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Before the  
FEDERAL ENERGY REGULATORY COMMISSION

-----X  
In Re: ) Docket #  
New Jersey - New York ) CP11 56 000  
Expansion Project )  
-----X

Public Meeting regarding the  
FERC NJ-NY Expansion Project Draft  
Environmental Impact Statement

October 19, 2011  
7:00 p.m.

James J. Ferris High School  
35 Colgate Street  
Jersey City, NJ 07302

Reported by:  
CHARLES D. HOFFMAN

Appearances

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KARA J. HARRIS, FERC, Environmental Project Manager

JAMES MARTIN, FERC, Environmental Scientist

LARRY BROWN, Natural Resource Group

KAREN GENTILE, U.S. DOT, Pipeline Hazardous Material  
Safety Administration

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PROCEEDINGS

(7:00 p.m.)

MS. HARRIS: Good evening everyone, on behalf of the Federal Energy Regulatory Commission, also known as F-E-R-C or FERC, I would like to welcome you here tonight.

This is a public comment meeting on the draft environmental impact statement or EIS for the New Jersey - New York Gas Pipeline Expansion Project. The project is proposed by Spectra Energy Corporation affiliates: Texas Eastern Transmission LP and Algonquin Gas Transmission, LLC.

My name is Kara Harris, and I'm an environmental project manager for FERC's Office of Energy Projects. On my right, here with me from FERC is Jim Martin, who is the deputy environmental project manager. Sitting to my left is Karen Gentile, who is the regional community assistance and technical services manager with the Office of Pipeline Safety, which is a branch of the U.S. Department of Transportation's Pipeline and Hazardous Material Safety Administration, also known as PHMSA. Karen will present a brief overview of her agency's involvement in a few moments.

Larry Brown, to my far right, is the project

1 manager with Natural Resource Group, also known as  
2 NRG. NRG is an environmental consulting firm  
3 assisting us in producing the EIS for the project.

4 At the sign in table where you came in are  
5 Stephanie Schumacher and Tamara Young Allen with the  
6 FERC and Steve Holden and Jennifer Lee with NRG.

7 The FERC is an independent federal agency  
8 located in Washington D.C., that regulates  
9 interstate transmission of electricity, natural gas  
10 and oil. We are the lead federal agency responsible  
11 for the National Environmental Policy Act, also  
12 known as the NEPA review of the proposed project and  
13 the lead agency for the preparation of the EIS.

14 The U.S. Environmental Protection Agency, U.S.  
15 Department of Transportation's Office of Pipeline  
16 Safety, U.S. Army Corps of Engineers, the New York  
17 City Mayor's Office and the New York City Department  
18 of Environmental Protection agreed to be cooperating  
19 agencies with FERC and assisted in the preparation  
20 of the draft EIS.

21 The proposed project consists of 19.8 miles of  
22 new pipeline, 8.95 miles of abandoned pipeline, 6  
23 new metering and regulating stations, modifications  
24 at 4 existing compressor stations, and additional  
25 facilities, including taps, valves, launchers and

1 receivers.

2 It is important for everyone to understand that  
3 the proposed project-

4 SPEAKER FROM AUDIENCE: Excuse me, we  
5 can't hear you. It's very hard to hear you back  
6 here.

7 SPEAKER FROM AUDIENCE: Can you move  
8 closer to the microphone?

9 MS. HARRIS: I can move it closer, but if  
10 everyone could keep down, it would also help for  
11 your neighbors to be able to hear as well.

12 (resuming) the U.S. Environmental Protection  
13 Agency, U.S. Department of Transportation's Office  
14 of Pipeline Safety, U.S. Army Corps of Engineers,  
15 the New York City Mayor's Office and the New York  
16 City Department of Environmental Protection agreed  
17 to be cooperating agencies with FERC and assisted in  
18 the preparation of the draft EIS.

19 The proposed project consists of 19.8 miles of  
20 new pipeline, 8.95 miles of abandoned pipeline, 6  
21 new metering and regulating stations, modifications  
22 at 4 existing compressor stations,

23 (Interruption from crowd)

24 You will get a chance to talk when we finish.  
25 But right now, everyone wants to just get through

1 this part, so we can get to hearing from everyone  
2 else.

3 (resuming) It is important for everyone to  
4 understand that the proposed project was not  
5 conceived by and is not promoted by the FERC, the  
6 EPA, the Corps of Engineers or the City of New  
7 York's Mayor's Office or Department of Environmental  
8 Protection.

9 The FERC staff reviews applications for the  
10 authority to build and operate interstate natural  
11 gas pipelines, and Texas Eastern and Algonquin  
12 submitted an application to FERC in December 2010.  
13 Our obligation is to review the application and  
14 prepare an analysis of the environmental impacts.

15 If you wish to speak tonight, please be sure to  
16 sign the speaker's list. If you do not wish to  
17 speak, you can fill out one of the comment forms or  
18 follow the instructions on the form to send written  
19 comments to us at a later date. The speaker's list  
20 and the handouts are both at the sign in table where  
21 you came in.

22 Tonight's meeting is not a public hearing. We  
23 are not here to debate the proposal or to make or  
24 any determinations on it's fate. The purpose of  
25 tonight's meeting is to provide each of you with an

1 opportunity to give us your comments on the draft  
2 EIS. We are here tonight to learn from you. It  
3 will help us the most if your comments are as  
4 specific as possible regarding the proposed project  
5 and the draft EIS.

6 During our review of the project, we assembled  
7 information from a variety of sources, including  
8 Texas Eastern and Algonquin; you, the public; other  
9 state, local and federal agencies and our own  
10 independent analysis and field work. Our analysis,  
11 findings and recommendations to ensure environmental  
12 impacts are minimized are summarized in the draft  
13 EIS that was distributed to the public for comment.  
14 A notice of availability for the draft EIS was  
15 issued for this project on September 16th and almost  
16 2,000 copies were mailed.

17 We are now in the midst of the 45 day public  
18 comment period on the draft EIS. The formal comment  
19 period will end on October 31st, 2011. All written  
20 comments received during the comment period and  
21 provided verbally on the record tonight will be  
22 addressed in the final EIS.

23 All comments that we receive, whether they are  
24 orally or written are handled in exactly the same  
25 fashion. There is no deference to either one form

1 or the other during our review.

2 While our comment period is scheduled to end on  
3 October 31st, we will continue to take and analyze  
4 comments throughout our process. So, while we have  
5 a deadline, it does not mean that we will ignore  
6 comments that are received after October 31st.  
7 However, we do ask that you provide comments as soon  
8 as possible in order to give us the time to analyze  
9 and research issues and provide an adequate  
10 response.

11 I would like to add that the FERC strongly  
12 encourages electronic filing of any comments. The  
13 instructions for this are located on our website at  
14 [www.ferc.gov](http://www.ferc.gov), and it's under the E-Filing link.  
15 Instructions for this are located on our website.

16 The comment forms at the sign in table also  
17 tell you how to file comments electronically. If  
18 you received a copy of the draft EIS, you will  
19 automatically receive a copy of the final EIS. If  
20 you did not get a copy of the draft and would like  
21 to get a copy of the final, please sign the mailing  
22 list on the table and provide your name and address,  
23 and we will make sure to get you a copy of the final  
24 EIS.

25 To clarify, the EIS is not a decision document.

1 It is being prepared to advise the Commission and to  
2 disclose to the public the environmental impact of  
3 constructing and operating the proposed project.  
4 When it is completed, the Commission will consider  
5 the environmental information from the EIS, along  
6 with the non-environmental issues, including  
7 engineering, markets and rates, in making its  
8 decision to approve or deny a certificate, which  
9 will be the FERC's authorization for this project.

10 If the Commission votes to approve the project  
11 and a certificate of public convenience and  
12 necessity is issued, Texas Eastern and Algonquin  
13 will be required to meet certain conditions as  
14 outlined in the certificate to limit adverse  
15 environmental impacts. FERC environmental staff  
16 will monitor the project through construction and  
17 restoration, by performing daily on-site inspections  
18 to ensure environmental compliance with the  
19 conditions of the FERC certificate.

20 Now that I have finished the FERC process, I  
21 will now hand it over to Karen Gentile, so that she  
22 can give you a quick explanation of the DOT's role.

23 MS. GENTILE: As Kara said, my name is  
24 Karen Gentile. I am the community assistance and  
25 technical services manager for the Eastern Region's

1 Office of Pipeline Safety, which is a branch of the  
2 United States Department of Transportation Pipeline  
3 Hazardous Material Safety Administration, commonly  
4 referred to as PHMSA. I'd like to thank FERC for  
5 the opportunity to provide a brief overview of the  
6 Office of Pipeline Safety.

7       Upon request from FERC, our office provides  
8 support on the National Environmental Policy Act  
9 analysis. PHMSA has reviewed the draft  
10 environmental impact statement as it relates to  
11 pipeline safety. This document specifies that Texas  
12 Eastern Transmission LP and Algonquin Gas  
13 Transmission LLC will construct, operate and  
14 maintain the proposed pipeline to meet or exceed the  
15 minimum federal safety standards in Title 49, Code  
16 of Federal Regulation, Part 192 for the  
17 transportation of natural gas by pipeline.

18       If Texas Eastern and Algonquin Gas receive  
19 permission from FERC for this natural gas pipeline  
20 project, the Office of Pipeline Safety, in  
21 coordination with state partners, will maintain  
22 regulatory oversight over the safety of the  
23 pipeline. This includes performing inspections to  
24 ensure that the pipeline is constructed with  
25 suitable materials, that it is welded in accordance

1 with industry standards by qualified welders,  
2 installed at proper depth, protected from external  
3 corrosion and properly pressure tested before its  
4 use.

5 Beyond the construction process, we conduct  
6 periodic inspections of operations, maintenance  
7 requirements, specified in Title 49 Code of Federal  
8 Regulations, Part 192. The operator must establish  
9 comprehensive written procedures describing the  
10 types and frequencies of monitoring to ensure the  
11 continued safe operation of the pipeline.

12 The monitoring that an operator must perform  
13 includes the adequacy of external corrosion  
14 prevention systems, the operability of the  
15 pipeline's valves and pressure control equipment,  
16 patrols of the right of way and leak detection  
17 surveys.

18 In addition to this routine monitoring, PHMSA  
19 regulations require that the transmission pipeline  
20 operators implement integrity management programs.  
21 These programs require periodic integrity  
22 assessments of transmission pipelines in highly  
23 populated areas. These assessments provide a  
24 comprehensive understanding of the pipeline  
25 condition and associated risks. In-line inspection

1 tools, commonly referred to as smart pigs, provide  
2 detailed information about the condition. During an  
3 integrity inspection, sensors and computers are sent  
4 through the pipeline. These devices can indicate  
5 pipe deformations and changes in wall thickness. By  
6 analyzing the data collected during in-line  
7 inspections, operators can locate and repair areas  
8 of pipeline that may have been damaged or  
9 deteriorated. Integrity management programs require  
10 operators to detect and correct damage to their  
11 pipeline in highly populated areas before the damage  
12 results in a leak.

13 A well constructed and maintained pipeline must  
14 also be properly operated. Operators must ensure  
15 that personnel performing operations, maintenance or  
16 emergency response activities are qualified to  
17 perform these functions. The aim of this initiative  
18 is to minimize operator error. Operators must  
19 implement training and testing programs for  
20 employees and contractors whose performance is  
21 critical to maintaining the safety of the pipeline.

22 Pipeline operators must also implement public  
23 awareness programs to improve awareness of the  
24 pipeline within their communities. Operators  
25 communicate pipeline safety information to the

1 public living along the right-of-way, emergency  
2 responders, local public officials and excavators.

3 The public awareness program emphasizes the  
4 importance of calling the One Call system prior to  
5 excavating. These notifications allow  
6 participating utility owners, including pipeline  
7 operators, to mark the location of their facilities  
8 and monitor the excavation to make sure that their  
9 facilities are not damaged.

10 Another key message for the stakeholder  
11 audiences includes how to recognize a pipeline  
12 emergency, how to respond appropriately and how to  
13 report a potential emergency, to aid in a rapid  
14 response by both the pipeline operators and  
15 community emergency responders.

16 If safety inspections find inadequate  
17 procedures, that an operator is not following their  
18 procedures, the Office of Pipeline Safety is  
19 authorized to require remedial actions, assess civil  
20 penalties and can initiate criminal action.

21 Safety is the primary mission of the Office of  
22 Pipeline Safety, and we understand how important  
23 this mission is to your community. Again, thank you  
24 for this opportunity to provide you with an overview  
25 of Office of Pipeline Safety Program.

1 (Audience becomes noisy.)

2 MS. HARRIS: Thank you Karen. Excuse me,  
3 this is not a sporting event. We are here to get  
4 people's comments on the draft environmental impact  
5 statement.

6 (Yelling from audience.)

7 MS. HARRIS: No, that is not the correct  
8 way of doing that. It's rude to people who actually  
9 want to get up here and speak, and it's taking away  
10 time.

11 This meeting is scheduled to end at 11:00  
12 o'clock. I want to get everyone in. So, let's just  
13 keep it down; let's keep the meeting moving.

14 We are now moving into the part of the meeting  
15 where we will hear comments from the audience  
16 members. As I mentioned before, if you would rather  
17 not speak, you may hand in written comments tonight  
18 or send them to the secretary of the Commission.  
19 Whether you verbally provide your comments or mail  
20 them in, they will be equally considered by FERC.

21 Because of the size of the crowd and in the  
22 interest of keeping the meeting professional, I need  
23 to establish some ground rules up front. This  
24 meeting is being recorded by a transcription  
25 service, so all of your comments will be transcribed

1 and placed into the public record. For the benefit  
2 of all in attendance, and for accuracy of the  
3 transcript, when Larry calls your name, please step  
4 up to the podium and clearly state your name and  
5 affiliation, if any. You might spell your name to  
6 the court reporter to ensure accuracy if misspelling  
7 is likely. Also, please speak directly into the  
8 microphone, so that you can clearly be heard by the  
9 reporter, the panel and the audience.

10 Tonight's meeting is scheduled to end at 11:00  
11 o'clock. At this time, we have about 220 minutes  
12 remaining and 72 people signed up to speak. So,  
13 that gives about three minutes per person to provide  
14 comments. We do not want to limit anyone's  
15 comments, but to get through all the speakers, we  
16 will have to set a time frame.

17 If you have detailed comments on the draft EIS,  
18 we would ask that you would summarize the comments  
19 at the podium tonight, and then give us the full  
20 written comments at the table where you came in.

21 Also, if you are a speaker and you feel your  
22 comments were previously expressed, you can simply  
23 state your name and your endorsement of those  
24 previous comments. In the interest of time and to  
25 ensure that we get through as many commenters as

1 possible, we will take note of your questions, and  
2 if there is time at the end, we will revisit them.

3 I also want to make sure that we conduct this  
4 meeting in a professional decorum. We are here to  
5 hear each of your comments on the draft EIS.  
6 Respect each speaker as they provide their comments,  
7 whether you agree with them or not.

8 Lastly, before we start, as a courtesy to our  
9 speakers and the rest of the audience, please turn  
10 off or silence your cell phones. Thank you. We're  
11 now ready for Larry to call our first speaker.

12 MR. BROWN: Mayor Healy.

13 (Applause.)

14 MAYOR HEALY: The first mission of any  
15 government, at any level, local, county, state or  
16 federal is the safety of its citizens. That is my  
17 big objection to this pipeline. The safety of our  
18 citizens is going to be put in terrible jeopardy.  
19 Fifteen years ago down in Edison, there was an  
20 explosion of a gas pipeline not as big as this. It  
21 was in an area that was not populated, and the  
22 flames when 4 or 500 feet in the air.

23 About a year ago, out in San Bruno, California  
24 a similar incident. Eight people were killed, huge  
25 damage to homes, properties, businesses. And the

1       amazing thing about both of those incidents, they  
2       were not in an area like Jersey City. We have over  
3       250,000 people jammed into something under 15 square  
4       miles. We are a densely populated city. And in  
5       fact, between 9:00 a.m. and 4:00 p.m. on any weekday  
6       in Jersey City, those numbers go to about 500,  
7       600,000 people. Because not only do we have a lot  
8       of people living here we, we are an employment  
9       center here in Jersey City.

10               There's over 23,000 jobs in the financial  
11       center down here in Jersey City, and many thousands  
12       of more jobs. And my point is,

13       (Audience becomes noisy)

14               MS. HARRIS: Would everyone please be  
15       quiet. If you are not speaking, wait your turn.

16       (Noise continues.)

17               Excuse me, excuse me, excuse me, hello? This  
18       meeting can't go on if people are going to yell back  
19       and forth. No matter which side you're on, whatever  
20       your position is, we can not have a meeting with  
21       everyone yelling. So, there's no one way or the  
22       other. We either have this meeting in a  
23       professional manner, or it ends and everyone writes  
24       their comments into the record. So, let's just  
25       respect the person. Let's respect the speaker,

1 Mayor Healy is in the middle of what he has to say.  
2 This is not an election.

3 MAYOR HEALY: I am not up for renewal yet,  
4 that's more bad news. At any rate, we are a densely  
5 populated city, as I said, we have between 5 and  
6 600,000 people here on any given weekday from 9:00  
7 to 5:00. So, if one of those incidents were to  
8 occur, and by the way, they occur like every fifth  
9 day throughout the country, there is an accident, an  
10 incident.

