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BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

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FERC SCOPING MEETING : PUBLIC HEARING
DUKE ENERGY GAS TRANSMISSION/ :
JEWELL RIDGE PIPELINE PROJECT : Docket No. PF05-3-000
:
- - - - -x

Chilhowie High School
1160 East Lee Highway
Chilhowie, VA
Tuesday, February 22, 2005

The above-entitled matter came on for scoping
meeting, pursuant to notice, at 7:00 p.m.

1 PARTICIPANTS:

2

3 FERC STAFF:

4 Shannon K. Jones, project manager

5 Charles T. Brown, Senior Program Analyst, Environmental
6 Review

7

8 SPEAKERS:

9 Monty Collins, Duke Energy Gas Transmission's project
10 manager

11 Joe Rector, resident of Smyth county

12 Maureen Wallin, Tannersville area landowner

13 Tamara Bellinger, representative of Tannersville

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P R O C E E D I N G S

(7:00 p.m.)

MS. JONES: On behalf of the Federal Energy Regulatory Commission I'd like to welcome all of you tonight. Thank you for coming out.

Let the record show that the Chilhowie public scoping meeting began at 7:02 on February 22nd, 2005.

My name is Shannon Jones and I work for the Federal Energy Regulatory Commission, also known as FERC. I'm the environmental project manager for the Jewell Ridge Pipeline Project.

And Charles Brown, also with FERC, is here tonight. You probably met him when you signed in.

The purpose of tonight's meeting is to provide each of you with an opportunity to give us your environmental comments on the proposed Jewell Ridge Pipeline Project. If you wish to speak tonight, please be sure you sign the speaker's list at the sign-in table.

We are here tonight to learn from you. If you have any comments or concerns, we ask that you be as specific as possible to aid us in analyzing the issue. If you do not wish to speak tonight, I urge you to write in to the Commission with your comments. And those will be used to determine what issues we need to cover in our environmental assessment, also called an EA.

1 On January 31st we issued a notice of intent to
2 the parent EA for the project. I'd like to clarify for the
3 record tonight that the notice had an error in it. It
4 stated that there were going to be modifications at a
5 compressor station and at this time there are no plans for
6 that.

7 The notice requested that written comments be
8 sent to FERC by March 4. That is to say we will not accept
9 comments after that date. However, we ask that you provide
10 them as soon as possible in order to give us time to analyze
11 and research the issues.

12 We have extra copies of the notice at the table
13 in the front if you did not receive one in the mail. It has
14 helpful information in it about FERC and our Web site and
15 our address and how to send us comments.

16 I'd like to mention that the Commission strongly
17 encourages electronic filing of written comments. The
18 instructions are in the notice or can be located on our Web
19 site, which is www.ferc.gov under the e-filing link.

20 In addition, we offer a service called e-
21 subscription, which allows you to keep track of all formal
22 issuances and submittals for a specific project, which we
23 organize into dockets. If you register with e-subscription,
24 you'll automatically be notified of anything that we send
25 out or receive on the project by e-mail. And you'll get a

1 link to access those documents.

2 You can register for that service at our Web site
3 under the e-subscription link. Or there are some light
4 cards at the sign-in desk that also provided instructions on
5 how to sign up for that.

6 About our process, FERC has begun what we call a
7 pre-filing review of the Jewell Ridge Pipeline Project. A
8 formal application has not been filed with us. However, we
9 began our review early to allow involvement by the public,
10 government agencies, and other interested parties. The
11 purpose is to identify and resolve environmental issues as
12 early in the process as possible.

13 Other federal and state agencies have permitting
14 or review responsibilities associated with the project and
15 we will seek to coordinate with them. That includes the
16 Army Corps of Engineers, the U.S. Fish and Wildlife Service,
17 the Virginia Marine Resources Commission, and the Virginia
18 Departments of Game and Fisheries, Environmental Quality,
19 Conservation and Recreation, Historic Resources, and others.

20 As the lead federal agency, we will review the
21 projects to satisfy the requirements of the National
22 Environmental Quality Act. We'll assemble information from
23 a variety of sources including the applicants; you, the
24 public; state, local, and federal agencies; and our own
25 field work. We'll analyze that information and present our

1 findings in the environmental assessment.

