing anyone. I live on

1 Marshall Hall Road. I would like to know just how close
2 this is to my property. Thank you.

3 MS. LYKENS: Sir, thank you.

4 Leroy Riley.

5 @ MR. RILEY: My name is Leroy Riley. Last name is
6 R i l e y. You know, this pipeline coming through here, I
7 think, would be sufficient in this town because it would be
8 work for the people. A lot of people here -- oh, by the
9 way, I'm a construction worker. A lot of people here go
10 east to get to work, and this area here we don't have a lot
11 of work. We don't have a lot of work at all, and most
12 people go halfway to -- to go to work. And I think it would
13 be sufficient for the people that's here to have some work
14 on this here. I know a lot of people don't like it, but we
15 need to work somewhere. Thank you.

16 MS. LYKENS: Thank you.

17 Josh Bartley.

18 @ MR. BARTLEY: Good evening. J o s h B a r t l e
19 y.

20 I've lived in this community since 1980, and I've
21 been local since 1966. I would love to see the job go
22 through here to give people work to do. We don't have any
23 work; a lot of killing, stealing, robbing. So we should get
24 together and get this work through, to help the community.

25 Thank you.

1 MS. LYKENS: James McKinney.

2 @ MR. MCKINNEY: I'm James McKinney, M c K i n n e
3 y. I live in Charles County and I've heard what was said
4 about the pipeline safety, and I feel like everybody's time
5 is valuable. And I would like to see, as my brother said,
6 more work in Charles County, and that would be an
7 opportunity, because there is a need for it. Somebody saw a
8 need for the pipeline, and we saw a need that we would like
9 to be a part, and work for people.

10 Thank you.

11 MS. LYKENS: Thank you.

12 Tom Prior.

13 @ MR. PRIOR: I'm Tom Prior, P r i o r.

14 I'm new to this area, but I heard about the
15 pipeline coming through this area, and I think it would be
16 work for a lot of people in this area, and that's why I
17 think it's a good thing for this area. Number one, you've
18 got to go somewhere, so this, one place is as good as the
19 other; but you can't please everybody all the time.

20 MS. LYKENS: Thank you.

21 Jeff Shenot.

22 @ MR. SHENOT: S h e n o t. Good evening.

23 I guess I'll start out saying I'm looking for
24 information also; I just found out about this recently, and
25 I understand the process that FERC uses very well; I was a

1 former employee there, and am very familiar with the process
2 that is being used for this proposal. And I think there's
3 different times for providing different comments.

4 Right now the comments that I will provide are
5 pretty generalized, because I don't have enough site-
6 specific information, and I look forward to providing
7 additional, more detailed comments at the time when the
8 draft EIS is issued.

9 And for now my concerns are pretty much with
10 respect to the timing of construction, when the construction
11 would take place, and how it could affect sensitive
12 environmental resources that we have an abundance of in the
13 vicinity of some of the water bodies that would need to be
14 crossed by the route.

15 The Patuxent River is obviously the big one; I'm
16 sure there are a few in the vicinity of the origin point,
17 wherever that is; I'm not familiar with it, in Calvert
18 County on the Chesapeake Bay on the eastern end of the
19 pipeline. My understanding is the Patuxent River is
20 possibly going to be directionally drilled, and I know from
21 that type of construction that it requires a somewhat larger
22 amount of temporary impacts in the riparian buffer around
23 the river, relative to other types of construction methods.

24

25 And I would want to know real specifically what

1 the proposed temporary construction right-of-way would be
2 for the different types of proposed construction methods.
3 So if you could somehow outline that and provide aerial
4 photos, that would be very helpful, at a later date to
5 provide more detailed comments.

6 I was concerned about the filing somewhat,
7 because I don't know if this has been remedied, but I did
8 try to look up the information on the Agency's website, and
9 the environmental reports that were submitted with the
10 application are not available electronically. They normally
11 withhold the maps and graphic types of materials from the
12 application for access on the Internet, and I understand
13 that for security reasons; but the text material is also not
14 available, and it would have been helpful for me to provide
15 more comments tonight if I'd been able to see that.

16 So between now and the closing period, I intend
17 to go to I guess either a library or the Agency's code
18 reference room to possibly get that information so that I
19 can submit written comments by the deadline.

20 Generally speaking, I know that's a lot of work
21 for some people to do, if you're interested. I think that
22 may be your best route other than having a company
23 representative spend individual time with you. And I know
24 there's a lot of individuals who would like to do that.