11 But this East and West Coast example, as I'm  
12 pointing out, if that were to occur in this  
13 pipeline, here in this city, it would be nothing  
14 short of a full blood catastrophe. It could  
15 jeopardize thousands of people, properties,  
16 businesses. By the way, the pipeline runs from the  
17 south end of our city almost to the north end, about  
18 6 1/2 mile, and it goes by hospitals. It goes by  
19 schools, it goes by playgrounds, it goes by public  
20 housing facilities, heavily populated. It runs  
21 right by the New Jersey Turnpike, the main  
22 evacuation point from New York City, right across  
23 the river and under the river, the Holland Tunnel  
24 out the turnpike. So, there are all kinds of  
25 terrible possibilities out there with this pipeline

1 if anything is awry.

2 Further, the future economic viability of our  
3 city is going to be stomped on if this pipeline goes  
4 through. What investor, what developer, what  
5 business would want to invest, build or develop  
6 around a volatile substance like this natural gas  
7 underneath? The bottom line is it's going to cost  
8 the city millions, untold millions of dollars in  
9 lost tax rateable's. It's also going to cost our  
10 city thousands upon thousands upon thousands of  
11 future jobs that would have been here had investment  
12 and development flowed along this strip.

13 So, the myth is that this pipeline is a job  
14 creator. In fact, it is not just a very dangerous,  
15 it's a job killer. The folks who want jobs here  
16 tonight - - they may give out 400 jobs during a 15  
17 to 18 month buildout of this pipeline here in Jersey  
18 City. And what these gas pipeline companies do  
19 generally, they bring their own crew up from Texas,  
20 and they get the work

21 (Audience becomes noisy.)

22 And what is left over, they go to some local  
23 people here. My point is that future investment,  
24 future development will bring thousands upon  
25 thousands of construction jobs, thousands upon

1 thousands of permanent jobs here to our citizens,  
2 here in Jersey City and untold millions of tax  
3 rateable into the city's coffers that we need to  
4 sustain our city economically and to provide jobs  
5 for our people.

6 We also hear in Jersey City what I consider to  
7 be the offered alternate routes, under the Hudson  
8 River by Kill Van Kull, stay under the Hudson River  
9 and deliver this system to New York City. By the  
10 way, if you do a risk benefit analysis, who gets  
11 the benefits? Our good friends on the other side of  
12 the Hudson River, New York City. Who runs the risk?  
13 The people of Jersey City, we run risk.

14 (Audience becomes noisy.)

15 The final insult, of this whole plan to the  
16 people of Jersey City and to the state of New Jersey  
17 in general, is that this six and a half mile pipe is  
18 that it's going to be run under an area very  
19 attractive for investment and development, once we  
20 get out of this economic malaise. It's going to be  
21 at a pressure of 1,200 pounds per square inch. That  
22 is very high pressure of a volatile substance under  
23 the streets and the properties of people of Jersey  
24 City.

25 And yet, when it pops up on the other side of

1 the Hudson River on 14th Street in Manhattan, it's  
2 going to be ratcheted down to 350 pounds per square  
3 inch of pressure. That's the final insult to the  
4 people of Jersey City and the people of the state of  
5 New Jersey. New York City would get that gas; we'll  
6 run the risk at up to 1,200 pounds per square inch,  
7 but when they deliver it to the ultimate  
8 beneficiaries over in New York City, it's going down  
9 to 350 pounds per square inch. So, that's the final  
10 insult here for all of us here in Jersey City and  
11 the state of New Jersey.

12 We're asking FERC people, the young lady who  
13 was talking about pipeline investigation and  
14 standards, we're asking that the people at FERC  
15 don't take the word of Spectra at face value. Don't  
16 treat it as gospel.

17 We are asking that you independently and in  
18 depth analyze this whole pipeline: how it's going to  
19 be built, what's it going to do for people of the  
20 state of New Jersey, people Jersey City. And we  
21 want a solid and independent evaluation. Because if  
22 we are just going by the folks from Spectra, they  
23 are going to try and sell you a bill of goods and  
24 they're interested in one thing, the bottom line is  
25 the dollars.

1           The people here in Jersey City, they are  
2 interested in our safety. They are also interested  
3 in our economic viability down into the future, and  
4 of course jobs, jobs, jobs for all of our people,  
5 including the construction workers.

6           So, we have been opposed to this for almost two  
7 years right now. We haven't changed our position.  
8 Our concern is that we put in writing, we've stated  
9 verbally to the people from Spectra, the people, we  
10 sent our comments down to FERC.

11           We don't believe any of those concerns - and  
12 they are real concerns - have been addressed. Once  
13 again, we urge them to look for another route,  
14 preferably stay under the Hudson River and then  
15 bring this energy over to New York City. And don't  
16 put Jersey City citizens and Jersey City's economic  
17 future at risk by this, what we think to be a  
18 reckless proposal. Thank you very much.

19 (Applause.)

20           MS. HARRIS: We have not called the next  
21 speaker.

22           MR. BROWN: Senator Sandra Cunningham.

23 (Applause.)

24           SEN. CUNNINGHAM: Good evening, my name is  
25 State Senator Sandra Wolsey Cunningham. After a

1 review of your draft EIS, let me say that your  
2 report is a mockery of what an EIS is supposed to  
3 be.

4 (Applause.)

5 At best it's duplicitous, at worst it is an  
6 outright fabrication of opinions masquerading as  
7 unbiased truth. I have several comments to make  
8 about the errors and misrepresentations in this  
9 document that I wish to have entered into the  
10 official record of this meeting.

11 I would like you to respond at the later date,  
12 although quite honestly, I don't think you will  
13 because it seems that the residents of this city and  
14 their opinion is not taken seriously. Suffice to  
15 say that I wish to make the following several points  
16 tonight for later litigation purposes.

17 You have primarily only selected Spectra  
18 Energy's alternatives for your analysis. I could  
19 not find any real independent thinking. I couldn't  
20 find any critical analysis within this document.  
21 Your actions do a great disservice to the residents  
22 of Jersey City.

23 (Applause.)

24 I call into question the honesty and all the  
25 things of any of the findings in this EIS. Why, for

1 example, did you not analyze a Hackensack River and  
2 Bergen Arches alternative if you had truly serious  
3 concerns about a Hudson River only water route?  
4 Especially once you get past the Holland Tunnel, you  
5 allegedly could not cross because of Port Authority  
6 concerns?

7 Did you ever independently verify any of the  
8 Spectra Energy claims such as the Port Authority's  
9 opinion relative to their concerns? Because it  
10 seems to me, if it's a big problem for the Port  
11 Authority, why isn't it a big problem for Jersey  
12 City?

13 (Applause.)

14 Spectra says that one of the problems is that  
15 there are pilings in this part of the Hudson River,  
16 making it impossible as a border route. Did you  
17 verify that? No. Because if you had, you would've  
18 know that in the 1980s and the 1990s the Army Corps  
19 of Engineers successfully undertook a multi-million  
20 dollar multi-year removal program of those piling  
21 and piers on the New Jersey side of the Hudson  
22 River. You would have known that.

23 Why haven't you identified other potential  
24 combined land and water route alternatives, instead  
25 of allowing a preposterous route around the Statue

1 of Liberty or the even more preposterous route over  
2 Washington Street alternative.

3 Why did you not include an analysis of those  
4 current neighborhoods existing for future  
5 developments, parks, restoration centers, cultural  
6 and environment habitats within a half-mile or  
7 one-mile of the proposed gas line, instead of just a  
8 quarter of a mile? Were you afraid of what you  
9 might find?

10 Would such an analysis jeopardize your  
11 fictitious report? Please don't tell me that a  
12 quarter-mile radius was sufficient. It may be  
13 sufficient for a rural area, but it is not  
14 sufficient, advisable or even professionally  
15 responsible to say it is highly insufficient for a  
16 highly urbanized area, such as Jersey City?  
17 (Applause.)

18 My favorite part of your report. How could you  
19 attempt to find that this project may affect various  
20 types of endangered species, mainly turtles, but  
21 randomly decide that it would not adversely affect  
22 those endangered species? Why have you spent more  
23 time analyzing this project impact on fish and  
24 wildlife, but so little time on the impact it will  
25 have on people?

1 (Applause.)

2 For example, you say that there is no evidence  
3 that the proposed project will result in  
4 proportionately high and adverse health or  
5 environmental effects to minorities or low to  
6 moderate income areas? Did you even look for  
7 evidence? What do you mean by disproportionate?  
8 Does that mean that everyone in Jersey City, all  
9 ethnic and income groups are to be equally,  
10 negatively affected by this project? Or do you mean  
11 that people who have the proportionately affected as  
12 compared to birds and other endangered species?  
13 Given your report, we're the endangered species.

14 (Applause.)

15 Lastly, you know that there is a potential for  
16 the proposed project to contribute to communicative  
17 impact, but you dismissed this consideration without  
18 identifying other large-scale infrastructure  
19 projects planned for going in at the southern border  
20 front of Jersey City - I sincerely doubt that you  
21 were aware of that - such as the tripling of  
22 capacity at the greatly expanded Port Jersey  
23 Container Ports, or the severe impacts arising from  
24 the New York City trash barge to rail facility at  
25 the Greenville yards? Do you know that Congressman

1 Adler has been successful in obtaining more than 100  
2 million dollars for a rail tunnel that he wants to  
3 see built to Lake Brooklyn, to Jersey City Southern  
4 Waterfront?

5 Can't you see that, that cumulative effect of  
6 these projects in combination with a highly lethal  
7 gas pipeline only exposes people and the environment  
8 to catastrophe? I found that the depth of your  
9 analysis was frankly, shallow or nonexistent. It is  
10 apparent to me that anyone who cares to look at this  
11 report can see that you never intended, never  
12 intended to be unbiased. You never intended to do  
13 the right thing by the residents of this city.

14 Thank you.

15 (Applause.)

16 MS. HARRIS: I would like to remind the  
17 speakers that we are on a time frame. And if you  
18 could keep it - - now it is down to two minutes per  
19 person. So if you could, sum it up and just give us  
20 the hard copies, it would be appreciated. And  
21 please keep it down, so the next speaker can speak.

22 MR. TURNER: Good evening members of the  
23 commission. My name is Richard Turner, and I am the  
24 district director for U.S. Congressman Albio Sires,  
25 representing the 13th District. The congressman

1       could not be here tonight, but wanted to comment on  
2       the record on the proposed Spectra Pipeline, which  
3       according to existing plans go directly through the  
4       area of Jersey City that he represents. I'm going  
5       to give the part from the prepared statement.

6       "Every elected official in this room who has spoken  
7       has always been pro-union. Every elected official  
8       in this room that has spoken or will speak has  
9       always fought for jobs. We all know we need jobs.  
10      We all know we need energy, but we all know that it  
11      can not come at the expense of safety."

12      (Applause.)

13             And we are working on jobs. Every elected  
14      official that is here tonight that has spoken or  
15      will speak is working on creating jobs every day,  
16      and for Spectra to make this jobs versus safety is  
17      wrong and the Commission should not allow that to  
18      happen.

19      (Applause.)

20             I'm here tonight in total support of Mayor  
21      Healy and members of the City Council and the other  
22      elected officials on their decision to not support  
23      this project as it currently exists. The comments  
24      by Senator Cunningham, they said it the best. The  
25      placement of this high-pressure pipeline in a dense

1 urban setting has raised numerous concerns for the  
2 residents in the development community in Jersey  
3 City. This project, in its current state, has  
4 raised the risk of hindering future economic  
5 development in this city. The proposed pipeline  
6 should not be about jobs versus development and the  
7 safety of the residents of the district.

8 Considering the very high-stakes for safety and  
9 economic development involved in this pipeline  
10 project the congressman respectfully requests that  
11 the Commission fully examine the testimony gathered  
12 here tonight by the various elected officials and  
13 members of the community and give it your highest  
14 and deepest consideration.

15 Congressman Sire urges Spectra to sit own with  
16 the officials of Jersey City, the officials of  
17 Hoboken, the residents of Jersey City, the residents  
18 of Hoboken, to continue a dialogue, so that a  
19 solution can be found that alleviates the concern of  
20 those in the room tonight. The congressman also  
21 urges the commission to conduct, as Mayor Healy  
22 said, an independent review and evaluation of  
23 everything you hear tonight. Particularly examining  
24 alternate routes that have been proposed.

25 In summary, the congressman opposes the

1 construction of Spectra's natural gas pipeline  
2 through Jersey City as currently proposed, and would  
3 encourage the Commission to reject the current  
4 proposal. Thank you very much.

5 MR. BROWN: Councilwoman Ahmad.

6 COUNCILWOMAN AHMAD: Good evening, I have  
7 to begin by saying, please, don't pass that gas  
8 through here.

9 (Applause.)

10 What Spectra plans to do is build a 30 inch  
11 pipeline operating at 1,200 pounds, square inches of  
12 pressure. Reports have shown that a 30 inch  
13 pipeline operating at 1,000 pounds per square inch  
14 of pressure would have an impact radius of about 660  
15 feet on each side of the pipeline.

16 Do you know what that would mean for Jersey  
17 City? You know where you are sitting right now?  
18 You'll be blown out of your seat. Please, don't  
19 pass that gas through here.

20 (Applause.)

21 We are getting 1,200 pounds of pressure per  
22 square inch with no benefits to Jersey City. New  
23 York gets all the benefits. Jersey City gets all  
24 the risk. Please, don't pass that gas through here.

25 We also know that pipelines lack federal

1 oversight. In 2005, Congress established the  
2 Pipeline and Hazardous Material Administration,  
3 which we now all know is now underfunded and  
4 understaffed with only 94 pipeline inspectors.  
5 That's not enough. Please, don't pass that gas  
6 through here.

7 And to my workers, I hear your pain. To my  
8 laborers, I know you need jobs, but what does a job  
9 mean to your family if you are no longer here  
10 yourself? In many explosions that have occurred in  
11 rural areas, the first people to die were the  
12 workers. On its website, pipeline.org. This is for  
13 my laborers, please give some respect. On the  
14 website that is geared towards helping you get  
15 pipeline jobs, it says, "Jobs nearby" you won't have  
16 a chance to have a job nearby. It would be more  
17 advisable, rather than moving across country to take  
18 a dangerous job because it pays more, that is not  
19 advisable. That's almost like pipeline.org that's  
20 for workers like you. It doesn't advise you to take  
21 the job.

22 (Audience becomes noisy.)

23 MS. HARRIS: Will you please stop speaking  
24 out and let her finish.

25 COUNCILWOMAN AHMAD: I'm concerned about

1       you, the laborers. I'm concerned about the citizens  
2       of Jersey City. You are passing gas on us, you are  
3       passing gas on students, on this school. You will  
4       pass gas on a hospital where people are too sick to  
5       be evacuated. You will pass gas on our soccer  
6       fields, on our Little League fields that are all  
7       within that 600 foot radius. Would you want to live  
8       with that on your conscience? I ask you one more  
9       time, can the crowd help me? Please, don't pass  
10      your gas through here.

11      (Applause.)

12                   MS. HARRIS: Thank you.

13                   MR. BROWN: Ray Valasquez

14                   COUNCILMAN VALASQUEZ: I know we have many  
15      members of the public that wish to speak, so I'm  
16      going to be very brief. I'm here to show support  
17      for this community, show support for Jersey City.  
18      We don't want this pipeline. We are one of the few  
19      places in the state of New Jersey that has land to  
20      develop. We can build buildings. We can bring jobs  
21      to the people of Jersey City. We can provide the  
22      jobs that these laborers want. Safety comes first.

23                   These children should not have to breathe the  
24      chemicals that are going to come out of these  
25      venting systems when this pipeline is laid. This

1 community should not be placed at risk. And I  
2 resent those commercials, as Mayor Turner said,  
3 making this a jobs versus safety issue. This is  
4 safety first for the people of Jersey City. We can  
5 bring the jobs here. The city council is  
6 determined, this Mayor is determined to continue to  
7 bring jobs here. We can bring jobs here. We don't  
8 need Spectra to bring this pipeline here, and these  
9 gentlemen, you don't need this on your conscience  
10 gentlemen.

11 We'll build buildings. We'll make development  
12 come here to Jersey City, please don't bring that  
13 pipeline here.

14 (Applause.)

15 MR. BROWN: Steve Fulop.

16 COUNCILMAN FULOP: I am Councilman Steven  
17 Fulop. I have the privilege of representing the  
18 downtown area of Jersey City, where the pipeline  
19 will come directly through. And you're going to  
20 hear my colleagues speak shortly. In addition to  
21 what Mayor Healy said on safety and Senator  
22 Cunningham said about the fallacies of the report,  
23 you'll hear people talk about the education, the  
24 proximity to schools, and I think that Mayor Turner  
25 said earlier, that what we lack is something very

1 profound. That it's a false fallacy to say that  
2 it's a choice between jobs and safety.

3           Ultimately, to the gentleman behind me, it is  
4 true that every single member of that city council  
5 has been a proponent of jobs. The impact of this  
6 pipeline running via 14th to 18th street in downtown  
7 Jersey City is going to have negative impact on the  
8 rateable's of the city and the potential for  
9 development there. And while this, in the near  
10 term, may look like an appealing thing to these  
11 gentlemen, that the work may be tomorrow they feel.  
12 Who knows? The reality is that the impact on jobs  
13 longer term in Jersey City for these people is going  
14 to be very detrimental.

15           What I would tell you is that Jersey City  
16 politics and government, as a whole in Hudson  
17 County, is very rough and tumble, bareknuckle  
18 sport, and there are very few issues that have  
19 united the city like this because the people who  
20 know best know that it is not right.

21 (Applause.)