2 The EA may be distributed to the public for
3 comment. And if you want a copy of the EA, there are three
4 ways to do that. If you received a copy of the notice in
5 the mail, there was a sheet on the back that said
6 "environmental request." And if you send that back to us,
7 that will insure you stay on our mailing list.

8 The second way is to sign the mailing list sheet
9 at these meetings; it's at the table.

10 Or you can send us a written comment.

11 It's important that any comment that you send to
12 us have our docket number for this project on it. That will
13 insure that I receive a copy of it. And that docket number
14 was on the notice that was mailed out. And I'll give it to
15 you now in case you didn't receive that. That number is
16 PF05-3-000. I'll give you that one more time. PF05-3-000.

17 And after the EA is issued, there will be a 30-
18 day comment period where you can review and send us any
19 comments you may have on it. After that period we'll use
20 your comments and any new information that will be gathered
21 to finalize our recommendations.

22 The EA not make a final decision on the project.
23 It's prepared to advise our Commission and to disclose to
24 the public the environmental impact of constructing and
25 operating the project.

1 When it's finished, the Commission will consider
2 the environmental information from the EA along with
3 nonenvironmental issues such as engineering, markets, and
4 rates in making this decision to improve or deny the
5 project.

6 If the Commission does need to approve the
7 project, FERC staff will monitor the project through
8 construction and restoration, performing on-site inspections
9 to insure that the companies are in environmental compliance
10 with our approval.

11 Before we start taking any comments tonight,
12 we've asked Duke Energy Gas Transmission to provide a brief
13 overview of the project. Mr. Monty Collins is Duke's
14 project manager. And he's going to provide that
15 information.

16 MR. COLLINS: Hi, I'm Monty Collins. I'm the
17 project manager. I'm primarily responsible for the
18 development and construction of the Jewell Ridge Project.

19 Shannon asked me to give just kind of a quick
20 overview of the project. I think that everybody has gotten
21 the mailing of the overall map of the project and the
22 different alternative routes that we've already looked at.
23 Essentially the project is being developed to gather gas
24 reserves that are being -- they are being gathered up in the
25 Jewell Ridge area and bring those down to tie into the

1 interstate transmission grid on East Tennessee natural
2 gasline.

3 So the project is primarily taking those
4 reserves, moving them south, and getting them into the
5 mainline transport market so that those reserves can be
6 moved into a market where they can be mainly used for
7 consumption.

8 In the preliminary assessments we looked at three
9 primary routes to bring those reserves down to the East
10 Tennessee system. And it's set up with the -- and we didn't
11 have one here tonight, so --

12 But we did a preliminary assessment of those
13 three routes, evaluated all aspects with respect to those
14 routes, and have now moved into doing further development to
15 route 3, which is the eastern-most route of the three.

16 We're doing more detailed evaluations of that
17 particular route at this time. And if you are a landowner -
18 - around that pipeline route, you will probably be --
19 somewhere -- currently evaluating that route in more detail.

20 So we're moving through the process and doing an
21 overall assessment and providing that information. We're
22 looking to other development projects and hopefully will be
23 able in with the construction aspects of it to the later
24 part of this year or the first of next year.

25 So that's kind of our timeline on the overall

1 project. So, Shannon, does that pretty much cover it?

2 MS. JONES: Okay, thank you, Mr. Collins. We'll
3 now get to the important part of the meeting, receiving your
4 comments. We have three speakers signed up. And when I say
5 your name, come to the podium here and state your name.

6 We have a court reporter here tonight to make
7 sure that we accurately transcribe all the comments and
8 issues that we receive. And if you'd like a copy of those
9 transcripts, perhaps you can arrange to get them if you need
10 them within 10 days -- from the court reporter. After that
11 they'll be posted to our Web site and you can download them
12 from there.

13 So we're going to start with our first speaker.
14 Oh, also please state your name for the court reporter when
15 you come up.

16 And the first speaker tonight is Joe Rector.

17 MR. RECTOR: Joe Rector, R-e-c-t-o-r. And I'm a
18 resident of Smyth county. And I am blessed currently with
19 four pipelines on our property.

20 My first question is, when is the end of the
21 pipelines on any given piece of property? Is there no
22 limitation?

23 Secondly, who defines what is a corridor? Is it
24 the state, federal, FERC? Who defines what is a corridor, a
25 utility corridor?