25 I guess I could run through a list, it's a very

1 short list, so bear with me. But the water bodies and
2 wetlands that will be crossed, I'd like to have them
3 identified as to their sensitivity, including whether or not
4 they're tidal, and what the tidal ranges on those would be,
5 if they were going to be open cut; that's significant for
6 evaluating construction impacts.

7 I know there were a lot of different
8 jurisdictional protections for some of these streams, it's
9 rather onerous if you're a construction -- a builder or
10 something. If you're trying to do a project in Maryland to
11 get a 401, 402 and 404 permit is pretty onerous. But I
12 would like to know the details, if that's possible, to have
13 a table of the water body crossings available and the
14 proposed acreages and types of water bodies for them.

15 If there is a way that you could compare the
16 directional drilled or the areas that are proposed to be
17 directionally drilled, if you could compare those with what
18 would be done if the directional drill is not feasible, it
19 would be ideal if that information was available on the
20 draft EIS. I know sometimes the feasibility is questioned,
21 and I don't think it's -- it will probably be feasible to
22 cross the Patuxent, but I don't know any other areas that
23 may be considered at this time for directional drilling, and
24 I know that's a tricky deal; but I know the technology is
25 there and it's pretty impressive what they can do these days

1 with it.

2 I'm very interested in the flora and fauna, in
3 particular with the mammals and especially the smaller
4 stuff, the herps, the reptiles and amphibians. We have a
5 lot of diversity in Southern Maryland, especially around the
6 Patuxent River corridor and the Zachia Swamp Run, there's a
7 tremendous number of these, even the relatively common.

8 I think a lot of the locals here know where the
9 frog slicks are, when they come out after the rains; but
10 just to make the point, there is a resource here that it's
11 not typical. It's atypical nowadays to find that level of
12 abundance in your salamanders and frogs and turtles. And we
13 still have a lot of them in Calvert, Charles, and Prince
14 George's County. Especially with some of the less common
15 ones, which are not federally protected; the ambystomids
16 like marble salamanders and spotted salamanders, and some of
17 the uncommon frogs; but there's starting to be, at the State
18 level, nobody goes out there and monitors these populations
19 per se, because they're not listed as such, but it's clear
20 that their populations are declining.

21 Anyway, if you could identify, for the swamps
22 that will be crossed, how much temporary impacts will occur.
23 I know it's a 36-inch pipe, at least that's what I read, and
24 that's a big pipe, I've evaluated impacts to pipelines
25 throughout the country, and that's a lot of temporary right-

1 of-way for a pipe that size. Normally that's a lot of
2 right-of-way, and they will be paralleling as much,
3 collocating as much as you can. But if you can identify the
4 extent of temporary versus permanent impacts, that would be
5 great; and I'll keep moving here.

6 With the birds, I'm looking here for minimizing
7 impacts to the forest interior dwelling species that are
8 breeders here, meaning to minimize your clearing of mature
9 forest or else forests that are not necessarily mature but
10 are of an unusual nature. Such as some of the swamps that
11 we have where we have cypress and other interesting forested
12 types of swamps.

13 I'd like to see an analysis for other types of
14 habitat that you wouldn't necessarily think of when you
15 think of birds. There's open fields down here in the
16 Southern part of Maryland that are some of the last areas in
17 the Coastal Plain in the mid-Atlantic, where you find open
18 species like horn larks and vesper sparrows that require
19 that type of vegetation, where there's low growth, and lots
20 of it, in big fields. And we still have that around here,
21 so what you could do to avoid impacting them is a
22 construction window that would not occur during the breeding
23 season.

24 I would like to see you consult with Maryland
25 DNR's database for these species and their locations; I

1 suppose you probably have, I don't know. It would also be
2 helpful to consult the Maryland Breeding Bird Atlas project,
3 which is available on the USGS website, which is U.S.
4 Geological Survey, or the Maryland Ornithological Society's
5 website MOS -- actually, it's MDbirds.org. And there's a
6 five year study of all the birds in the entire statistic of
7 Maryland, that is in the third year of a five year study
8 right now, five year study right now, it's the second
9 breeding bird survey, the first one was 20 years ago, and
10 it's clear that in this part of Maryland there's a dramatic
11 decline in many species of passerine birds and the forest
12 dwelling birds, and these open species that I'm talking
13 about in particular.

14 I'm sure there's a lot of plants, I'm not a
15 botanist, but there's a lot of unusual areas that have
16 unusual plants around here; Zachia Swam Run is very notable.
17 It's of high interest with the Nature Conservancy, they've
18 been looking at trying to find ways to protect the land from
19 impacts from development through conservation easements with
20 some of the farmers, and they're very interested in this
21 area, so you might consult with them.