22           I speak for the council, please oppose this  
23 pipeline. It's very important for the future of  
24 this city. Thank you.

25 (Applause.)

1                   MR. BROWN: Iona Richardson. Iona  
2 Richardson. Mike Salano?

3                   COUNCILMAN SOTTOLANO: Good evening, thank  
4 you for allowing me to speak. I am the Ward 8  
5 Greenville Council, which is the southern end of the  
6 city and is the area where the pipeline would first  
7 touchdown in Jersey City.

8                   While part of that area may not be the most  
9 extremely populated area, where it first would touch  
10 down, the first place it's going to pass is the  
11 Caiden Point Sports Complex. That's a nice place to  
12 put it, where high school kids, little league kids,  
13 small kids, soccer players, play ball every single  
14 day. Where there is a capacity crowd of 5 to 6,000  
15 people watching an event. So we say okay, we'll  
16 move past the little kids, and the kids, and the  
17 safety of them with the pipeline going by them.

18                  We'll move it further on down; we'll keep on  
19 going. We'll go to Liberty State Park, the most  
20 popular park in this state and probably on the  
21 eastern seaboard, where it is visited every year.  
22 Why worry about them? They can survive, maybe they  
23 can hide in the park somewhere.

24                  Then we'll move further down this here route,  
25 and we'll go to Liberty Science Center, which

1 everyday is jam packed with adults, school children,  
2 representing and trying to learn something. That's  
3 fine; we don't need them either.

4 Right across from Liberty Science Center is  
5 also a large swath of land that is Liberty State  
6 Park. That is the most valuable piece of land in  
7 Jersey City that you will economically destroy and  
8 take away from Jersey City.

9 What Jersey City has done in the last 40 years  
10 in rebuilding and regrowing this city should be  
11 rewarded not penalized by halting its growth. Fifty  
12 one miles of railroad track raced across Jersey City  
13 40 years ago. Now, we have a financial center,  
14 residential center, commercial center. That is such  
15 a rebirth that it is viewed upon by the rest of this  
16 country as how did this city rejuvenate itself? And  
17 we say, how will we reward Jersey City? We'll  
18 reward it by putting a gas pipeline through it and  
19 put it in impossible peril.

20 I cannot conceive or understand, in such a  
21 densely populated area, why you would even think of  
22 traversing this pipeline over its land. If you want  
23 it, put it in the damned water, keep it in the  
24 water, and keep it off of the land of Jersey City.  
25 (Applause.)

1           The intent here has always been safety, safety,  
2 safety, safety, safety. The inspector has spoke a  
3 pretty good game on that. How did they get some of  
4 the changes in their pipeline? Because of public  
5 comment. "Oh, we'll make the pipe thicker." Well,  
6 if thicker was the safety issue, why the hell didn't  
7 you propose it in the first place?

8           Each time, they are willing to move or do this  
9 or do that, at probably an additional cost to them,  
10 is under the guise of safety because somebody is  
11 pushing them. I do not think of that as being  
12 really, anything other than being disingenuous to  
13 the people of Jersey City. It is terrible.

14           There is a gentleman by the name of Carl  
15 Weimer. I don't know who he is. He is the  
16 Executive Director of the pipeline trust. He states  
17 every nine days somebody is killed or seriously  
18 hospitalized by pipeline accidents. Wow, what does  
19 that say about the industry? And you're going to  
20 tell us, the people of Jersey City, that you're  
21 going to put a pipeline through the most densely  
22 populated area of the city, by a high school, by a  
23 hospital, by some of the biggest high rises, by the  
24 tallest building in the State of New Jersey? And  
25 we're supposed to say, yeah, we think you're going

1 to do it safely, and you're going to protect us?  
2 Like hell we believe you; we are totally opposed to  
3 it.

4 (Applause.)

5 MR. BROWN: Charles Mainor.

6 ASSEMBLYMAN MAINOR: Good evening, I am  
7 State Assemblyman Charles Mainor, representing the  
8 31st District. I am not going to stand here and  
9 repeat everything that my colleagues have said  
10 because there's no need. I am one that does not  
11 stand for what is popular; I stand for what is  
12 right. Therefore, I can stand here today and tell  
13 you that I oppose this pipeline.

14 (Applause.)

15 I oppose this pipeline for a number of reasons.  
16 But my main reason, of course, like everyone else is  
17 the safety of my constituents. It has been proven,  
18 on more than one occasion, that these pipelines are  
19 deadly. Let us look back to 1994 when 14 apartment  
20 buildings were blown to pieces and hundreds of  
21 people were left homeless. This year alone, there  
22 were 15 different instances where pipelines have  
23 ruptured. Not all were deadly, but the possibility  
24 was there. There is no amount of money, and there  
25 is no amount of jobs that this company can offer

1 that will put me in a position to stand behind this  
2 pipeline in the way that it is drawn.

3 (Applause.)

4 I will not stand behind any type of job  
5 creation that will put lives in jeopardy. Please  
6 allow me to end with this. This pipeline is being  
7 built to service the great people of New York City.  
8 Let us turn the table. Do you truly believe they  
9 would do the same for us? I oppose this pipeline.  
10 Thank you.

11 (Applause.)

12 MR. BROWN: Joan Quigley.

13 ASSEMBLYWOMAN QUIGLEY: Good evening, I am  
14 Joan Quigley. I am the Assemblywoman from District  
15 32. I also represent Jersey City in the state  
16 legislature. In the information provided to the  
17 Federal Energy Regulatory Commission for the  
18 environmental impact statement, the representatives  
19 of Spectra Energy talked quite a bit about their  
20 emphasis on safety. Of course they did. They want  
21 us to truly believe they will do everything possible  
22 to prevent a disaster, and I do believe that. I  
23 know they don't want to be responsible for a  
24 disaster.

25 The officers are undoubtedly good people who

1 don't want to be the cause of a single death, let  
2 alone dozens of deaths from a pipeline explosion.  
3 And they certainly don't want to pay the costs of a  
4 disaster, paying out to the families of all those  
5 who might be killed, replacement of homes and  
6 buildings destroyed in a pipeline accident, and  
7 hundreds of millions of repairs to the community  
8 where an accident occurred. Just like the situation  
9 in San Bruno, California, where the pipeline  
10 ruptured, killed eight people, destroyed 100 homes,  
11 and a dozen businesses. And the neighborhood is now  
12 a crater 167 feet long and 26 feet wide.

13 Or look at the report about the pipeline  
14 rupture in Edison, New Jersey that ruined an  
15 apartment complex and cost a fortune. Spectra  
16 Energy can't afford that, and their insurance  
17 carriers can't afford that. So, they will really  
18 try to be safe. Of course, they are trying to be a  
19 lot safer in New York City. Gas will be pumped  
20 through Jersey City at 1,200 pounds per square inch,  
21 but reduced to 350 pounds per square inch when it  
22 gets to Manhattan. I guess safety is more important  
23 over there, or the people and property are more  
24 valuable.

25 (Applause.)

1           Nevertheless, I do believe Spectra intends to  
2           be safe. At least, they won't do anything  
3           deliberately unsafe. But accidents do happen don't  
4           they? And an accident here in jam packed Hudson  
5           County, in this busy, crowded Jersey City, could  
6           harm hundreds, thousands of us, level dozens of  
7           homes, hundreds of homes, two hospitals, three  
8           schools, ruin our businesses and disrupt our  
9           economy. And despite all the precautions, accidents  
10          do happen, don't they?

11          Materials aren't always as good as they are  
12          guaranteed to be. Workers do make errors, and even  
13          in New Jersey, earthquakes occur. Accidents do  
14          happen. Before there is even an accident however,  
15          the very presence of a natural gas pipeline will  
16          raise our home and business insurance costs, depress  
17          our real estate prices, depress our opportunity to  
18          get more long lasting jobs and scare away many  
19          current and future neighbors.

20          Why take the risk? So New Yorkers can have  
21          cheaper gas? Listen, I'm a pretty good neighbor,  
22          and I like New Yorkers. But when you ask me to  
23          lower the value of my house, raise the cost of my  
24          insurance and maybe my taxes, and put my family in  
25          real danger, just so that New Yorkers can have

1 cheaper gas, you've gone too far.

2 (Applause.)

3 I say no, absolutely no, it's not worth the  
4 risk. The inspector described a slight risk.  
5 Slight risk to them, big risk is what it is to us.  
6 I've been in elected office for 18 years, and during  
7 that time, I smiled and sympathized with people who  
8 said not in my backyard. Well, this time I'm  
9 joining those NIMBY folks. If it's not a good  
10 enough thing to go in my backyard or their backyard,  
11 nowhere in Jersey City. Jersey City doesn't want a  
12 pipeline. Jersey City doesn't need a pipeline.  
13 Jersey City doesn't benefit from a pipeline. Jersey  
14 City does not want a pipeline ran down its throat or  
15 up anywhere else.

16 (Applause.)

17 There should be no pipeline in Jersey City;  
18 please deny this permit.

19 (Applause.)

20 SPEAKER FROM AUDIENCE: Good evening, my  
21 name is-

22 MS. HARRIS: We have not called the next  
23 speaker yet.

24 MR. BROWN: The next speaker is Mayor Dawn  
25 Zimmer.

1                   COUNCILWOMAN RICHARDSON: It was my  
2 understanding that I was called earlier, and I was  
3 just asking to-

4                   MR. BROWN: Oh, I'm sorry, you didn't  
5 answer.

6                   COUNCILWOMAN RICHARDSON: It's okay sir,  
7 it's okay. My name is Viola Richardson, the  
8 Councilwoman for the city of Jersey City. I'm here  
9 to speak on behalf of the residents of my city, to  
10 express our concerns about the proposed pipeline to  
11 be built throughout our city. The proposed New  
12 Jersey - New York Gas Pipeline expansion project  
13 will directly, adversely impact Jersey City's  
14 current and future development projects, our  
15 property values and put over 240,000 residents and  
16 tens of thousands of travelers that pass through our  
17 roads every day in dire jeopardy. It's  
18 unconscionable to put a six and a half mile gas  
19 pipeline in a very densely populated city, running  
20 close to and under our schools and our trauma  
21 hospital, our homes and businesses. It will also  
22 pass near triple tier one homeland security  
23 designated infrastructure, industrial parks and  
24 global financial institutions. Most of all, we have  
25 three good reasons why it should not be constructed.



1 Sue Mack?

2 MS. MACK: Good evening and welcome to  
3 Ferris High School. My name is Suzanne Mack, I'm  
4 the chair of the Jersey City Public Schools  
5 Facilities Committee. I'm also the longest serving  
6 Board of Education member, probably, almost in the  
7 state. I'm in my sixth term as Board of Ed, and I'm  
8 also the chair of the Facilities Committee so many  
9 times we can't count.

10 But I want to welcome everyone here because  
11 it's nice to have the community here. We don't ask  
12 people to leave; we ask people to come and give  
13 their opinion. So, whatever your opinion is, your  
14 welcome on behalf of our vice president, Carol  
15 Lester, and our Board President, Sterling Waterman.  
16 And we welcome our federal officials.

17 One of my other positions for my life has been  
18 to build the Hudson Bergen Light Rail. As such,  
19 I've worked very closely with Senator Hernandez,  
20 Congressman Series and Assemblywoman Joan Quigley.  
21 So, I am no stranger to the federal processes, and  
22 obviously, I've been able to get projects built  
23 through those processes.

24 One of the things I've learned from  
25 congressman, then Bob Hernandez, and then

1       Congressman Series, and now Mayor Healy, is that the  
2       federal government doesn't want to come in and do  
3       something that isn't what the community wants.

4             You always have a process, whether it's the  
5       federal government, or it's the state process, and  
6       you try to build consensus. So, I would say to you  
7       tonight that I don't believe that Hudson County,  
8       Bayonne, Jersey City are against utilities. Roads  
9       are utilities. The turnpike is a utility. Your gas  
10      line is a utility, customer, utility. We're just  
11      trying to find a route.

12            And I think that when people get down to,  
13      instead of just being reactive, and Spectra and the  
14      government are reactive, they are proposing  
15      something. You put that out there to see how people  
16      feel, and you find a consensus. Because there is a  
17      consensus here probably, and what we need to do is  
18      not approve the gasline in it's current route, but  
19      look at it. You have Assemblyman Quigley, you have  
20      in turn - - it used to be Congressman Hernandez,  
21      it's now Congressman Series. They have said, "Find  
22      a route."

23            You have Cross Harbor Tunnel route coming right  
24      out of Bayonne. Bayonne has no problem with this  
25      project. They support the project. You just come

1 across the Jersey City border, you go through the  
2 Greenwood Gardens, and you take the Cross Harbor  
3 route right across to New York. You avoid, you  
4 avoid. The people that don't want it, you avoid the  
5 areas of sensitivity, the areas of danger, and you  
6 get what you want. And at this time, when there are  
7 no jobs, when the people aren't working, the  
8 laborers need jobs, but people need safety.

9 Now we have here, I have a school system that  
10 I've been responsible for, for over - - I've been  
11 the Board President, Board Vice-President, twice. We  
12 have a school system of 29,000 children. Why would  
13 you want to force this down anybody's throat? Why  
14 would you want to force it down the throat of the  
15 second largest city in the state of New Jersey? I  
16 don't think that's what you want to do. I think  
17 that you, you people are just the federal  
18 arbitrators coming in to do a hearing. But even the  
19 company is trying to find the route.

20 I think you need to find a route that you can  
21 build consensus on, so that you can get your project  
22 done. You can have a win/win. If people want a  
23 win-win, if people don't decide to exclude people  
24 and cut people out of the process just because  
25 they're on the wrong side of the aisle or the wrong

1 side of the political party. This isn't about  
2 politics. This is about the citizens in the second  
3 largest city in New Jersey who don't want this.

4 If it was a light rail, you wouldn't do it, if  
5 it was a historic preservation area of the state,  
6 people, environmental justice, all count in your  
7 federal process.

8 So, I'm just asking you to go back and abide by  
9 your own federal processes, which is when you have  
10 opposition on a local level, you don't approve  
11 things. When you have this kind of opposition,  
12 shame on you if you do approve it. We want the  
13 utility, in order to be built, in order to support  
14 the jobs for our workers that are totally out of  
15 work because of this lousy economy. All we want to  
16 do is have you go back to Spectra and say, "Listen,  
17 I went to Jersey City. They are all nice people.  
18 They are all against it. Find another route, build  
19 your line and everybody will support it." Thank  
20 you.

21 (Applause.)

22 MR. BROWN: Carol Lester.

23 MS. LESTER: Thank you Suzanne, that was  
24 good advice for FERC. We are, I think we're in the  
25 top five most densely populated urban areas in the

1 United States. As vice president of the Board of  
2 Ed, I'm happy to say the Board unanimously, at our  
3 superintendent - - back in July of 2010, wrote a  
4 letter in opposition to this pipeline. And in the  
5 interim, we've been communicating to ask for further  
6 clarification about the mapping of the pipeline. We  
7 were told, at first, that there were only two  
8 schools that were within 150 feet, so we didn't need  
9 to worry about any of the other schools.

10 We respectfully submitted, on May 9th of this  
11 year, that we disagree. We are concerned about all  
12 of our schools, and we asked for a map that showed  
13 the entire pipeline and every school dotted on the  
14 map. There are 35 schools, there are at least 30  
15 preschools, there are private schools, there are  
16 charter schools, 29,000 public school children,  
17 6,000 chartered public school children, about 3,000  
18 private school children and 1,000 preschool  
19 children.

20 That's a lot of children, and if the turnpike were  
21 to become unable to sustain an evacuation, we're  
22 responsible for those children when their parents  
23 send them to school. If there is an emergency, we  
24 are responsible, and that is a lot of children. We  
25 asked for a map. We'd like to be able to plan. We

1        were told in response - we were given a map - and we  
2        were told, "You don't really need that." That's  
3        what we were told. I'll submit it into the public  
4        record. It was reiterated, "The only two schools  
5        you have to worry about are Davidson and Paris,  
6        because one of them is under 130 feet and one of  
7        them is 180 feet."

8                We have a lot of schools here. This was  
9        disrespectful. It was not due diligence. It was a  
10       sign that they don't feel like they have to care  
11       about our children and our community at all and our  
12       safety. And this is a democracy. I appreciate the  
13       opportunity here to speak to the Federal Regulatory  
14       Agency for this, so that you can know, and it can be  
15       put into the public record that we are reasonably,  
16       peaceably, intelligently asking for options, asking  
17       for plans, asking for safety, and we are not being  
18       provided with even a decent level of planning  
19       materials and realistic maps. So, we are still in  
20       opposition to this going through Jersey City. It is  
21       very unsafe for our schoolchildren. We have a huge  
22       school district.

23                In case the city doesn't realize it, because  
24       sometimes we don't realize until something is in our  
25       own yard that it's part of a larger issue. This is

1 the last step of hydraulic fracturing for gas, and a  
2 long time ago, we were attacked and everyone was  
3 really nervous after 9/11. President Bush and Dick  
4 Cheney bypassed Clean Water and Safe Drinking Water  
5 Acts that President Nixon had put into effect in the  
6 70s, so that, as part of Patriot America, we could  
7 move ourselves away from oil. And what ended up  
8 happening is we had a free-for-all, and gas  
9 companies - - you know there's a lot of gas already  
10 going to New York City, and there's fracking  
11 happening in upstate New York. And New York City  
12 doesn't even want this gas pipeline. There's a  
13 whole other group of people on the other side of the  
14 river who are meeting tonight and yesterday. So,  
15 there is a hearing about fracking coming to New  
16 Jersey. And it's November 21st, 8:00 O'clock in  
17 Trenton. So, it's Food and Water watch. Someone  
18 came here to talk about that.