1 PARTICIPANT: We can't hear a word anybody's
2 saying.

3 MR. RECTOR: I don't know how -- you know how to
4 turn it up?

5 MS. JONES: Okay, I'll try.

6 MR. RECTOR: Better? Okay.

7 I won't go back to the beginning, but -- is that
8 better?

9 PARTICIPANT: Yes.

10 MR. RECTOR: What is a corridor is a concern of
11 our landowners. An easement contains one or more pipelines.
12 Why do the easements differ based on where they -- located
13 in residential areas versus rural agriculture areas.
14 Restrictions vary as far as the easements go regardless of
15 where they're located.

16 The statement in your handout states that it is
17 condemned under state law. That's not true. The gas
18 company can take you to federal court and condemn in federal
19 court, which says they can construct their pipeline before
20 they settle with the landowner regardless of condemnation
21 proceedings. That is a fact. That's not hearsay.

22 And I'm an example of that -- Patriot Project.
23 We haven't settled. It was completed in October of 2003.
24 And we won't settle before sometime two years from now
25 because we did not set any sum of dollars per acre.

1 Down the road what happens if there's a problem?
2 The land sinks in around the construction site. How do you
3 ever get them back? Now, I have that problem right now.
4 How do you get Duke Energy or their subcontractors to come
5 back to repair these things at no cost to the landowner.

6 Once they are done, they're done. In my case
7 they cut my line fence, put a gate in so they could come and
8 go as they doggone well pleased. And they did. They took a
9 road. They -- Duke Energy, Murphy Brothers -- and they used
10 that road from the year 2000 to date. Anytime they want to
11 use that road, I have to go unlock the gate and let them use
12 my road.

13 And if they want to, they can cut my fence
14 anywhere they want to. And this was all blessed by eminent
15 domain law. They can come and go on your property as they
16 see fit. Maybe you don't realize that.

17 In your easement there will be more than a
18 pipeline. And not to exceed two in number? No, that's not
19 true. It will be multiple lines in your easement.

20 Accidents. The most recent one I'm impressed
21 with was a natural gas pipeline, 24 inch, underground, 15
22 feet underground, exploded. It wiped out everything around
23 by half a mile. Burnt the paint off of cars a half a mile
24 away. And it was buried 15 feet underground.

25 In the year 2004 there were 17 people killed by

1 nitro gas pipeline explosions, 39 others injured, and \$53
2 million in damages. Now, that's all in FERC's Web site if
3 you want to go look at it.

4 My real concern is, when is there an end to
5 pipeline's own easement on a piece of property? These
6 people are going to sign up and give an easement. And next
7 year there will be another one. And since the year 2000
8 I've had three pipelines constructed on my property.

9 And I do think I will be affected by this one.
10 Be it the Jewell Ridge Project directly or spin off back
11 into the Patriot Project, which is not complete. The
12 certificate has expired, but it will be renewed. FERC will
13 renew that certificate.

14 (Pause.)

15 MS. JONES: Thank you for those comments.

16 Our next speaker is Maureen Wallin.

17 MS. WALLIN: My name is Maureen. It's M-a-u-r-e-
18 e-n W-a-l-l-i-n.

19 Can you all hear me?

20 And I own a 48-acre parcel of land along with my
21 family in Tannersville. And as Duke's preferred route
22 number 3 now stands, their pipeline would run across the
23 eastern edge of it.

24 I have lived in Tannersville on this land for
25 over half of my life. And my home there, our land, our good

1 neighbors, and the community in place are loved and
2 cherished by me beyond reckoning.

3 And it's largely these deep fillings that leave
4 violently opposed to Duke's pipeline project. I'm not
5 living in Tannersville now, but still consider myself an
6 integral part of this community.

7 My husband, myself, and our two young children
8 are often here for church homecomings, deaths in the
9 community, Christmas programs, our annual Easter egg hunt,
10 the July 4th fire works display. And we intend on some day
11 retiring here.

12 During the past few months since learning of the
13 JRP Project in November 2004, I have spent a great deal of
14 time talking to many different people in the agencies
15 regarding very practical concerns of the very likely
16 negative impact this pipeline would have upon our
17 environment and our way of life here.