22 I would like to I guess close it up; I'd like to
23 see timing windows considered, so they avoid breeding times
24 for reptiles and amphibians, for some of our sensitive
25 birds, and for some of our fish, are migratory fish in

1 particular that will be using some of these tidal guts or
2 these little tidal creeks. You might think it's just a
3 little tiny creek, and you might be a mile from the
4 Patuxent, but you would be amazed how far these perch and
5 these herring can swim up these rivers.

6 I'd like to see the temporary right-of-way
7 minimized to the greatest extent possible, and the permanent
8 right-of-way restored using native species of the same type
9 that are there. I know that FERC's got guidelines for what
10 they consider to be fully restored when they complete the
11 construction; I know there are inspections that occur after
12 that to determine the success of revegetation, and I would
13 like to see the criteria applied pretty strictly if
14 possible, so that the analysis of that would indicate the
15 types of plants as well. Sometimes they don't do that.

16 I know that FERC did an analysis of monitoring
17 for wetland restoration that may or may not have been
18 completed; and I know Alisa is familiar with some of that;
19 and I would like to see that type of monitoring applied
20 here.

21 I would recommend that if there's going to be an
22 opportunity for site visits, route visits when the DEIS is
23 issued, I would appreciate the opportunity to attend that.
24 I was unable to go yesterday and I thank you for your time.
25 Good luck.

1 MS. LYKENS: Thank you.

2 Do we have any other speakers that would like to
3 speak?

4 Please come to the microphone. State your name
5 for the court reporter.

6 @ MS. BUCHANAN: My name is Sybil Buchanan, B u c h
7 a n a n.

8 I'm one of the individuals who was sued by
9 Dominion for not signing the survey statement that they had.

10 Part of my concern is that I have an existing
11 easement running right next to my home, in the cul-de-sac in
12 Accokeek in a residential area.

13 Initially one of the guys, and he was with
14 Dominion, he is actually passed away at this point, I don't
15 remember his name. But he at first said the easement, the
16 existing easement would be used, and we kind of felt
17 comfortable with that. Now the alternative route is to I
18 guess be in this loop that we were talking about, you know,
19 behind my home. Fairly close.

20 And part of the reason that we chose this lot and
21 paid extra money to Ryan for the lot was because it was
22 wooded and it has the posted sign that says this is a
23 federally protected area, et cetera; and now with them
24 attempting to put this easement there, or an additional
25 easement, I think it will be about 50 feet away from my

1 home, which is now -- it's wooded in the back. Once they do
2 that, it would just totally change the dynamics of my back
3 yard.

4 The wooded area will no longer look wooded,
5 because it will only be about, I don't know -- the tree line
6 will then be reduced greatly and I'll probably see things
7 that I never knew were in the back of my house, et cetera.

8 So I'd like it on the record that 1001 Bowhak
9 Lane, Accokeek, Maryland, is against this expansion project.

10 MS. LYKENS: Thank you.

11 Would anybody else like to speak?

12 MS. BEARD: Can I do another short one?

13 MS. LYKENS: Sure.

14 Okay.

15 MS. BEARD: In October, I questioned a Dominion
16 representative who was crossing St. Patrick's Drive with a
17 'gas sniffer' who told me he did this about every six
18 months. I said, "It takes you six months to walk the whole
19 gas line?" To which he replied No, that he just sniffs the
20 ground where the pipeline is, wherever there is some houses,
21 and he does this about every six months.

22 This leads me to believe that much of the 47
23 miles of pipeline remain untested for leaks each year unless
24 there's a house.

25 Also, I believe Dominion said that the new 36-

1 inch pipeline they're proposing will have a remote
2 monitoring system. If this is so, what happens then "if the
3 communication links fail from the pipe to the control
4 center" as it did April 15, 1996 when a Trans Canada
5 Pipeline, TCPL, of natural gas exploded and the remote
6 monitoring system was not functioning, and the television
7 crews were on the site before the pipeline operator knew
8 there was a problem. Obviously, this type system is
9 definitely not infallible. Thank you.

10 My name is Brenda Beard.

11 MS. LYKENS: Thank you.

12 Anybody else?

13 All right, I'd like to close the meeting. The
14 meeting ended at 7:55. Thank you. We'd be glad to answer
15 your questions.

16

17

18

19

20

21

22

23

24

25