19 This is me as a person, just saying this,  
20 okay. But on behalf of the entire Board of  
21 Education, I really would like to thank you for  
22 going back and asking Spectra to please just change  
23 the route. It's unacceptable here. Thank you.

24 MS. HARRIS: Thank you.

25 (Applause.)

1 MR. BROWN: Greg Kierce.

2 MR. KIERCE: Good evening, I'm Greg Geirs,  
3 from Homeland Security. From the onset, Jersey City  
4 residents and officials have voiced concerns as to  
5 how this project would adversely impact the safety  
6 of our citizens and critical infrastructure of  
7 Jersey City. Jersey City holds many assets, the  
8 Department of Homeland Security has written.

9 Providing target rich environments-

10 (Problems with microphone.)

11 (Audience becomes noisy.)

12 MS. HARRIS: This is not the time, we have  
13 a speaker right here.

14 MR KIERCE: As I was saying, Jersey City  
15 holds many assets according as the Department of  
16 Homeland Security's critical infrastructure,  
17 providing a target rich environment for those intent  
18 on doing harm. Instead of risking safety and  
19 security issues, Spectra Energy officials continue  
20 to trivialize our concerns, utilizing the assistance  
21 of high-profile individuals and organizations to  
22 cloud the issues.

23 (Applause.)

24 However, safety stays, an inspector 2009 annual  
25 report, which I hold here in my hand, are in direct

1 conflict with the opinions of their experts and  
2 validate our concerns.

3 Page 22, "Our operations are subject to many  
4 hazards in transportation, storage and gathering of  
5 natural gas, including damage to pipelines,  
6 facilities, related equipment caused by hurricanes,  
7 tornadoes, floods, fires and other natural  
8 disasters, explosions and acts of terrorism,  
9 inadvertant damage from third parties, including  
10 construction and utility equipment."

11 Page 24, "Terrorist attacks. The threat of  
12 terrorist attacks has resulted in increased costs to  
13 our business. Continued global hostilities or other  
14 sustained military campaigns may adversely affect  
15 our results of our operations. Acts of terrorism  
16 and any possible reprisals as a consequence of any  
17 action in the United States and its allies could be  
18 directly against our companies operating in the  
19 United States. The risk is continually great for  
20 companies like ours, operating in any entity  
21 infrastructure industry that handles volatile,  
22 gaseous and liquid hydrocarbons. Moreover, any  
23 physical damage to high-profile facilities resulting  
24 from acts of terrorism may not be covered or covered  
25 fully by insurance."

1           And for the people here tonight, those are not  
2 my words, those are Spectra's words.

3           (Applause.)

4           A recent report offered by the American Gas  
5 Association related the leading cause of action for  
6 both transmission and distribution systems are  
7 damaged by digging near existing gas pipelines.  
8 Frequently this damage results from someone  
9 excavating without asking or without waiting the  
10 standard 48 hours for the gas company to mark the  
11 location of its lines. Excavation damage accounts  
12 for 60 percent of all recorded distribution pipeline  
13 incidents between 1995 and 2004.

14           According to statistics kept by the United  
15 States Department of Transportation, Office of  
16 Pipeline Safety, other forces include corrosion, a  
17 fire or explosion, causing a pipeline incident, or  
18 even a vehicles sliding into above ground meter or  
19 regulator. Corrosion sometimes results from  
20 excavation damage, which may not be severe enough to  
21 trigger a puncture or failure of the pipeline, could  
22 create weaknesses in the pipeline that later would  
23 render them more susceptible to corrosion.

24           According to DOT's statistics, another leading  
25 cause of natural gas distribution pipeline

1 incidents, in 2004, included a fire or explosion  
2 that caused a natural gas incident at a vehicle  
3 striking above ground facilities.

4 As clearly evident from March '94, Durham Woods  
5 natural gas pipeline explosion in Edison, New Jersey  
6 to September 2010 natural gas pipeline explosion in  
7 San Bruno, California, the devastation resulted in  
8 loss of innocent lives and hundreds of millions of  
9 dollars in property damage. A similar incident in  
10 Jersey City can only be described as catastrophic.

11 Spectra Energy says, "We put safety first."  
12 Yet they are afraid to answer the questions and  
13 concerns of Jersey City officials and the public.

14 Spectra Energy wants the route of this pipeline  
15 to go through Jersey City for one reason, profit.  
16 Another safe route has been proposed, running it  
17 under New York Harbor, but Spectra Energy is willing  
18 to put your safety, property and the future  
19 development of Jersey City at risk, in order to  
20 maximize their holdings. Thank you very much.

21 MS. HARRIS: Thank you.

22 MR. BROWN: Darrin Rivers.

23 CHIEF RIVERS: Good evening, my name is  
24 Darrin Rivers, I'm the Chief of the Jersey City Fire  
25 Department.

1 (Applause.)

2 First and foremost, I applaud the elected  
3 officials for the hard work that they do for the  
4 citizens of this city, trying to create jobs. But I  
5 have one responsibility and one responsibility only,  
6 and that is to protect more than 280,000 people on a  
7 daily basis. Jersey City is one of the most densely  
8 populated cities in this country. Even at full  
9 strength, this fire department, in no way, can  
10 handle an explosion from a Spectra Energy pipeline  
11 30 inches in diameter, even at 500 psi.

12 On one hand we have many schools, only two  
13 hospitals that we have. And to have that pipeline  
14 to explode anywhere in the downtown area would be a  
15 catastrophe. There's no way in this world we would  
16 be able to - - we would lose a lot of lives, let's  
17 put it that way. The bottom line is we would lose  
18 thousands of people.

19 In San Bruno, California a single pipeline 30  
20 inches, they lost more than 100 structures. Now,  
21 those structures in California are much stronger  
22 than ours. They are able to support and withstand  
23 earthquakes. Jersey City's an old city. The  
24 structures are old wood, and they are dry.

25 We have a very aggressive fire department.

1       When we have a fire in a two or three story  
2       building, when we post a two alarm, I'm using half  
3       of our resources to put that one building out.  
4       Now San Bruno, they lost more than 100 structures in  
5       one shot. That happens here, quadruple that.

6               Now another thing, global war. If a coke  
7       dealer goes out and is selling drugs 1,000 feet from  
8       this school, they would go to jail for 7 years. But  
9       yet, you let Spectra Energy put a gas pipeline 150  
10      feet away from our school that has 2,000, 3,000  
11      people? That is criminal, that is criminal.

12      (Applause.)

13             Another thing is in San Bruno, California not  
14      only did they have mutual aid from the entire Bay  
15      Area, but they had fire companies from the  
16      California Department of Forestry. Twenty five fire  
17      engines in addition to all the companies in the Bay  
18      Area. They had four tankers, two attack planes. We  
19      don't have those types of resources here. And to  
20      let Spectra Energy even think about putting a  
21      pipeline through my city is criminal, and they  
22      should go to jail for life. Thank you.

23             MR. BROWN: Maria Maio.

24             MS. MAIO: Good evening, I'm Maria Maio,  
25      I'm the Executive Director of Jersey City Housing

1 Authority.

2 (Applause.)

3 Thank you so much for allowing me this  
4 opportunity. And I guess I want to tell you a  
5 little history of public housing. When public  
6 housing was first created in 1938, if you look  
7 around urban areas you will see - - you know where  
8 the public housing is. It all looks alike. It is  
9 all near highways, near railroads, pretty much  
10 isolated from the rest of the community. And yes,  
11 even across the street from the PJP Landfill, and I  
12 want to thank the city for dealing with that. So,  
13 the notion of environmental justice certainly comes  
14 to mind when you think about where public housing  
15 was built. Phase forward and over the last 12 years  
16 we have been transforming our public housing  
17 communities into communities of choice, as opposed  
18 to communities of last resort.

19 Much money has been spent from the federal  
20 government, and I feel a little odd here because I  
21 am a sister agency. I deal with HUD. You all are  
22 from the federal government as well. And yet there  
23 seems to be a certain disconnect between what you're  
24 proposing here tonight and what we are mandated to  
25 do, which is to create healthy neighborhoods.

1           This is not helping. And the notion that - - I  
2 appreciate what Sue Mack said. The federal  
3 government is very good at giving mandates in terms  
4 of community input. That's certainly been the case  
5 when we created public housing. And we need those  
6 notions, - - we are creating what is called  
7 Montgomery McKinley Square Choice neighborhood.  
8 That is a very large neighborhood that this project  
9 will go right through.

10           We implore you, please don't make the mistakes  
11 of the past. Please think about our program and not  
12 just public housing residents, but all the residents  
13 of Jersey City. I hope you heed the call of the  
14 community residents. Please let us not do what we  
15 did to public housing communities in the past.  
16 Please listen to the community here. Let us build  
17 beautiful, sustainable and healthy neighborhoods.  
18 And to the laborers, I appreciate it. I think the  
19 Housing Authority, I know the Housing Authority has  
20 a record of jobs. But let's not take jobs at the  
21 risk of safety. Thank you so much.

22           (Applause.)

23           MR. BROWN: Kabli Tayari.

24           MR. TAYARI: Good evening members of the  
25 FERC Regulatory Commission. It is a good thing that

1       you decided to return to Hudson County and have a  
2       public hearing in Bayonne last night and one tonight  
3       in Jersey City. However, there need to be at least  
4       two more public meetings before you issue your final  
5       environmental impact study on January 27th, 2012.

6               Also, there needs to be some additional public  
7       hearings as of January 27th, 2012, before you issue  
8       a final approval. Please consider these suggestions  
9       seriously. Let us look at the record very quickly.  
10       That as we talk about the residents of New York  
11       City, the profit for this pipeline is not for the  
12       residents of New York City but for Con Edison and  
13       Con Edison only.

14               The alternative routes that Mayor Jeremiah  
15       Healy, and by the way, the Mayor of Jersey City - -  
16       the alternative routes that Mayor Jeremiah Healy's  
17       administration have strongly put forward have been  
18       rejected by Spectra. Let us note these alternative  
19       routes guarantee jobs, safety, health and  
20       environmental protection. However, the present  
21       route is a serious threat to the entire public.

22               It was documented between 1981 and 1985, by  
23       Barry Stevenson, that area along Cable Park Road is  
24       heavily contaminated with chromium and other  
25       dangerous toxic chemicals. This is highly

1 contaminated land. It stretches, as Councilman  
2 Salano told you, from the beginning of the south  
3 side of Jersey City all the way down to our Liberty  
4 State Park. The chromium contaminated area is less  
5 than one mile from a highly, densely populated area  
6 primarily composed of low and middle income working  
7 people and the majority of whom are African  
8 Americans and Latino residents.

9 Which brings us to the question of  
10 environmental justice. An explosion in the Cable  
11 Park contaminated area, would expose thousands of  
12 residents to chromium and other dangerous toxins in  
13 the air as well digging there. Consistent with the  
14 1994 Executive Order 12898, dealing with the  
15 National Environmental Policy Act, you have been  
16 required to A, consideration and economic  
17 composition of the affected communities; B,  
18 health-related issues that may amplify the effects  
19 on residents of color and low income individuals;  
20 and C, public participation status, which includes  
21 community participation in the decision-making  
22 process.

23 Let us be very, very clear. Spectra has not  
24 involved any of the communities of color in the  
25 decision-making process. They have not involved any

1 of those communities. That includes Ward 8, that  
2 includes Ward F, and that includes the ward we are  
3 sitting in, Ward E.

4 Let us also build some other things as  
5 executive director Maria Mayle said. There is a  
6 senior citizen housing complex that is less than  
7 1,000 feet from this proposed pipeline. This high  
8 school we're talking about, there is a public  
9 housing site right across the street, or down the  
10 street, from Ferris High school, and also there is a  
11 recreation field that Ferris has, but there is  
12 another one right behind us, which is all within a  
13 middle, low income community and a community made up  
14 of African Americans, Latinos and other people of  
15 color people. Environmental justice again.

16 We continue to focus on this because you have a  
17 requirement at FERC. You have a mandated  
18 responsibility to enforce the National Environmental  
19 Policy Act and due process to promote environmental  
20 justice.

21 FERC, you are required by Executive Order 12898  
22 to address, "Significant adverse environmental  
23 effects on communities of color and low-income  
24 communities. To mitigate and measure, outline or  
25 analyze an environmental assessment and finding of

1 no significant impact and environmental impact  
2 statement and records of decision." To date, you  
3 have not done so, but our communities demand that  
4 you do so.

5 I think it's on page 5-11, FERC told you there  
6 is no significant danger to these communities at  
7 all. Where did FERC give you such proof? Spectra.  
8 And when did you analyze that under environmental  
9 justice, as it pertains to that executive order and  
10 as it pertains to that act? God bless you, thank  
11 you, but you have a responsibility to serve our  
12 community.

13 (Applause.)

14 MS. HARRIS: Thank you.

15 MR. BROWN: Robert Cotter.

16 MR. COTTER: Good evening, thank you for  
17 coming to Jersey City again. I'm Bob Cotter,  
18 planning director, and I've got about 30 years under  
19 my belt of being planning director and city planner  
20 in this town, and I've seen a lot of change in my  
21 career here.

22 This is a city that has a history of turning  
23 brown fields into gold mines. The number of jobs  
24 that have been created on the waterfront surpasses  
25 the jobs that existed here when my father was

1 working on the waterfront and my uncles were working  
2 on the waterfront. There are a couple of thousand  
3 jobs on the waterfront. There is tens of thousands  
4 of jobs there now. And there were tens of thousands  
5 of jobs building the buildings that house those  
6 buildings and those people that live there today. I  
7 cannot tell you how aggrieved I am of the myopic  
8 vision of this DEIS, as to the parts of development  
9 potential of this town.

10 The northern section of Jersey City, under the  
11 Palisades and below Hoboken, is the next great  
12 waterfront development, the next new neighborhood.  
13 Thousands and thousands of units will be built  
14 there. If this pipeline goes through the 14th  
15 Street corridor to 18th Street corridor, I wonder  
16 what will happen to that.

17 I know that the route using the Lower Slip  
18 Canal, which runs immediately below Hoboken  
19 Terminal, from my reading of the right of way, will  
20 never see the development that's been envisioned by  
21 New Jersey Transit and L Core (phonetic). That's  
22 over 1 million square feet of office, over 5,000  
23 housing units, 350,000 square feet of retail,  
24 institution uses. None of that can be built because  
25 the pipeline will be directly underneath filled in

1 Long Slip Canal.

2 And that's some of the greenest development of  
3 the coming decades and century that is on top of the  
4 railroad station, which is the densest  
5 transportation node in the United States, with heavy  
6 rail, light rail, buses, taxis, the PATH train  
7 subway to Manhattan.

8 So, all that's gone forever, and all the jobs  
9 building are gone forever, and all those green  
10 lifestyles will have to be somewhere else. They  
11 cannot be as green because the transportation  
12 infrastructure won't be as intense as it is at the  
13 Hoboken Terminal.

14 We estimated that, that using the Rutgers Econ  
15 Model, would produce 26 million dollars a year in  
16 annual tax revenue to Jersey City. That is in  
17 comparison to the 2.6 million tax revenue that has  
18 been estimated the pipeline will pay. I'll give you  
19 the 26 million, you can keep the 2.6.

20 (Applause.)

21 There is another serious discussion that's  
22 ongoing between city planners and the county  
23 planners and the state transportation officials, to  
24 try to implement Mayor Bloomberg's proposals. This  
25 is a New York City mayor's proposal, to bring the

1       Number 7 subway into New Jersey. We are working  
2       feverishly to try and make sure that if it does  
3       happen, it comes through Hoboken terminal, so that  
4       we can make that connection. And just think of the  
5       economic development potential of that to this  
6       region, to this city and this county. That will all  
7       go away if the pipeline is there because it will  
8       block the route. So, we will not be able to do  
9       that.

10      (Applause.)

11             Those are the potentials. That's the future.  
12      I'm paid to try and protect the future and make sure  
13      it can happen. I'm just going to tell you I'm  
14      appalled at the property value assessments that are  
15      in this DEIS, as to what will happen to the  
16      development and real estate values. You cannot tell  
17      me that you can compare rural and suburban property  
18      values within developed pipelines to the urban areas  
19      of this city, like Newport and the 18th street  
20      corridor.

21             In the suburbs and rural areas, things are one  
22      or two houses per acre. We have hundreds and  
23      thousands. We are zoned for 1,000 units an acre on  
24      top of the PATH station. No comparison on urban  
25      fabric to the rural and suburban fabric, where

1 distance is the issue. Here proximity is the issue.  
2 So, we're going to be very close to this pipeline.  
3 The property value effects will be terrible, and yet  
4 it says that, "It's assumed that the results of this  
5 suburban and rural property value evaluation would  
6 be very likely transferable to Jersey City." That's  
7 nonsense. The reason you can't do it is because  
8 it's unprecedented to have a pipeline of this  
9 magnitude run through a fabric this dense. And  
10 that's what they want to do here.

11 (Applause.)

12 And finally, I love this part. There is a  
13 statement that the projects in Jersey City will  
14 continue to see investment, as evidenced by the  
15 Everett, Massachusetts development of millions of  
16 dollars in the old Charlestown Navy Yard. And  
17 that's because nearby is the liquefied natural gas  
18 facility of Distrigas.