18 I'm here today. I'll formally speak to you of
19 these same concerns. But I also want you to hear and
20 understand what the construction of this pipeline means to
21 me and to my family members living here as individuals and
22 as members of this -- community.

23 All of these practical concerns are very serious
24 and potentially devastating. But in my heart of hearts the
25 thought of -- this pipeline slicing through these beautiful

1 hills, valleys, and mountains makes me heartsick.

2 Throughout my life even as a child they have
3 always been a true and ideal source of constant beauty and
4 serenity that has from time and time again inspired and
5 uplifted me.

6 I've often told my husband that the very air and
7 fiber of this place runs through my veins. And that's how
8 it feels to me. A lot of the people living in the valleys
9 of Tannersville have done so for generations. And the land
10 has been passed down for generations. And even though most
11 people here make a living to varying degrees off this land,
12 it has far more meaning than just a commodity that brings
13 home and butter.

14 It's a source of pride on the part of your
15 identity, so to lose control of your land is to lose a part
16 of yourself. I love this area, its hills, its fields and
17 mountains, and all the nature contained within them, its
18 remoteness and pristine quality, the uniqueness of our
19 people and our culture.

20 I would never want to see it lose its character
21 in any way. And I know I'm not by far the only person in
22 Tannersville who feels this way. I think pretty much
23 everyone in these valleys values these same qualities and
24 would consider it top on the list of the best things we have
25 going for us.

1 Over the past years we've had people move in from
2 different parts of the country to make homes here drawn by
3 this beauty, its untouched nature, its peace, and the slower
4 pace of life it offers.

5 Even Hollywood is drawn here in the mid-nineties
6 -- the 1990s to Thompson Valley, our equally gorgeous
7 neighbor just over Clinch Mountain on dirt and gravel Route
8 91 to film the movie Lassie.

9 So again the unique beauty of this area deserves
10 to remain intact for our own community and for the sake of
11 any others. Tourists are simply passersby wanting to enjoy
12 the same beauty now or in the far future.

13 I think anyone in your positions, FERC and Duke
14 employees alike -- when you hear these comments being made,
15 you can -- for reviews and make your decisions, needs to be
16 made aware of time and time again of the emotional side of
17 the real people's lives you invade and the sense of control
18 over their own lives you take.

19 I hope that in your years of doing this work that
20 you never become indifferent and lose sight of the real
21 emotional cost done to people who have no other choice but
22 to live with the decisions you make.

23 I would also hope that you would weigh and
24 consider these emotions as I have expressed here as you
25 would consider more concrete matters. And as for more

1 current concrete matters, there are many to consider.

2 Most of the land this pipeline would be going
3 through is crop fields and pasture land for grazing
4 livestock. The primary concern here is the unavoidable
5 damage and disruption caused by techniques used in laying
6 this pipeline to the top soil of these fields and to
7 landowners to adequately plow them without limits or
8 impairments placed upon them.

9 Another threat to these fields, pastures, and
10 livestock would be any use of herbicide that could drift off
11 the target of pipeline easement and cause harm.

12 Another very real concern is the possibility of
13 damage done to residents' water sources who solely rely upon
14 natural springs and personal wells. My own family has been
15 faithfully served since 1942 by a natural spring on their
16 own land, which has never run dry even during droughts.

17 Well water, on the other hand, has long been a
18 problem for residents who have them as water sources. The
19 majority of these wells yield only sulphur water.
20 Consequently, the Tazewell County Public Service Authority
21 is now on target to have digging begin on the public water
22 well by October 2005, which will offer Tannersville
23 residents the option of a pure water source.

24 Duke's pipeline route, however, runs very close
25 to this water well site in Little Valley. And my concern is

1 that it may interfere with the construction and viability of
2 this well.

3 This water well project has been well established
4 for at least four years, is much needed and desired by the
5 people of Tannersville. Duke's pipeline, offering
6 absolutely no benefit to this community, should not be
7 allowed to delay, impede, or conflict with this water well
8 project in any manner.

9 Erosion here in Tannersville is another primary
10 concern. We already have several sites, chief among them
11 many several major sites on Route 91 on Clinch Mountain near
12 where the pipeline will cross, where the road has collapsed
13 a number of times.