19 Well, I checked this out by mapping these  
20 things, two things, and it turns out that Distrigas  
21 is over a mile away from the Charlestown Conduit  
22 Development in the Charlestown Navy Yards.

23 That's like saying that the property values in  
24 Weehawken won't be affected by this pipeline in  
25 Jersey City. That is just so off the books, it's

1 just ridiculous. So, I believe that this EIS is  
2 deeply flawed, and I expect to see answers to my  
3 questions in the final EIS. Thank you.

4 MS. HARRIS: Thank you.

5 (Applause.)

6 MR. BROWN: Robert Antonicello.

7 MR. ANTONICELLO: Good evening, you got it  
8 right, it's Antonicello. I'm the Executive Director  
9 of the Jersey City Redevelopment Agency. And like  
10 our sister agency, the Housing Authority, we were  
11 founded in 1949. We're one of the oldest  
12 redevelopment agencies in the country. We have had  
13 a long, extensive experience dealing with the  
14 federal government, and generally look at the  
15 federal government as our partner.

16 And I just want to make a couple of points to  
17 build on what my colleagues have said here. And  
18 that is this is a city that in 1930 was somewhere  
19 close to 370,000 people. And when our fathers and  
20 grandfathers and grandmothers and moms came home  
21 from the war, it was an industrial city. It was one  
22 of the great industrial cities in New Jersey and in  
23 the Northeast. It was the 25th largest city in the  
24 country. And these jobs gradually left, like most  
25 manufacturing, like we see in Detroit or we see in

1 Youngstown or Camden or Philadelphia.

2 But there is one significant difference in  
3 Jersey City, and that is we clawed our way back.  
4 We're not back to 360,000 in population, but we  
5 clawed our way back in terms of jobs. It wasn't  
6 easy. The residual effect of being an industrial  
7 city left the city pock marked with brown fields and  
8 chromium. Millions and millions of tons of chromium  
9 left as a byproduct for us to clean up, for us to  
10 live with, for the residents of Ward F to breathe in  
11 every single day, for the residents of Greenville to  
12 deal with every day.

13 But you know, we are not complaining, because  
14 we did it, we cleaned it. We planted seeds for  
15 redevelopment areas, 84, the most in the state. And  
16 those redevelopment areas generated thousands of  
17 jobs for our labor brothers here and still do.

18 When you look at what's happened here, the way  
19 they ran this route - - let me just give you some  
20 numbers, bottom line numbers: Case in point, about  
21 200 million dollars in residential damages; Liberty  
22 Harbor Conference and Hotel facility, about 500  
23 million dollars; Grand Jersey Harborplace another  
24 600 million dollars in damages; Lafayette Town  
25 Center, another 300 million dollars in damage;

1 Holland Park, perhaps another billion dollars in  
2 damage; Hudson Crossing, almost 3 billion dollars in  
3 damage. The most sustainable site in the country,  
4 not the state. Heavy rail, light rail, PATH, bus,  
5 ferry, you name it. It sits on the Hoboken/Jersey  
6 City border, 70 acres, 18 million square feet gone  
7 in a heartbeat because Spectra does not want cross  
8 the bay. You put Newport with 2 million square feet  
9 still left to be developed. Newport is a jewel,  
10 perhaps another billion dollars of value. When you  
11 add it up, you're probably looking at between 6 and  
12 7 billion dollars of value.

13 Now, when you think of a city like Detroit,  
14 down from a million nine, to 775,000 people. Or  
15 Youngstown, which is barely fighting for its  
16 existence, down to about a third of what it was. Or  
17 our sister, Camden, or York for example. Here's a  
18 city, that has been told - - don't rely on finals.  
19 The state we could not rely upon, the federal  
20 government we could not rely upon. We relied upon  
21 ourselves. We planted the seeds, we watered the  
22 seeds. The city council, previous administrations,  
23 worked. They tilled the fields. The laborers and  
24 trades all delivered.

25 Right now, with this route coming through, in

1 one fell swoop, you turn us back 50 years. That is  
2 50 years. We have a president that talks about a  
3 sustainable country. We've got a sustainable city.  
4 We've got the most sustainable site in the country,  
5 that gets wiped out in a heartbeat.

6 I mean, it makes me, who is a relatively  
7 conservative guy, want to go camp out on Wall  
8 Street.

9 (Applause.)

10 I just want to say the environmental impact  
11 statement is deeply flawed. I think that somewhere  
12 along the way something can be worked here. But we  
13 need your cooperation to help us with this.  
14 Otherwise you know what? We're dealing with people  
15 that will try to push us around. And you know it's  
16 a cruel joke to claw your way back to some kind of  
17 stability, some kind of decency, provide some jobs,  
18 only to have it wiped out in a heartbeat. Thank  
19 you.

20 (Applause.)

21 MR. LEE: Good evening. My name is Chuck  
22 Lee, I'm the Jersey City engineer. And as the city  
23 engineer, it is my responsibility to make sure that  
24 the design and construction of this high pressure  
25 gas pipeline is designed properly and constructed

1 properly.

2 At this time, I am still not satisfied that the  
3 proposed design is adequate. And if I'm not  
4 satisfied with the design then I will not recommend  
5 that this 30 inch diameter high-pressure gas  
6 pipeline be constructed in Jersey City.

7 (Applause.)

8 My engineering division has reviewed the  
9 proposed plans and the documents that Spectra has  
10 submitted, and we have provided our comments several  
11 times over the last two years, but we keep on  
12 getting plans back from them that do not fully  
13 address our concerns. We are frustrated, and  
14 Spectra is proposing to deliver the gas at 1,200 psi  
15 to New York City, but when the pipeline reaches New  
16 York City, they drop the pressure to 350 psi.  
17 I asked them, "Why can't the pressure be dropped to  
18 350 psi through Jersey City also?" And the answer  
19 was just a simple "No, it cannot be done."

20 As an engineer, I cannot accept that. Spectra  
21 has proposed to use Class 4 design standards in the  
22 design of the pipeline, which is the highest class  
23 in the pipeline industry. And they also told me,  
24 guaranteed that the pipeline will be 100 percent  
25 failsafe.

1           Well first, in my almost 40 years in the  
2           engineering business, I've learned never to make  
3           such 100 percent failsafe guarantees.

4           (Applause.)

5           There is always a chance of a failure on any  
6           man made structure, can fail. Nothing lasts  
7           forever. Second, I consider Jersey City to be a  
8           unique metropolitan city. We are different from  
9           anywhere else in the country due to our dense  
10          population, our various transportation systems that  
11          run through our city, our aging infrastructures, our  
12          unique geological soil conditions and our great  
13          potentials for future growth as described before.

14          So, is using the best standards in the industry  
15          to design this pipeline good enough in Jersey City?  
16          My professional opinion is no.

17          (Applause.)

18          To provide adequate protection for the citizens  
19          of this city, I believe we need to create a whole  
20          new set of design standards, just for the city, to  
21          protect the city's unique conditions.

22          I'm also not satisfied with the way Spectra has  
23          ruled out all the other possible alternative routes.  
24          I don't believe they have performed enough  
25          engineering evaluations before they ruled them out.

1       So again at this time, their proposed design does  
2       not meet my satisfaction. And if I'm not satisfied  
3       that this pipeline is safe enough for Jersey City,  
4       then this pipeline does not belong in Jersey City.  
5       (Applause.)

6               This pipeline should be built someplace else.  
7       Thank you.

8               MS. HARRIS: Thank you.

9               MR. BROWN: Police Chief Comey.

10              CHIEF COMEY: Thank you ladies and  
11       gentlemen, I appreciate your time and consideration.  
12       I've been involved in this issue from a totally  
13       different perspective. I am neither for nor against  
14       the pipeline.

15              MS. HARRIS: Could you please speak into  
16       the microphone.

17              CHIEF COMEY: I am neither for nor against  
18       the pipeline. I am here to protect the people  
19       behind me, whether they have a sign up that says no  
20       to pipeline or yes to pipeline. That is my job.

21              When we began this and the master was laid out  
22       to me after several meetings, I asked two questions  
23       be answered, simply two questions. And I proposed a  
24       meeting of the minds and offered to Spectra  
25       something that I'm not going to sit here and make

1 public because I'm concerned over it enough to  
2 where, if you would accept the letter, I will give  
3 you a letter, in confidentiality, what my risk  
4 assessment is in two specific scenarios.

5 I ask that they simply answer those two core  
6 issues before I can make any type of informed  
7 recommendations for the Mayor of Jersey City.

8 In subsequent meetings, I was shown things that  
9 again I will keep in confidence because I believe it  
10 should stay private in the world we live in today.

11 They showed me something that was not even  
12 close to what I received, and I went back to the  
13 core issue, a proposed neutral ground. Their answer  
14 to me was it's too expensive to do. I cannot accept  
15 that answer because I am paid to represent these  
16 people behind me and protect them.

17 (Applause.)

18 Now, if you would give me your assurances, I  
19 will give you a confidential letter and those two  
20 core issues, in my opinion, have to be resolved for  
21 the safety of everybody in this room. Whether you  
22 want it built or don't want it built, those two core  
23 issues for everyone's safety should be resolved.  
24 You can get me, I'm on the Internet, I'm not that  
25 hard to find. If you want that letter, I will

1       gladly give it to you. But I believe if you read  
2       it, as a 31 year veteran of the Jersey City Police  
3       Department, you would say maybe that guy isn't that  
4       far off the charts.

5               I thank you for your time and consideration. I  
6       do believe these questions need, at least, to be  
7       brought to you, and I believe when you look at them,  
8       you will have a different approach to this pipeline  
9       than you have in the past. Thank you.

10       (Applause.)

11               MR. BROWN: Cliff Adams.

12               MR. ADAMS: Good evening, my name is Cliff  
13       Adams, I'm the chief financial officer of the Jersey  
14       City Economic Development Corporation. We're a  
15       private nonprofit corporation with a mission to  
16       improve the economic climate in the city of Jersey  
17       City. And in particular, through the administration  
18       of Jersey City's Urban Enterprise Zone Program, in  
19       excess of 130 million dollars has been invested and  
20       reinvested into the city of Jersey City through  
21       various projects and programs that are aimed at  
22       revitalizing and stimulating our urban community,  
23       resulting in significant job creation and other  
24       public improvements that foster economic  
25       development.

1           Jersey City Economic Development Corp is  
2           seriously concerned that this proposed pipeline  
3           through Jersey City will impede our economic  
4           development initiatives. We're also concerned about  
5           possible harmful effects this project may have on  
6           the health and safety of the residents of Jersey  
7           City, and the potential, however small, for a  
8           pipeline explosion that would cripple this city for  
9           an undetermined amount of time, undermine  
10          development projects and have a devastating effect  
11          on the quality of life for the residents of our  
12          city.

13          Well over a year ago, the Board of Trustees of  
14          Jersey City Economic Development Corporation  
15          unanimously adopted a resolution in opposition for  
16          this project. I can tell you today that this  
17          position has not changed. We oppose this project as  
18          currently proposed. Thank you for your time.

19          (Applause.)

20                   MS. HARRIS: Thank you.

21                   MR. BROWN: Diane Walsh. Joseph McNamara.

22                   MS. WALSH: Good evening. I want to thank  
23          FERC for the opportunity to speak tonight to allow  
24          my organization to voice its support for this  
25          project.

1           I'm here to represent the Commerce and Industry  
2 Association of New Jersey. We are an 850 member  
3 business group. We support Spectra's energy for New  
4 Jersey - New York Expansion Project, Docket CP 11  
5 (Audience becomes noisy.)

6           MS. HARRIS: Excuse me, these are your  
7 neighbors. We are here to hear from everyone about  
8 what they have to say. And it is disrespectful for  
9 someone to stand up and - - it doesn't matter at  
10 this point. We are here for everyone. So, let them  
11 speak.

12           MS. WALSH: Thank you. We agree with the  
13 Federal Energy Regulatory Commission's conclusions  
14 in this report recently issued that there are no  
15 environmental impediments that should adversely  
16 impact the community.

17           My organization, CIA&J, works to help produce  
18 an economic climate that enhances business potential  
19 and makes New Jersey a better state in which to  
20 live, work and conduct business. CIA&J proudly  
21 supports this project.

22           Your study, your environmental impact study,  
23 indicates significant positive economic impacts for  
24 this project. 5,200 direct and indirect jobs, 250  
25 to 400 million dollars in energy savings to New

1 Jersey annually, and 78 million in tax revenue, at a  
2 time when such revenue is scarce.

3 Simply put, the proposed natural gas pipeline  
4 will improve our state's energy infrastructure,  
5 generate significant energy savings and tax revenue  
6 and create thousands of local jobs, factors that  
7 contribute to a favorable business environment.

8 While resuscitating a sluggish economy is  
9 critical, it can not come at the behest of the  
10 environment or the community. Your draft impact  
11 study finds that the project applicants have gone to  
12 great length to listen to the community and to  
13 mitigate any disturbances to the environment and day  
14 to day life. After 2 years and more than 300  
15 community meetings, the Spectra Energy team is  
16 prepared to execute a carefully designed project  
17 that will cause negligible disruption to the  
18 environment or the community.

19 After review of both the project and the  
20 environmental impact study, our organization firmly  
21 stands behind FERC's findings. New Jersey needs  
22 more natural gas, and the new infrastructure will be  
23 essential to deliver it to the region.

24 The New York - New York Jersey Expansion  
25 Project will provide our state with new jobs and

1 economic opportunities. During these tough economic  
2 times and especially in light of the environmental  
3 impact findings, we should not get in the way of  
4 needed infrastructure projects. My organization  
5 looks forward to continuing to work with the  
6 community on making this project a reality, and we  
7 urge your timely approval of this certificate  
8 application. Thank you.

9 (Applause.)

10 MS. HARRIS: Excuse me, keep the responses  
11 down. Everyone should have a chance to speak and  
12 not be intimidated by what one side has to say or  
13 another because each side will speak. So, just let  
14 the person get up, so we can get to everyone in  
15 time.

16 MR. BROWN: Joseph McNamara.

17 (Applause.)

18 MR. MCNAMARA: Good evening, my name is  
19 Joseph McNamara. I'm here tonight representing New  
20 Jersey State Building and Construction Trades  
21 Council, and I have a statement in support from our  
22 president, Bill Mullin.

23 "Building Trades Council, State of New Jersey,  
24 as you would imagine, we strongly support  
25 construction of the pipeline. There are two

1 reasons. We think it has broad economic regional  
2 benefits for New Jersey and New York. It certainly  
3 creates jobs. Our people here tonight, many of them  
4 unemployed because it is important that we put our  
5 people back to work.

6 More importantly, I have a different view on  
7 what this pipeline means for the economic future of  
8 our region. I believe, and I've been involved in  
9 economic development in this state as deputy  
10 commissioner, now what I do for over 20 years.  
11 Businesses need a reliable source of energy at a  
12 price that is competitive and they know that they  
13 will have it. This pipeline will not just serve New  
14 York. In fact, right now contrary to what you hear,  
15 I think the people in this town know, 20 percent of  
16 this gas pipeline is committed to Con Ed. The other  
17 80 percent is available for future growth, not just  
18 for businesses but for residences.

19 We have to, as Ms. Walsh said earlier, and I  
20 believe your DEIS indicates, we need to have  
21 capacity and energy to meet future growth, both  
22 residential and business wise. That's why this is  
23 important.

24 The other benefits, there are tax benefits for  
25 Bayonne and Jersey City. A lot of this property

1 that will be acquired is not producing tax revenues  
2 now. So again, I believe and people in the field  
3 that I've talked to, feel that this pipeline is  
4 important for the economic future of New Jersey and  
5 New York.

6 Let me talk about safety. Now, I understand  
7 people raising concerns about safety. But this is  
8 not, this is not a unique installation. There are  
9 30 inch and 42 inch pipelines in different parts of  
10 New Jersey.

11 (Audience becomes noisy.)

12 MS. HARRIS: Excuse me, excuse me, look  
13 towards the panel, thank you.

14 MR. MCNAMARA: Everyone here is familiar  
15 with Sloane Kennedy Hospital. There is a 30 inch  
16 pipeline that runs adjacent in New York City to  
17 Sloane Kennedy Hospital. These installations are,  
18 there are 30 inch pipes in major cities throughout  
19 our country. You need to have that capacity.

20 Now this pipeline, unlike others, is going to  
21 be in some areas, it has been reported and you  
22 indicated in your study, 100 feet deep in some  
23 areas. The alignment has been adjusted, someone  
24 mentioned, because of the concerns of the community  
25 and the mayor and the representatives. Yes, it has,

1 and that's the way the process works.

2 But again, this is not a unique system. It's  
3 one that is done throughout the country. There is a  
4 - - no pipeline - - the nearest pipeline is around  
5 here, and they are 50 to 75 years of age. This will  
6 replace almost 10 miles of existing natural gas  
7 pipeline that is old and archaic. This is  
8 state-of-the-art and will be needed for the future.  
9 (Audience becomes noisy.)

10 I will finish by saying this is not the only 30  
11 inch pipeline in Hudson County. I will close in  
12 saying that for economic reasons and environmental  
13 reasons, we do strongly support this project.  
14 (Applause.)

15 MR. BROWN: Mayor Dawn Zimmer.  
16 (Applause.)

17 MAYOR ZIMMER: Thank you very much. My  
18 name is Dawn Zimmer. I'm from Hoboken, here to  
19 represent my community, and I can tell you that my  
20 elected officials in the Hoboken city council and  
21 many, many residents are extremely concerned and  
22 against this pipeline.  
23 (Applause.)

24 Unfortunately, the other council members could  
25 not be here to join me, we have a city council

1 meeting as well tonight. So I am here, that's why I  
2 was late. But I wanted to be here to express my  
3 views that, personally, I do not see economic  
4 development benefits for Jersey City or for Hoboken.

5 I see danger. I see something that could be a  
6 real impact for the community, danger for the  
7 community, for Jersey City, and as Hoboken, we're  
8 right next door. So, I don't see any impacts; I  
9 don't see any benefits; I don't see any benefits for  
10 Jersey City, for Hoboken. I see something that's a  
11 danger for our community and a major, major concern.  
12 And when I think about the fact that this is going  
13 to go several times under the PATH train, that is a  
14 major concern for me as the mayor of Hoboken.  
15 Hoboken has, I think we have the largest number of  
16 people in the country per capita that take public  
17 transportation. I'm sure many, many people in  
18 Jersey City obviously take the PATH train, and it  
19 would be a severe impact to our communities if  
20 something happened to that PATH train. And having a  
21 pipeline running underneath the PATH train is  
22 absolutely not acceptable.

23 (Applause.)

24 I stand here in support of Mayor Healy and of  
25 all the Jersey City elected officials and everyone

1 here, these grass roots organizations that have come  
2 together to say we do not want this pipeline. We do  
3 not support this pipeline. We see no economic  
4 benefit, and we just see impact, negative, negative  
5 impact to our community. So please, oppose this  
6 project. Thank you.

7 (Applause.)

8 MR. BROWN: Chad Scott. Rob Lewandowski.

9 MR. LEWANDOWSKI: Good evening. My name  
10 is Rob Lewandowski, that was very good by the way.  
11 And I represent New Jersey Lecet, the Labor  
12 Management Cooperation of the Laborers International  
13 Union of North America, and work very closely with  
14 Hudson County Local 325, which is located right here  
15 in Jersey City, and Local 472, which represents all  
16 of North Jersey including Hudson County.

17 And I stand here in support of the Spectra  
18 Energy Pipeline proposal. But instead of focusing  
19 my time on the benefits of job creating,  
20 infrastructure improving, price lowering, privately  
21 funded project that is being built according to  
22 FERC's draft EIS with little environmental impact  
23 and beyond normal safety standards. Instead of  
24 talking about all those things, I want to instead  
25 talk about the fairness of the process which brings

1 us all here today.

2 We've all been part of numerous hearings and  
3 meetings over the last two years, submitting  
4 documents and voicing our concerns. And we've all  
5 seen changes, and good changes, to the pipeline  
6 proposal to address community concerns.

7 We have also read the reports talking about the  
8 very real need for energy enhancement and the  
9 infeasibility of alternative proposals and the  
10 minimum impact this project truly would have on our  
11 community.

12 Now, I imagine since the dawn of time, we have  
13 lived with risk of energy delivery. I mean, I'm  
14 sure cavemen were up in arms about the delivery of  
15 fire. But today is different. There's fuel trucks,  
16 and there's coal burning plants, there's electrical  
17 lines and there's even natural gas pipelines.

18 Excuse me, is that better? It seems like it's  
19 out? Anything? Over there? That was good, thank  
20 you. Is it better?

21 I think what we need to realize is that we need  
22 a mix of energy resources from renewable to the  
23 conventional. And part of that conventional is  
24 indeed natural gas. I don't want to diminish  
25 safety. I think everyone here, everyone here,

1       opposing or in support of this, realizes that safety  
2       is the most important thing. But look,  
3       infrastructure has to happen. Energy delivery has  
4       to happen. We are not sitting there trying to shut  
5       down highways, because they are dangerous too.  
6       Infrastructure has to happen. If it is going to  
7       happen, let's make sure it happens as safe and as  
8       conscientious to the community as this proposal is.

9               I want to thank FERC for its leadership, and  
10       hope, as you continue to deliberate, that you focus  
11       on the facts and not the fears. Thank you.

12       (Applause.)

13               MS. HARRIS: Thank you. Gerry Balmir.

14               MR. BALMIR: Good evening everybody, my  
15       name is Gerry Balmir, here representing the laborers  
16       of New Jersey, as already stated, Local 472 and  
17       Local 325.

18               What I'm going to talk a little bit more about  
19       is the human face of who the laborers are. We're  
20       talking about hard-working families that are looking  
21       to make a living, making a livable wage. And it's  
22       sad to see that some of the elected officials have  
23       left, but I appreciate all these letters that say  
24       they support building, and building union. And in  
25       addition to talking about the gas pipeline, we look

1 forward to talking to them about building work  
2 opportunities in Jersey City that they were talking  
3 about here earlier.

4 In addition to that, you're talking about 175  
5 members that live in Jersey City. So no, we are not  
6 an outside union. No, this work is not going to be  
7 done by all Texans. It's going to be done by Jersey  
8 City residents in combination with Jersey City union  
9 affiliated members, making a livable wage.

10 (Applause.)

11 The reason this is important for us, and we  
12 do understand the safety aspect of this. But in the  
13 end, we feel we've raised the standards of not just  
14 the work, but the quality of training these guys do.  
15 The integrity we bring to what we are doing and the  
16 fact that we do know the risks. These are trained  
17 folks behind us that do this for a living, and have  
18 been training for all their lives.

19 (Applause.)

20 And yes, they get a little rowdy, but they are  
21 hard workers, safe workers, certified workers. So,  
22 we would hope that, in addition to the safety, you  
23 consider the impact this has on the Jersey City  
24 members we have, our members throughout the state,  
25 and the quality work that will be done by, the

1 expanding economic opportunity by delivering this  
2 clean gas. Thank you.

3 (Applause.)

4 MS. HARRIS: Thank you.

5 MR. BROWN: Ken Hoffner.

6 MR. HOFFNER: Good evening my name is Ken  
7 Hoffner, I'm the assistant director of the New  
8 Jersey Laborers Health and Safety Fund.

9 I've had a chance to review the draft  
10 environmental impact statement for this project, and  
11 I'd really like to focus now on three safety aspects  
12 that you cover in the draft EIS: the design, the  
13 operation and the construction of this pipeline.

14 Regarding project design. You know there is a  
15 lot of safety that occurs, even before the first  
16 shovel hits the ground. In this case, the pipeline  
17 will meet the design safety, operation and  
18 construction standards required by Title 49, CFR  
19 Part 192. When you read those standards, they  
20 delineate classified areas, depending on what is  
21 near the pipeline. The higher the classification,  
22 on a scale of one to four, the more robust the  
23 pipeline that's needed. The EIS points out that all  
24 of the 42 inch pipe used in this project will meet  
25 class three standards, and that all of the 30 inch

1 pipe will meet class four standards. There are some  
2 areas of the project where only class one or class  
3 two pipes are needed. But this entire project will  
4 be done using pipes that meet class three and four  
5 standards. Over half of this pipeline will exceed  
6 the minimum DOT classification requirements.

7 The pipes are going to be used in horizontal,  
8 directional drilling, which will be used in much of  
9 the Jersey City work, actually exceeding even the  
10 DOT class four standards.

11 Regarding operation, the standards delineate  
12 what they call high consequence areas and pipeline  
13 routes. Although not required, Texas Eastern  
14 considers the entire length of the pipeline to be in  
15 high consequence areas. As such, they plan to  
16 implement aggressive operation safety measures, such  
17 as patrolling the pipeline daily, monitoring gas  
18 flow pressure and deliveries 24/7, performing leak  
19 detection, implementing an aggressive corrosion  
20 prevention program, providing periodic training for  
21 their operations and emergency staff and forming  
22 liaison programs with local fire, police, EMS and  
23 gas delivery companies.

24 Regarding the public construction worker  
25 safety, the use of underground horizontal

1 directional drilling in high-frequency areas will  
2 keep the construction largely out of sight in those  
3 areas. All construction areas will be fenced off to  
4 prevent public exposures to construction activities.  
5 Excavations will be quickly back filled or covered  
6 to avoid leaving open holes. Contractors working in  
7 roadways will prepare and implement both traffic  
8 management plans, to minimize construction traffic  
9 impacts on the communities, and traffic control  
10 plans, to protect workers from passing traffic and  
11 motorists as they pass through the construction  
12 works zones. Noise exposures are going to be  
13 monitored and controlled to minimize community  
14 impact.

15 From a safety standpoint, it's clear that much  
16 of this project is being done in ways that exceed  
17 the safety requirements of Title 49, CFR Part 192.  
18 I urge the F-E-R-C to approve this project.

19 (Applause.)

20 MR. BROWN: BJ Shulte.

21 MR. SHULTE: My name is BJ Shulte, I am  
22 giving these comments on behalf of Jersey City  
23 Environmental Commission. I'd like to thank FERC  
24 for the opportunity to provide these comments. The  
25 Commission plans to provide more extensive written

1        comments later on, but these are just some  
2        preliminary observations on the draft environmental  
3        impact statement. I've got a lot to get through.

4                So the first concern we have is with your  
5        environmental justice review. The Commission is  
6        concerned that FERC's review of the environmental  
7        justice impact associated with this project is  
8        inadequate. FERC should conduct a more vigorous  
9        analysis to ensure that New Jersey's low income and  
10       minority communities are not required to bear a  
11       disproportionate share of our society's  
12       environmental safety burden.

13               Firstly, FERC hasn't properly identified the  
14       affected population. In the environmental impact  
15       statement, FERC defines a minority population as a  
16       community where minorities comprise more than 51.1  
17       percent of the population. The Environmental  
18       Commission believes this threshold is too high and  
19       likely is resulting in FERC overlooking  
20       environmental justice communities impacted by this  
21       project.

22               Instead, FERC should identify environmental  
23       justice communities as those where the minority  
24       population - - FERC should identify environmental  
25       justice communities as those where the minority

1 population percentage of the affected area is  
2 meaningfully greater than the minority population's  
3 percentage of the general population. This is a  
4 standard that the EPA suggests in its guidance on  
5 NEPA reviews.

6 Second, FERC has improperly identified the  
7 proportionately high and adverse impacts of the  
8 proposed project on environmental justice  
9 communities. A lot of these comments will echo some  
10 of those made by State Senator Cunningham earlier.  
11 It appears that the environmental justice analysis  
12 makes no effort to account for the cumulative  
13 impacts of the proposed action on environmental  
14 justice communities. Instead, FERC states that the  
15 impacts associated with the project will be spread  
16 across the entire project area and will not,  
17 therefore, disproportionately be concentrated in  
18 environmental justice communities.

19 However, the Commission believes that this  
20 totally misses the point of an environmental justice  
21 analysis and fails to offer a level of protection  
22 that our overburdened communities deserve. Before  
23 it issues the final environmental impact statement,  
24 FERC should account for past, present and reasonably  
25 foreseeable future actions in the project area that

1 may contribute to a disproportionate impact on the  
2 environment justice communities.

3 These will include permanent facilities,  
4 proximity to high traffic areas, proximity to  
5 contaminated areas, which is the PPG/chromium site;  
6 diesel particulate matter, hot spots. The global  
7 shipping terminal issue on the Bayonne/Jersey City  
8 border is due for a doubling in size. You've got  
9 the Greenville Yards Project. Many projects which  
10 were not addressed in the EIS at all.

11 And lastly, with respect to environmental  
12 justice, the environmental impact statement we  
13 observed is very specific with respect to  
14 environmental communities that will not be affected  
15 by the pipeline, but vague with regard to the  
16 communities that will be impacted.

17 So, we would like FERC to provide the data that  
18 it uses for identifying these communities in the  
19 vicinity of the project including, but not limited  
20 to, the census blocks crossed by the project as well  
21 as the demographic income information for those  
22 census blocks.

23 And lastly, FERC should analyze, specifically  
24 analyze, the impacts of the alternatives considered  
25 for the project, with respect to environmental

1 justice communities, in order to give the public a  
2 full picture of the alternatives considered.

3 Moving on, with respect to and air impacts.  
4 The Commission's comments are that if FERC does in  
5 fact approve this project, the Commission believes  
6 that Spectra should be required to take much more  
7 aggressive measures to address noise and air quality  
8 impacts associated with the construction and  
9 operation of the pipeline.

10 The Commission notes that the construction  
11 emissions of particulate matter from 10:00 p.m. to  
12 10:00 a.m. will be 203 tons in 2012, 372 tons in  
13 2013. By comparison, Newark Garbage Incinerator,  
14 which is the largest incinerator in New Jersey,  
15 burns all of Essex County and nearly all of  
16 Manhattan's garbage, only has the potential to emit  
17 140 tons of pm 10 per year. Further, the  
18 construction emissions of PM 2.5 will be 34 tons in  
19 2012 and 64 tons in 2013.

20 As FERC is aware, the entire project area is  
21 currently in nonattainment under the Federal Clean  
22 Air Act for PM 2.5. Accordingly, if FERC approves  
23 this project, it should require the applicant to  
24 adopt aggressive measures to address the air quality  
25 impacts including, but not limited to, requiring

1 that all construction equipment use ultra low  
2 sulphur diesel and install diesel particulate matter  
3 filters on all construction equipment greater than  
4 50 horsepower.

5 With respect to the alternatives and  
6 justification for the project, we observed much of  
7 the data that FERC uses is outdated and does not  
8 reflect reality. For example, in its discussion of  
9 potential alternatives to the project, FERC  
10 addresses solar energy and states that more than 60  
11 Megawatts of solar have been installed in New  
12 Jersey. However, as of the end of August of this  
13 year, prior to the issuance of the draft  
14 environmental impact statement, more than 430  
15 megawatts of solar energy have been installed in New  
16 Jersey. We can only imagine that the numbers with  
17 respect to New York are equally inaccurate.

18 In 2010 alone, New Jersey generated over  
19 500,000 megawatt hours of renewable energy. None of  
20 this is taken into account in the draft  
21 environmental impact statement.

22 In its discussion of energy conservation, FERC  
23 fails to account for the tremendous strides New  
24 Jersey has made in energy conservation. For  
25 example, records show that in 2008, New Jersey saved

1 approximately 500,000 decatherms of natural gas; in  
2 2009, the number was 600,000; 2010, it was close to  
3 a million, and it keeps increasing. So, in its  
4 analysis, the final environmental impact statement,  
5 we believe FERC should take these numbers into  
6 account rather than ignore them.

7 Similarly, the Commission notes that FERC's  
8 assumptions with respect to energy demand are  
9 incorrect and outdated. In a discussion of  
10 alternatives, FERC rejects several of the  
11 alternatives on the basis that they will not meet  
12 increasing demand for energy. However, over the  
13 last several years, there has been a market trend of  
14 decreasing demand for energy.

15 For example, on January 14th, 2011, PJM, which  
16 is this region's regional transmission grid  
17 operator, issued its 2011 load forecasts, in which  
18 it presented a markedly lower forecast of energy  
19 demand than 2010. And in turn, the 2010 forecast is  
20 lower than the 2009 forecast and so on.

21 Before it issues the final EIS, FERC should  
22 update its analysis to use the most up-to-date and  
23 accurate information regarding energy demand rather  
24 than false assumptions that demand is increasing.

25 Finally, the Commission questions FERC's

1 elimination of renewable energies from consideration  
2 on the basis that their attending facilities, such  
3 as transmission lines and fuel harvest areas, may  
4 have potential impacts on the environment. In the  
5 draft environmental impact statement, FERC has not  
6 considered the impacts associated with obtaining  
7 much of the natural gas that will come through this  
8 pipeline from unconventional sources and shale  
9 formations.

10 The extraction of natural gas from shale  
11 formations, such as the Marcellus Shale, can result  
12 in higher total greenhouse gas emissions, not to  
13 mention emissions of particulate matter and other  
14 pollutants than coal. It can also potentially  
15 contaminate drinking water and groundwater with  
16 methane and other toxic chemicals.

17 The Commission also notes that concerns have  
18 been raised before the New York DEC, with respect to  
19 the presence of carcinogenic radon in natural gas  
20 obtained from the-

21 (Audience becomes noisy.)

22 This is my last point. The point the  
23 Commission wishes to make in this regard is that if  
24 FERC is able to eliminate consideration of renewable  
25 energies on the basis that they may have other

1 impacts, then FERC should also consider the impacts  
2 of hydraulic fracturing that are associated with  
3 this pipeline.

4 (Applause,)

5 MS. HARRIS: I'll just remind you, now  
6 with your comments, it would be better for you to  
7 summarize them at the podium and give us the hard  
8 copy. We are on number 30 now, and we have over 100  
9 people signed up to speak. So if you could, I do  
10 want to get all of your comments. So, if you do  
11 have them written down, please leave them at the  
12 table in the back and just summarize them at the  
13 podium tonight. Thank you.

14 MR. BROWN: Michael Alanso.

15 MR. ALANSO: Hello. Thank you for the  
16 opportunity to speak to you tonight, and I will do  
17 exactly what you said. I'll keep it short and  
18 sweet, I'll leave my comments there. So, all I'll  
19 say is vote no for the pipeline. It's too  
20 dangerous. You've heard from everybody, the city is  
21 not ready for it. You heard from the police, the  
22 fire department, we can't handle a catastrophe,  
23 thousands of people will die if something goes  
24 wrong, so vote no.

25 (Applause.)

1 MR. BROWN: Anthony Esemplare.

2 MR. ESEMPLARE: Good evening everyone. My  
3 name is Anthony Esemplare, and no, I am not running  
4 for office tonight. I'm a construction worker who  
5 is trying to make a living. The only thing I run  
6 for every day is to try and find a job.