14 The most recent collapse has occurred within the
15 past two years and has been repeatedly repaired by the state
16 highway department at taxpayers' expense.

17 Another site where landsliding has occurred is on
18 Route 607 on -- Creek Road. The roadside here has also
19 collapsed numerous times.

20 There are a number of threatened and endangered
21 species in our area, both flora and fauna, which will be
22 placed at great risk by construction of the JRP Project. We
23 know that certain aquatic endangered species have already
24 been found at several river and creek crossings Duke intends
25 to make, including Laurel Creek in Tannersville.

1 We also understand that a particular concern to
2 Virginia Fish and Wildlife is the Virginia big-eared bat,
3 which is also federally endangered. The fact that Duke
4 conducted their environmental survey to determine evidence
5 in endangered or threatened species during December 2004 and
6 January of 2005 is a real concern due to species being
7 dormant and less obvious due to any covering of snow.

8 The safety of Tannersville residents and their
9 homes is a primary concern especially those whose homes are
10 in the path of this proposed pipeline. Such is the case of
11 the JRP Project. We are told that natural gas explosions
12 and leaks resulting in injuries and fatalities are uncommon
13 events or even rare, but that does little to still the mind
14 of a parent who would go would go to any length to protect
15 their child.

16 How would this parent go about explaining to her
17 child that the land she lives on is dangerous and she
18 shouldn't stray into or play upon certain areas. I know
19 that I would never -- I know that I would try to keep my
20 two- and four-year-olds away from such a site. And I, too,
21 know that rare events do and can happen to you individually,
22 not just with someone else, a stranger that you'll never
23 meet or know.

24 Two years with the birth of my second child I
25 became a member of a rare statistical category. All the

1 staff of both Duke and FERC have personally assured me of
2 this pipeline safety, but I know that I would wake in the
3 night with some strange sound in my ear and immediately
4 think of that pipeline.

5 I fear the threat of the possible use of
6 herbicide will pose to the safety of these residents, even
7 though, again, I am assured that bush hogging will be done
8 to maintain vegetation and growth along the pipeline
9 easement.

10 I fear that our state bridges and mountains may
11 make herbicide a necessity. And should herbicide be used,
12 how could Duke guarantee that there would be no drift onto
13 residents or homes or runoff into our streams and creeks?

14 This entire area is steeped in history.
15 Tannersville was inhabited and travelled by the Cherokee and
16 Shawnee and other native American tribes for thousands of
17 years. Consequently, these valleys are littered with a
18 wealth of artifacts. Down through the years I have
19 collected many pieces from our own land and from neighboring
20 fields and along Little -- Creek. And so have many other
21 residents and collectors.

22 The invasive and destructive use of heavy
23 machinery and equipment in constructing the natural gas
24 pipeline will undoubtedly disturb as yet undiscovered native
25 American sites.

1 This pipeline will also pass close by several
2 homes dating to the Civil War and pre-Civil War era in
3 Thompson Valley, one of which is currently listed in the
4 national register of historic places. It was built in 1769
5 and passed down to a confederate war general. The other
6 homes will qualify as well.

7 The second oldest church in Tazewell county is
8 also located close by these homes and by Duke's preferred
9 route. This pipeline may, furthermore, cross historic
10 Paintlick Mountain, famous for its native American
11 petroglyphs. The safety and historical integrity of all
12 these sites would be at risk.

13 Yet another serious concern and fear regarding
14 JRP is how open and vulnerable our community would be to
15 other interests designed to use the existing right of way.
16 Electric companies in particular would find such an easement
17 very attractive. I have also had Duke staff confirm this
18 very possibility.

19 Just recently I learned from one of our Tazewell
20 county supervisors that two separate power lines are now
21 being discussed in the Richlands area, approximately 20 to
22 25 miles from Tannersville. I don't know if an eye is
23 turned in our direction at this time, but if Duke did
24 present an easement opportunity, we could look very
25 attractive.

1 The residents of this area would then lose an
2 even greater degree of control over their land and lives, be
3 faced with an even greater threat to their safety. And the
4 beauty of the land would be incredibly marred.

5 Because of all these many reasons, Duke Energy
6 should follow an established electric power line easement
7 such as their alternate route 2. It already crosses our
8 region close to their preferred route. And in fact by law
9 in Virginia the governing body of any locality, in Tazewell
10 our local board of supervisors, is authorized to ask the
11 state Corporation Commission to direct Duke to use existing
12 rights of way such as the existing power line easement.

13 Duke will most likely argue that using an
14 alternate route will be too costly for them, too
15 environmentally damaging, and too difficult and time-
16 consuming.

17 But how much more costly and environmentally
18 damaging and difficult will it be for us, the people who
19 live here and make our homes here who would be left to
20 shoulder the weight and cost of these problems on a day-to-
21 day and year-to-year basis? As we have learned in the case
22 of neighboring Carroll county with the Patriot Pipeline
23 constructed there a few years ago.

24 Duke Energy makes tens of millions in profits
25 every year and has sufficient technology and funds to use

1 this route. They will continue to make their profits off
2 our backs if this pipeline goes through while the residents
3 will be left with huge deficits.

4 This pipeline would only take and give nothing
5 back to us in real return. And if Duke's goal and FERC's as
6 a regulator is to insure that the safety of residents and
7 their homes are not jeopardized there should be no questions
8 that the route should be moved to an alternate one following
9 an existing easement such as route number 2 away from
10 residents and homes.

11 Simply put, Duke has choices. They have options.
12 We don't.

13 (Pause.)

14 MS. JONES: Thank you, Ms. Wallin.

15 Our third speaker is Tamara Bellinger.

16 PARTICIPANT: People can't hear.

17 MS. JONES: You can't hear from this mike?

18 PARTICIPANT: No, we can't.

19 (Pause.)

20 MS. BELLINGER: My name is Tamara, T-a-m-a-r-a,
21 Bellinger, B-e-l-l-i-n-g-e-r. I'm here tonight representing
22 quite a few people from Tannersville who were unable to make
23 it due to sickness or work schedules, being out of town, and
24 various things.

25 And what we have done is compile a letter. And

1 tonight I'm going to give you the somewhat condensed and
2 modified version of what we plan to file electronically or
3 mail in to FERC.

4 And by the time we are done with this, we
5 probably will have over 100 signatures on it. And we also
6 have a petition that we are going to file, which is probably
7 about the same amount.

8 We have a lot of concerns because we've talked to
9 some people that have gone through the Patriot Project that
10 had Duke Energy come onto their land. And they -- you know,
11 quite some time passed. They're still having a problem.
12 They talk about the creeks running muddy from the point that
13 the pipeline crossed.

14 They talk about how when initially you're told
15 that -- or led to believe that it's not that big of a deal.
16 It's just going to be a little right of way. But then when
17 they come in through an open field, if it's not perfectly
18 level, they'll go in. They'll bulldoze down your hills.
19 They'll build up and try to dig the entire 100 foot of the
20 right of way in some cases to get it level. And then things
21 are never the same after that.

22 So we've heard a lot from people that have gone
23 through it. And that's our main concern that we would like
24 to have the pipeline not come through Tannersville. But if
25 it does, if it's approved and it does come through, then we

1 would like to be able to know that some of these issues are
2 going to be looked at beforehand and that, if it happens,
3 they will be somebody watching.

4 So I'm going to read the letter what we've
5 compiled.

6 "We, the residents and landowners of
7 Tannersville, Virginia, are opposed to Duke Energy's
8 proposal to construct a natural gas pipeline through our
9 community.

10 The pipeline poses serious threats to the health
11 and safety of our families and children. It will cause
12 damage to the environment and destroy the natural beauty and
13 pristine quality of our mountains and creeks. It also has
14 the potential to disrupt native American and Civil War
15 artifacts, many of which would not be discernable to the
16 naked eye on a walk through.

17 Some of the public health issues. Pipeline
18 explosions do occur even if they are not frequent events.
19 An explosion can cause multiple fatalities and injuries to
20 the local population.

21 Another risk is in maintenance of the right of
22 way. If herbicides are used, especially the ones sprayed
23 from aircraft, they can create serious health issues for
24 younger children and for people with compromised respiratory
25 disorders. We have at least two people on oxygen therapy

1 who live very close to the proposed pipeline.