7 Thank you so much for trying to bring this  
8 pipeline into New Jersey. It's a wonderful thing.  
9 I have children and grandchildren that I am worried  
10 about, and yes, I am a trained in steel construction  
11 worker.

12 I don't know if any of the politicians ever dug  
13 a hole and put a pipe in the ground, but I can tell  
14 you this much, with the training that we have,  
15 safety is number one, because I'm not looking to get  
16 up one day and go to work and get killed.

17 And secondly, you'll probably get killed  
18 quicker in a car accident than a pipeline exploding,  
19 okay?

20 (Applause.)

21 You know what? There's enough emissions that  
22 come out of automobiles that will kill us. If  
23 you're worrying about a little gas line, know the  
24 facts, get involved, learn about construction and  
25 how it is done, learn about the safety that it

1 provides not only to the people that do the job, but  
2 to the people surrounding the job. Sixty to one  
3 hundred feet underground, you know what? I find it  
4 really hard for it to blow up.

5 And then someone said the pipeline that blew up  
6 in New Jersey. Well, yeah a pipeline did blow up in  
7 New Jersey because somebody had a vehicle that they  
8 were trying to expose (sic) of, for their insurance,  
9 and when they dug the hole to put the vehicle in it,  
10 they fractured a pipeline.

11 But that was not the fault of the pipeline,  
12 that was the fault of the person trying to destroy  
13 his car.

14 (Audience becomes noisy.)

15 And you know what? I'm for it, I'm for it 100  
16 percent. And you know what? I wasn't born with a  
17 spoon in my mouth, I have to work to make a living.  
18 Thank you and God bless America.

19 (Applause.)

20 MS. HARRIS: We were just told we do have  
21 to be out of here at 11:00 o'clock. So, now we're  
22 down to a minute and a half.

23 (Audience becomes noisy.)

24 MS. HARRIS: This is taking extra time  
25 now.

1 (Audience continues being noisy.)

2 MR. BROWN: Richard LiPowski.

3 (Audience continues being noisy.)

4 MR. LIPOWSKI: Richard LiPowski. I  
5 support this pipeline product. Being a proud union  
6 member of Local 325 and the Laborers Union  
7 unemployment rate around 40 percent, we need a  
8 project like this. It's going to create 500  
9 construction jobs for all crafts involved:  
10 laborers, operating engineers, teamsters and anybody  
11 else involved.

12 MS. HARRIS: Stop interrupting people.

13 MR. LIPOWSKI: It will also provide  
14 millions of dollars in tax revenues for New Jersey,  
15 Bayonne and Linden. As well, it will increase in  
16 natural gas capacity, it will save New Jersey  
17 residents and businesses 400 million annually, once  
18 it is fully functional.

19 (Audience continues being noisy.)

20 According to FERC's DEIC, the pipeline has a  
21 minimal impact on the environment. As far as the  
22 two explosions, the one in Middlesex County New  
23 Jersey and the one in California, both of them were  
24 done by a third party. It has nothing to do with  
25 the construction of either pipeline.

1           There is no doubt that this project can be  
2           completed safely by our qualified and trained union  
3           brothers and sisters. As well, this project is  
4           beyond minimal standards. This pipeline is three  
5           quarters of an inch thick, twice what is required,  
6           and will run upwards to 100 feet below the surface,  
7           mostly in bedrock, far from any perceived threat and  
8           will be below any fragile infrastructure.

9           It also has automatic shut off valves and  
10          robotic devices that will monitor leaks from inside  
11          the pipeline. So with that said, let's get this  
12          project approved. Get our unemployed brothers and  
13          sisters to work. Thank you

14         (Applause.)

15                 MR. BROWN: Devonshay Green.

16         (Audience continues being noisy.)

17                 MS. HARRIS: If you signed up to speak,  
18          keep in mind that you are giving up time that you  
19          could have. I will hear what you have to say, but  
20          not someone yelling.

21         (Audience continues being noisy.)

22                 MS. HARRIS: Let them speak.

23                 MS. BOYLE: My name is Marcy Boyle, and  
24          I am the senior vice president of the LeFrak  
25          Organization, with the developers of Newport.

1 (Problems with microphone.)

2 Is that better? Okay. My name is Marcy Boyle, and I  
3 am senior vice president of the LeFrak Organization,  
4 with the developers of Newport, which as you know is  
5 a large mixed use community on the waterfront. In  
6 the last 25 years, we've invested billions of  
7 dollars to create a community that now houses 12,000  
8 residents, 20,000 office workers and millions of  
9 shoppers and other visitors annually to our source  
10 of recreational amenities, which include the Hudson  
11 River Waterfront Walkway, and our soon to open four  
12 acre Newport Park. We're here to stay, and because  
13 of that, we echo Mayor Healy's opposition to this  
14 project. It's not good for Jersey City.

15 I want to address myself tonight to issues that  
16 have not yet been discussed, which are the impacts  
17 of construction, specifically, as they relate to the  
18 Newport area. The pipeline is now not on Newport  
19 property, but some of the construction is expected  
20 to be staged on or near Newport.

21 Specifically, the 18th Street and Hudson River  
22 HTD operations will be located on barges anchored  
23 just off Newport's northern boundary. The  
24 aforementioned construction will take place over a  
25 period of nine months. During seven of those

1 months, the construction is proposed by Spectra to  
2 go on around the clock, 24/7, day in, day out,  
3 unrelenting and without interruption.

4 (Audience becomes noisy.)

5 Spectra says that it will contribute no greater  
6 noise to the surrounding area than already exists,  
7 and the EIS says they will make efforts to ensure  
8 compliance that should result in there being no code  
9 violations.

10 The aforementioned conclusions of the DEIS are  
11 utterly without foundation and the DEIS presents no  
12 information either analyzing or supporting such  
13 conclusions. We offered expert opinions during the  
14 resource report stage, which apparently have been  
15 dismissed by FERC for the EIS without conceding the  
16 validity of those earlier comments, using Spectra's  
17 information. Spectra's plan fails to meet local  
18 codes, both from a technical noise analysis point of  
19 view, as well as the basics. The local codes in  
20 Jersey City and Hoboken do not permit construction  
21 at night.

22 Spectra's construction will severely impact  
23 Newport's residents and, of course, our business.  
24 It will make use of portions of the Hudson River  
25 Waterfront Walkway and the light rail station in

1 Hoboken unbearable to people who go there.

2 We did a pedestrian count of the section that  
3 goes from our northernmost building to the  
4 Hudson/Bergen Light Rail Station. Three thousand  
5 people a day use that walk as a pedestrian passage.  
6 (Audience becomes noisy.)

7 Fifty four hundred use the light rail station,  
8 and if you add to that the people that access the  
9 Hoboken Train Terminal for PATH in New Jersey  
10 Transit, you will see that over ten thousand people,  
11 each day, will be just steps away from the barges  
12 and will be exposed for nine months to noise as high  
13 as 80 decibels, even with the mitigation proposed by  
14 Spectra.

15 The EIS outlines a plan for Spectra to have an  
16 environmental inspector with authority to stop the  
17 job if there's a violation, and FERC will have a  
18 compliance monitor. But there's absolutely no  
19 detail as to that process in the EIS.

20 They said they are going to measure noise  
21 levels the week before construction. That's not a  
22 convincing plan. There's no protocol established  
23 for how noise will be monitored. There's no chain  
24 of command to act immediately. There's no notice to  
25 the affected population or an opportunity for them

1 to comment. There's no realistic remedies. There's  
2 no penalty for violation.

3 (Audience continues to make noise.)

4 There's no justice or accountability for what  
5 ultimately happens. The DEIS has 13 pages devoted  
6 to the effect of the HDD noise on fish in the river,  
7 and says that, therefore, you can't construct for  
8 three months out of the year. But the fact that  
9 there will be 24/7 construction for six months is  
10 buried in two single sentences in a six inch thick  
11 document. And the impact on noise itself is not  
12 discussed. The plan for how Spectra will mitigate  
13 the effects of this construction on the Hudson River  
14 Waterfront Walkway does not have to be issued until  
15 before the start of construction. Notice of the  
16 start of construction only has to be given to  
17 residents within 50 feet of the barges, but the  
18 barges are 80 feet out in the river. So who does  
19 that leave, besides the fish?

20 (Audience continues making noise.)

21 This lack of disclosure analysis calls into  
22 question any statement made in the DEIS.

23 (Inaudible, due to crowd noise.)

24 MR. BROWN: Also we're going to have to  
25 ask you to wrap up here.

1 MS. BOYLE: I am about to wrap up.

2 MS. HARRIS: And I would like to point out  
3 that . . . the court reporter can not hear. If we  
4 don't have a record, we might as well stop the  
5 meeting.

6 (Audience continues to make noise, stopping  
7 proceedings temporarily.)

8 MS. HARRIS: we have to have order. This  
9 has to be recorded in the record. If there is no  
10 record, we might as well end the meeting. So be  
11 quiet, so Ms. Boyle can finish. She is wrapping up  
12 now.

13 MS. BOYLE: As I was saying, this  
14 information is presented in such a way that  
15 thousands of people will be affected and will not  
16 have the opportunity to comment on it.

17 Finally, the need to work 24/7 is a need that  
18 is self generated and makes problems for itself by  
19 making contractual commitments to others to deliver  
20 gas by a certain date. Spectra's contractual  
21 problems should not be solved on the backs of the  
22 people who live and work in Jersey City.

23 (Applause.)

24 I would urge FERC to do the right thing and not  
25 allow this unheard plan to do heavy construction

1 around the clock next to a densely populated urban  
2 area. And I will point out to my friends in labor  
3 that Newport has produced, over the last.

4 (Problems with microphone.)

5 Newport will produce another 9,000 construction  
6 jobs over the next 10 years, and those are the jobs  
7 that mean something to you, not this. You are being  
8 duped.

9 (Applause.)

10 MS. HARRIS: Everyone needs to keep quiet  
11 for the next speaker.

12 MR. BROWN: Fermin Garcia.

13 MR. GARCIA: Good evening. My name is  
14 Fermin Garcia, and I am the general manager of  
15 Newport. Newport has 4,993 residential units, 4,112  
16 rentals and 881 condominium units. There are 158  
17 residential units presently under construction.  
18 Newport is home to over 12,000 people, of which,  
19 over 1,000 are children under the age of 5.

20 The plan to allow construction of this pipeline  
21 immediately north of our residential buildings on a  
22 24/7 basis for six months is such an appalling  
23 prospect that it is incredible that it would even be  
24 considered. I have looked at the DEIS and some of  
25 the background material in the exchange between

1 Newport and Spectra on the issue of noise. Spectra  
2 proposes arguments suggesting that the ambient noise  
3 at Newport is louder than the noise of their  
4 construction, as mitigated by 11 decibels.

5           What is the margin of error here? An inspector  
6 is wrong, then what? Can you imagine if Spectra's  
7 data is wrong what the residents in Newport will  
8 have to endure? Will this panel from FERC be in  
9 Newport each morning to hear the grievances of  
10 residents? Will construction stop if the noise  
11 level is exceeded? If there is no way to redress an  
12 excess of the noise level, will residents be  
13 compensated in some way? The DEIS has failed to  
14 meaningfully examine this issue. It provides no  
15 details about how noise will be mitigated. It  
16 provides, as recourse, only the promise that an  
17 environmental inspector representing FERC and paid  
18 by Spectra will be on site. Will that inspector  
19 stop construction? How will we know, other than by  
20 sleepless nights, what the actual decibel level of  
21 construction was?

22           This entire matter is too serious to be glossed  
23 over, as it has been in the DEIS. It requires a far  
24 more meaningful and detailed plan of monitoring than  
25 has been offered. I urge the Commission to not

1 allow this construction to go on for 24 hours a day,  
2 7 days a week. It is a prescription for trouble, an  
3 unheard of condition in a densely populated area.

4 Thank you.

5 MS. HARRIS: Thank you.

6 MR. BROWN: Mario Gaztambide.

7 MR. GAZTAMBIDE: Good evening, my name is  
8 Mario Gaztambide. I am the vice president of asset  
9 management for Newport. Newport will present  
10 testimony on several issues here tonight. I want to  
11 specifically address the impact on Newport as a  
12 residential developer.

13 Newport has over 4,000 rental apartments, where  
14 we have a vacancy rate of less than two percent. We  
15 believe that the superior quality of life and  
16 amenities afforded by the Newport Development is an  
17 important aspect of our success. Two key amenities  
18 are access to the river, Hudson River Waterfront  
19 Walkway, and now, the soon to be opened Newport  
20 Green, a four acre park complete with recreational  
21 fields, playgrounds and an urban beach on guardings  
22 (sic) of bordering the Hudson River Waterfront  
23 Walkway.

24 Presently, we have under construction a 158  
25 unit luxury apartment building immediately north of

1 the Yacco Blue, which is scheduled to open during  
2 the third quarter of 2012, concurrent with the HDD  
3 operation in the Hudson River at the Hoboken/Jersey  
4 City border. The prospect of a six-month period of  
5 noisy, 24-hour a day construction would be a  
6 marketing nightmare. The potential loss of revenue  
7 to our company and our corresponding increase in  
8 vacancy rate, where the failure to meet our own  
9 absorption targets on the new construction, will  
10 easily produce losses in the millions of dollars.

11 The economic impact of this construction on us  
12 as a developer is not discussed on the DEIS. My  
13 purpose here tonight is to formally put FERC on  
14 notice of that deficiency. This plan to have  
15 construction go on continuously over a 24-hour  
16 period completely disregards the rights and  
17 interests of Newport, the developers who have  
18 invested billions of dollars in the Newport project.  
19 The continued success of Newport is important to the  
20 overall health of Jersey City. When we build new  
21 apartments, we provide construction jobs and  
22 permanent employment and tax revenue.

23 I urge you not to permit a 24/7 construction  
24 schedule and to ensure that construction is not done  
25 between the hours of 6:00 p.m. and 7:00 a.m. during

1 the week and on weekends, as called for by local  
2 code.

3 Lastly, one of my colleagues was trying to say,  
4 before she was shouted down, was that over the next  
5 10 years Newport is projected to create over 17,000  
6 new jobs as we continue our development.

7 (Applause.)

8 Of those 17,000 jobs, 9,000 will be  
9 construction jobs. So, our success is everybody's  
10 success. Thank you.

11 MR. BROWN: We're on number 37. The next  
12 four are David Penberg, Marilyn Greenberg, David  
13 Pomper and Bill Wissemann.

14 MR. PENBERG: Good evening, I'm here as a  
15 child advocate, which is to say someone who cares  
16 deeply about the welfare and the safety of all  
17 children. My name is David Penberg, I'm the head of  
18 school for the Stevens Cooperative School. We have  
19 two schools, one located in Hoboken and the other,  
20 which is located in Newport at Town Square as part  
21 of the Aqua Blue Building. The Hudson River  
22 Waterfront Walkway running from Aqua Blue to Hoboken  
23 is the lattice of our students, walk each day  
24 between Newport and Hoboken campus and take  
25 advantage of the programs housed in both schools.

1           I am very deeply concerned about the  
2           construction impacts of the proposed HDD drilling  
3           that will take place on the barges anchored in the  
4           Hudson River. If the noise is not mitigated  
5           adequately, it will render our playground unusable  
6           by our students for almost nine months. And it may  
7           very well be that the noise level that the children  
8           are exposed to within the school will become a very  
9           serious problem, not just as a learning environment,  
10          but as health hazard for children.

11          I urge this Commission to do more than pay lip  
12          service to the issue of noise and to what extent it  
13          can be and will be mitigated. It must be done, done  
14          timely and consistently for the duration of the  
15          construction. Adverse impacts on individuals and  
16          institutions such as schools like Stevens need to be  
17          addressed. The Stevens' community, students,  
18          parents and faculty should not have to suffer any  
19          negative consequences of this pipeline project.  
20          Thank you very much.

21          (Applause.)

22                   MR. BROWN: Marilyn Greenberg and after  
23                   that will be David Pomper.

24                   MS. GREENBERG: My name is Marilyn  
25                   Greenberg, and I'm an attorney with the law firm of

1 Riker Danzig in Morristown, New Jersey. My firm and  
2 I have represented Newport since the mid-1980s, when  
3 the project was just getting underway. I'm here  
4 today to comment in more detail upon the noise  
5 issues that we see impacting both Jersey City and  
6 Hoboken during construction of the pipeline.

7 Newport will file extensive written comments on  
8 this subject with FERC. However, I wish to  
9 highlight several important points this evening.  
10 The limited information presented in the DEIS does  
11 not support a conclusion that the construction noise  
12 impacts will meet applicable standards. Spectra has  
13 shown plans to enclose the drilling barges in a tent  
14 and to take several other measures to mitigate noise  
15 from its operations. The DEIS states that these  
16 noise mitigation measures will bring the  
17 construction noise down low enough to meet  
18 applicable noise standards. We disagree. The DEIS  
19 implicitly adopted only the FERC general noise  
20 standard of 55 DBL LDN and did not identify,  
21 consider or discuss the applicable state, county and  
22 local noise regulations.

23 To start with, based upon the analysis of our  
24 expert, HFP Acoustical, we believe that even with  
25 the mitigation contemplated by Spectra, which itself

1 is not adequately detailed or measurable as  
2 presented, the HDD related noise will substantially  
3 exceed the FERC standard at multiple noise sensitive  
4 areas that were not identified in the DEIS.