2 Even with bush hogging, gas and oil residue and
3 exhaust will -- to run off into the creeks and farmland. If
4 the vegetation cutdown is not completely clear, it will
5 become a fire hazard in dry seasons.

6 Some environmental issues. Construction of the
7 pipeline will cause loss of native animals and plants. Some
8 of the endangered rare or threatened species include aquatic
9 invertebrates, the Virginia big-eared bat, wild orchids,
10 lilies, and ferns, among others.

11 Many trees and native undergrowth will have to be
12 cut down across the mountains in the right of way path.
13 This will create even more erosion, which is already a
14 prominent problem in this area. Land and rockslides
15 frequently occur along the roadsides even where there has
16 been no clear cutting.

17 On Route 91, within half a mile of where the
18 pipeline crosses, there have been two significant landslides
19 due partially to logging. These slides took out large
20 portions of the road and had to be repaired at taxpayers'
21 expense.

22 Another major concern is possible damage to our
23 natural springs, wells, and the underlying aquifers which
24 supply our water. Construction is set to begin this spring
25 on a community well, which will be able to supply water to

1 all Tannersville residents who desire. This well will
2 coexist in the same field with the gas pipeline within feet
3 of each other.

4 Some wells in Tannersville have been tested to be
5 99 percent pure. Pipeline construction and future gas leaks
6 can possibly compromise the purity and availability of our
7 existing water supply.

8 Historical and cultural issues. Tazewell county
9 has a diverse and intriguing history, dating back at least
10 as far native Americans. One major landmark the pipeline
11 will pass by is historic Paintlick Mountain. There you can
12 find petrographs considered so rare and fragile that public
13 access is only allowed a few times a year during small,
14 escorted tours.

15 Numerous Indian artifacts have been in
16 Tannersville including arrowheads, spear heads, cutting
17 implements, etc.

18 During the Civil War the Bowen House, which is
19 listed on the national historic registry, became known as
20 Camp Bowen. It was here that Yankee soldiers set up camp
21 before attempting to cross Clinch Mountain, as was the
22 custom during the war. Many soldiers, we are told by one
23 history buff, were buried there along the roadside.

24 Who is to say what sacred and historical
25 artifacts are buried and not discernable to the naked eye?

1 Many Tannersville residents have lived here for many years
2 or even for their entire lives. Others have only arrived
3 here recently, drawn by the remoteness, the solitude, and
4 the beauty so lacking in other parts of the United States.

5 And choosing to live in a remote and undeveloped
6 area such as this, we're willing to make sacrifices such as
7 long commutes to work and medical facilities. We are
8 willing to drive an hour to the closest Walmart and 30
9 minutes for a gallon of milk or a loaf of bread at a
10 reasonable cost.

11 Many residents have expressed that the reason
12 they moved here was to escape from the dangers and ugliness
13 of other parts of the country. Now Duke Energy is
14 attempting to bring it through our back yards for their
15 monetary gain.

16 This pipeline serves no purpose to Tannersville
17 residents. We can't tap into the pipeline for our own use.
18 Even the monetary compensation paid to landowners will be
19 insignificant when you add the costs of the potential
20 dangers, inconvenience due to construction, and maintenance
21 of the pipeline, the destruction of natural beauty, native
22 wildlife, and historical treasures.

23 Creating this right of way also opens us up to
24 even more invasive projects in the future when some other
25 company or facility needs a right of way.

1 We, the undersigned, urge FERC to please consider
2 all of these issues and do not grant right of way privileges
3 to Duke Energy. There are other routes available which will
4 not have as large an impact on the human population even
5 though they may dig a little deeper into Duke's pocketbook.

6 We feel that Duke Energy is better able to suffer
7 the expense of using a route less desirable to them than the
8 devastating result of this pipeline, which will affect us
9 for the remainder of our lifetime and into our children's
10 future.

11 MS. JONES: Thank you for the comments.

12 Is there anybody else who would like to provide
13 comments tonight?

14 Yes.

15 MR. RECTOR: This is Joe Rector again. And I
16 want to make some points. Either route, once determined by
17 Duke Energy, is fixed. If they decide to go through your
18 house, by golly they're going to go through your house and
19 there's nothing you can do about it. You can't get to move
20 10 foot, 5 foot, 15 foot, 1 inch. Once they serve it and
21 fix it, it's a done deal. You cannot negotiate with them.

22 Timber loss. Okay, you become -- say, for timber
23 loss. I stood and took pictures day in and day out of
24 construction activities on our property. And when it came
25 to clearing the right away, I was taking the pictures of the

1 guys knocking the trees down, cutting them down, however you
2 choose to say it.

3 They were cutting big cedar trees 20 foot off the
4 easement just because I was taking their picture and they
5 could do it and get by with it. And then they piled them up
6 and burned me just to spite me because I was taking their
7 picture and they could get by with it. And they did.

8 FERC inspection. There is an on-site inspector
9 along with every construction project. And that's a daggone
10 joke. There's not supposed to bury anything in the ground
11 that wasn't there before. Removed stumps, rocks -- whatever
12 they unearth is to be moved offsite.

13 I have photographs and can provide them with FERC
14 inspectors of them burying logs, 4 x 4, 8 x 8 timbers. And
15 I have photographs. And the guy said, "Oh, I hope they
16 didn't do that" when here's a daggone picture showing the
17 date and time. Here it is. And here is the people around.
18 Here's the witnesses. But they have a FERC contractor. You
19 can't argue with him. They didn't do that.

20 This case -- the lady mentioned the State
21 Corporation Commission. Duke Energy is not under control of
22 State Corporation Commission under the Patriot Project or
23 the Jewell Ridge Project. And I asked one of the
24 representatives, FERC, and he doesn't know what I was
25 talking about. And I said the State Corporation Commission.

1 You're under federal control, people, not the
2 State Corporation Commission. Your county people can tell
3 you whatever. It is not true. You're under federal
4 control, not the State Corporation Commission.

5 If you interfere, get in the way, or if AFA asked
6 you, "Excuse me, let me by," they'll get the federal
7 marshals and lock your tail end up till the project is
8 completed. You cannot interfere with the construction. You
9 can't get in the way. You get refused entry. You can't be
10 late and -- lock their gate. They'll have your tail end
11 locked up.

12 I have property. First -- we didn't own it at
13 the time. The first pipeline was constructed in 1964 by
14 East Tennessee Natural Gas.

15 My father did the back fill. They left the open
16 ditches. He did the back fill. And if you want to see an
17 aerial photograph of this year, you can still see the scars
18 on the ground from 1964. That's a long time ago.

19 They replaced the line. They said okay, we're
20 going to upgrade and go replace the line. Wrong. They're
21 going to abandon a line. They're going to leave it in the
22 ground. They can use it for storage, gas storage, natural
23 gas storage. They're not going to remove anything or
24 replace anything. They will abandon that line.

25 That's the case right now in Pennsylvania.

1 They're replacing or supposedly replacing a 24-inch line
2 with a 36-inch line. That 24-inch line is not coming out of
3 the ground. That 36-inch line is going parallel to it. And
4 the 24 will be storage. And that's on Duke's side also -- I
5 mean, DRC side also -- that activity in Pennsylvania.

6 A federal judge in the case of the Patriot
7 Project -- Duke condemned. The people didn't like it. And
8 the judge set up a commission to review the complaints of
9 all the people that did not sign up immediately with Duke
10 Energy. The judge appointed a commission. A federal judge
11 appointed his commission. His commission reviewed five
12 properties and submitted their findings to the district
13 judge.

14 In one case -- I'll quote for a fact -- the
15 individual was offered \$700 by Duke Energy for the easement.
16 The federal judge's commission awarded them \$24,000.

17 Duke Energy appealed that decision back to the
18 same federal judge -- they didn't like. Now, the federal
19 judge has disbanded his own little commission and said now
20 everything will be jury trials except these five people.
21 I'll determine their fate myself. Look out people, you
22 going to get it stuck to you.

23 MS. JONES: Thank you.

24 Is there anybody else who'd like to speak
25 tonight? Any other comments?

1 Okay, without any more speakers, the formal part
2 of this meeting will conclude. And on behalf of the Federal
3 Energy Regulatory Commission I'd like to thank all of you
4 for coming tonight.

5 Let the record show that the Chilhowie scoping
6 meeting concluded at 7:41 p.m. Thank you.

7 (Whereupon, at 7:41 p.m., the meeting was
8 concluded.

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