5 Once more, while the DEIS acknowledges that  
6 state and local noise regulations are applicable to  
7 the construction and operation of the pipeline, the  
8 DEIS does not properly identify or evaluate state,  
9 county and local noise requirements, nor is  
10 mitigation proposed or described to comply with  
11 these standards. In fact, the applicable state,  
12 county and local noise standards are very different  
13 from the FERC 55 DBL 24 hour average standard.  
14 These regulations combine multiple noise metrics  
15 with other parameters designed to limit noise  
16 generating activity.

17 For example, the New Jersey state noise code  
18 applies to construction activities throughout the  
19 state and establishes multiple limitations on  
20 construction noise. It provides maximum permissible  
21 A weighted sound level limits of 50 DBA at night. A  
22 range of octave bands sound level limitations and  
23 impulse sound limits, for example, pipe clanging,  
24 ramming, et cetera.

25 The DEIS does not evaluate compliance with

1       these limits or propose mitigation to achieve them.  
2       The Hudson County noise code also establishes  
3       multiple numeric and narrative standards applicable  
4       to Spectra's activity. Construction activity is not  
5       exempted from these county limitations, as is  
6       erroneously stated in the DEIS. Rather, the county  
7       noise code prohibits all nighttime construction  
8       activity, except where a hardship and need for a  
9       variance can be demonstrated.

10               MR. BROWN: I'm going to have to ask you  
11       to wrap up.

12               MS. GREENBERG: I'm almost finished. Much  
13       like the Hudson County noise code, the city of  
14       Hoboken has established multiple numeric narrative  
15       standards applicable to Spectra's activity.  
16       Contrary to statements in the DEIS, construction  
17       activity is not exempted from the restrictions of  
18       the noise code. Hoboken prohibits construction  
19       between the hours of 6:00 p.m. and 8:00 a.m. on  
20       weekdays and at all times on weekends and federal  
21       holidays.

22               In order to obtain a variance from this  
23       prohibition, a specific noise mitigation plan must  
24       be approved. That has not been done.

25               And finally, Jersey City employs a general

1 narrative code for noise, prohibiting any noise that  
2 is unnecessary or unusual or that annoys, disturbs,  
3 injures or endangers the comfort health, peace or  
4 safety of others. Jersey City also prohibits  
5 construction, excavation, demolition of any building  
6 or the excavation of streets and highways between  
7 the hours of 6:00 p.m. and 7:00 a.m., and all times  
8 on weekends, except in emergency situations.

9 Spectra's HDD operations would also violate the  
10 general narrative code prohibiting unnecessary or  
11 unusual noise. As you can see, the various  
12 applicable standards are not uniform and Spectra is  
13 and should be obligated to comply with all of them  
14 because the noise that its construction will cause  
15 will source from and affect residents and visitors  
16 of multiple and overlapping jurisdictions.

17 MS. HARRIS: Time.

18 MS. GREENBERG: Lastly, Spectra assumes  
19 that its planned noise mitigation techniques would  
20 be highly effective without any supporting evidence  
21 in the DEIS.

22 (Audience becomes noisy.)

23 The fact is that even with the limited noise  
24 mitigation that Spectra has outlined, it's  
25 construction noise will substantially exceed both

1       FERCs average noise standard and other applicable  
2       standards on multiple noise sensitive locations.

3               The final EIS should be revised to properly  
4       identify and evaluate all applicable standards and  
5       to require mandatory compliance with those  
6       standards. Thank you.

7       (Applause.)

8               MS. HARRIS: I would like to remind  
9       everyone, if you have it written down, please give  
10      us a hard copy and summarize at microphone. Thank  
11      you.

12              MR. BROWN: Number 39, David Pomper, after  
13      that will be Bill Wissemann

14              MR. POMPER: Good evening, my name is  
15      David Pomper, I'm a partner in the law firm of  
16      Spiegel and McDiarmid, which is Washington D.C.  
17      special counsel for Newport Associates, the  
18      development company for these FERC proceedings.

19              And the question at hand here is not who can  
20      shout loudest, it's whether the DEIS really fulfills  
21      the purposes for which Congress enacted NEPA. It  
22      doesn't.

23              Bear in mind, NEPA was a legislative response  
24      of the Commission's failure to protect people's  
25      enjoyment of the Hudson River when it licensed an

1 energy project back in the '60s. Talking about the  
2 Scenic Hudson Case. That's a famous decision  
3 published by the U.S. Court of Appeals for the  
4 Second Circuit in 1965, 354F 2nd 608. And that  
5 halted a Commission approved project because  
6 people's enjoyment of the Hudson River was not  
7 adequately being considered or protected.

8 In response to that, Congress enacted a statute  
9 that was intended to "Assure for all Americans safe,  
10 helpful, productive and aesthetically and culturally  
11 pleasing surroundings." That's from the  
12 Congressional Declaration of National Environmental  
13 Policy at 42 USC, Section 4331.

14 Well, as you're hearing tonight, for the  
15 thousands of people that live within Newport and  
16 Jersey City, the environmental jewel of their  
17 surroundings is the Hudson River Riverfront. And  
18 the DEIS does not give them the assurance of  
19 healthful, productive and aesthetically and  
20 culturally pleasing surroundings that Congress  
21 intended, nor does it provide a candid and thorough  
22 disclosure and analysis of the environmental impacts  
23 that NEPA requires.

24 While the DEIS promised that some of the  
25 missing information would be provided before

1 construction begins, that does not cure its legal  
2 deficiencies because it fails to make the necessary  
3 information available in time for the public to  
4 meaningfully comment on it.

5 For an example, we start where NEPA did, at the  
6 Hudson River Waterfront. Spectra's plan to shut  
7 down the Hudson River Waterfront Walkway during part  
8 of the construction work. But the DEIS does not  
9 require it to show the public a specific plan for  
10 interacting with the walkway until just before  
11 construction starts. As a result, thousands of  
12 people, over 10,000 people, who use the walkway  
13 daily will not be given a timely opportunity to  
14 comment on the specifics of when and how Spectra  
15 plans to close the walkway.

16 West of the waters edge, Spectra is planning to  
17 use temporary workspace at Newport to support its  
18 drilling operation, and then assemble and cook  
19 thousands of feet of pipe. But the DEIS fails to  
20 acknowledge the need to comply with the Newport  
21 Remedial Plan or to provide full indemnification for  
22 harm resulting from Spectra's use of that work  
23 space. Spectra also plans to discharge hundreds of  
24 thousands of gallons of hydrostatic testing water on  
25 to the ground at the same workspace, but the DEIS

1 fails to ensure that this discharge water goes only  
2 to the sewer, and fails to study what may be a  
3 preferable alternative, namely to use river water  
4 and discharge it back into the river.

5 MS. HARRIS: Time.

6 MR. POMPER: Further inland, they're  
7 failing to address the impact to Jersey City. The  
8 main thing though is that they want to drill for  
9 thousands of hours around the clock for the better  
10 part of a year. As we have heard, it's going to  
11 cause noise impacts that have not been adequately  
12 identified and studied.

13 (Audience becomes noisy.)

14 The DEIS studies the wrong noise at the wrong  
15 place, the wrong way, at the wrong time.

16 MR. WISSEMAN: My name is William  
17 Wissemann, and I'm a licensed special engineer and  
18 project engineer at the Newport Development. On  
19 Newport's behalf, I have read just about every word  
20 of the field reports, draft EIS, other letters and  
21 reports on several occasions.

22 I have also had an opportunity to meet with  
23 officials of the US DOT Office of Pipeline Safety,  
24 and discussed their regulations on constructing  
25 pipelines. I would like to address my remarks

1        tonight to the deficiencies in the DEIS, as it  
2        relates to pipeline construction and public  
3        accountability.

4                I agree with the points raised by Chuck Lee,  
5        the city engineer. I want to point out some of the  
6        deficiencies in the federal guidelines, pipeline  
7        construction and promises made by Spectra.

8                Within the voluminous stock releases offered by  
9        Spectra and FERC and the many correspondences and  
10       public statements made by Spectra, there are many  
11       inconsistencies, and the result is unclear exactly  
12       how Spectra proposes to construct the pipeline in  
13       Jersey City.

14               Spectra should be forthright with what it  
15       proposes to build. For instance, in its March 18th  
16       2011 letter to Jersey City Council, Spectra says  
17       that, "The segments of the pipeline in Jersey City,  
18       Hoboken and Manhattan are to be 3/4 inch buffer  
19       steel pipe." This letter also stated that Spectra  
20       will bury the pipeline at bare root depth of five  
21       feet from the top of the pipe. In its 7/17/2010  
22       letter to the Jersey City engineers, Spectra stated  
23       that, "We plan to use flowable cement containing  
24       yellow dye around the pipelines, parking lots and  
25       city streets."

1           These statements were also repeated in Jersey  
2 City Council meetings on February 22nd, 2011, in  
3 which Spectra spoke and showed a film describing  
4 their construction practice. But the DEIS backed  
5 off of these proposals. In the DEIS, FERC says  
6 that, "Spectra will use a 3/4 inch pipe in the HDD  
7 sections only. That the covered section will be a  
8 minimum of three feet only, and that controlled  
9 density backfill may be used." Best practices for  
10 construction within certain areas are to use 3/4  
11 inch thick pipe buried at least five feet deep and  
12 backfill of controlled density fill colored yellow  
13 dye. Spectra must be clear and unequivocal about  
14 how every foot of this pipeline will be constructed  
15 in Jersey City that is presently not clear, and an  
16 early commitment made by Spectra.

17           The policy statement should also require  
18 Spectra to install the yellow warning tape of the  
19 full 48 inch trench, rather than the 24 inch, to  
20 install more frequent pipeline markers than  
21 required, and install shut off valves in tightly  
22 covered sections, not more than one mile apart.

23           MS. HARRIS: Time.

24           MR. WISSEMAN: Furthermore, the valves  
25 should shut automatically and have redundant remote

1 manual shutoff capability, not just turned off  
2 remotely by someone pushing a button in Houston,  
3 Texas.

4 While remove shut off from a monitored control  
5 room is better than requiring an on site manual shut  
6 off, manual operations are not always reliable as we  
7 know from past events, such as the 1999  
8 Bellingham/Washington disaster. In the event that  
9 they actually do (Inaudible) will it be redrilled to  
10 a new location or (inaudible) when the environmental  
11 impact agreement changes are addressed and vetted in  
12 the public?

13 MS. HARRIS: Time.

14 MR. WISSEMAN: I just want to make one  
15 more point, and then I'll give you my written  
16 comments.

17 (Audience becomes noisy.)

18 In the EIS, FERC states that Spectra has  
19 committed to design the entire 30 inch pipeline to  
20 the highest class 4 standard. FERC should request  
21 that the pipeline be designed, constructed,  
22 operated, maintained and inspected on the class 4  
23 standard. Not just designed as such.

24 MS. HARRIS: Thank you.

25 MR. BROWN: Speaker number 41 will be

1 David Figueroa, after that will be Giovanni Pantane  
2 and then Michael Miller. Is David Figueroa in the  
3 room? Giovanni Pantane? Michael Miller? Angel  
4 Diaz? Bill Ecker? John McManus? Patrick Lipowski?  
5 Raymond Boccassini? Lou Sancio? Dale Hardman. So,  
6 are you Dale Hardman?

7 MR. HARDMAN: Yes, I am.

8 MR. BROWN: Okay, then we're at 50.

9 (Applause.)

10 MR. HARDMAN: My name is Dale Hardman, I'm  
11 the cofounder, with Steven Musgrave, of  
12 nogaspipeline.org. I encourage, first of all,  
13 everyone here tonight who is not currently a member  
14 to stop by our table and become one if you are  
15 opposed to this pipeline.

16 The elephant in the room here is that this is a  
17 reasonable and rational process being heard by a  
18 regulatory commission of the federal government.

19 But the one thing not being said is that FERC  
20 has never stopped a pipeline. They rubberstamp  
21 every pipeline going through, except for weight and  
22 tariff exceptions. So, I would say to you, to all  
23 of you, that you need to know that the only way to  
24 beat Spectra and FERC is quite simple. You must  
25 first be a legal intervenor, and when FERC makes

1 their final ruling in January, you must sue them in  
2 federal court.

3 (Applause.)

4 Now, not even the city has said that they will  
5 do this. I hope that they will and not simply throw  
6 up their arms and say we tried our best.

7 But I tell you now, that irrespective of all  
8 the minutia that all of us have gone through, that  
9 they will rule in favor of Spectra. And that we are  
10 the only ones in Jersey City prepared to take them  
11 to court and sue them. That is the only way that  
12 you can win.

13 Now, former Attorney General Blumenthal, now  
14 governor, sued Spectra in 2001, and it took him six  
15 years to win in 2007. But however long it takes, if  
16 they don't have gas on with Con Ed in 2013, they  
17 lose, and the whole contract has to be re-bid. So,  
18 you're going to see Spectra try to fast-track the  
19 whole process and not allow anybody to sue them.

20 Well, we intend to see legal standing before a  
21 federal judge. We need all of Jersey City to become  
22 members of our group.

23 (Applause.)

24 The one thing that I will say is this. In May  
25 of this year, Professor Robert Howarth and

1 associates at Cornell University released a major  
2 study in climatic change letters that shows that all  
3 methane gas is caustic. When you go home tonight if  
4 you have gas in your home, turn it on. You are  
5 facing toxicity and even more so with fracked gas.

6 Methane gas kills, and this pipeline, we say  
7 simply no gas pipeline.

8 (Applause.)

9 MR. BROWN: Lou Sancio, number 50.

10 MR. SANCIO: Good evening, my name is Lou  
11 Sancio, I'm the director of the Alliance for  
12 Competitive Contracting here in New Jersey.

13 I urge you to vote yes to this project, to keep  
14 it going. New Jersey and Hudson County is in  
15 desperate need of infrastructure improvements. Our  
16 workforce is in desperate need of new jobs that this  
17 will create, 500 construction jobs and up to 5,200  
18 permanent jobs. This will be a boon to the economy  
19 as well as the tax revenue that this project will  
20 generate.

21 This has been one of the most scrutinized  
22 projects I've seen. The hearing here and the input  
23 from the community has ensured that this job is as  
24 safe as a pipeline could possibly be. They're  
25 meeting, and they're exceeding all safety

1 regulations and protocols. They're going deeper  
2 than they need to go, and many of the pipes are  
3 thicker than the schedule calls for.

4 I just urge that you approve this project and  
5 thank you.

6 MS. HARRIS: Thank you.

7 (Applause.)

8 MR. BROWN: The speakers are John  
9 Thieroff, Stephen Musgrave, I think it's Manuel  
10 Amador and Phil Testa.

11 MR. THIEROFF: Hi, John Thieroff, Jersey  
12 City resident. The early gas industry has been  
13 known for a long time to meet any challenge put in  
14 front of it, whether it's drilling six miles into  
15 the earth, two miles in water, two miles deep,  
16 extracting oil and gas from tight sands,  
17 transporting gas thousands of miles via pipelines.  
18 The industry has always been keen to expand on what  
19 is possible.

20 Of the many, many very long-distance underwater  
21 pipelines I can point to - - to underscore this  
22 point, I'll point to one, that's the Gulf Stream  
23 Pipeline, which runs over 400 miles through the Gulf  
24 of Mexico, through Mobile Bay to Tampa. Certainly,  
25 Spectra knows this pipeline because they own 50

1 percent of it.

2           Clearly, the idea that Spectra can't put a  
3 pipeline in the water seems to be at odds with the  
4 kind of operation they currently run. Pipes are  
5 built over mountains, in jungles; pipes are built in  
6 the arctic. And yet, the claim since the very  
7 beginning was that a route through the Hudson was  
8 too technologically challenging and the Port  
9 Authority had issues with crossing assets in the  
10 river.

11           Did Spectra fight with the Port Authority the  
12 way it has fought with us? Did Spectra hire  
13 lobbyists and media consultants and run ads and lie  
14 to the Port Authority the way they did to us? Or  
15 did the Port Authority become a convenient out, the  
16 way developers of Staten Island did?

17           No, Spectra didn't fight the Port Authority.  
18 They went and gathered up all the weak, feeble  
19 excuses it could from everybody else to make its  
20 case to jam this pipeline right through the heart of  
21 our city.

22           Also Spectra is taking the cheapest way  
23 possible to New York. The gas will come through the  
24 city. Almost all the jobs won't go to Jersey City.  
25 The taxes Spectra will pay will come nowhere near

1 the value that we destroyed downtown, in terms of  
2 future development.

3 Spectra is the company that has generated 4.7  
4 billion dollars in cash flow during the 2 1/2 years  
5 since this project was introduced. It has paid more  
6 than 1.6 billion in dividends during that period.

7 Saving a few hundred million dollars to  
8 generate a high enough rate of return to deserve  
9 that dividend growth is really what this comes down  
10 to. So, put in the simplest terms possible, Spectra  
11 hopes to save 300 million or so dollars by not going  
12 through the river. There are more than 300,000  
13 people in Bayonne/Jersey City. Simple math tells us  
14 Spectra thinks that each life in our city is worth  
15 less than \$1,000 each.

16 This really isn't much different than blood  
17 diamonds-

18 MR. BROWN: Excuse me please, go ahead and  
19 wrap it up.

20 MR. THIEROFF: Okay. This really isn't  
21 much different than blood diamonds or the slave  
22 trade. A commercial interest is trying to profit  
23 through risking our lives. Has the system becomes  
24 so corrupted that people can no longer see this for  
25 what it is? Bottom line is the pipeline needs to go

1 in the river. It can be a win-win. The jobs are  
2 still there. Economic development is still  
3 happening. Spectra can choose to contribute into  
4 our communities, and we can sleep peacefully at  
5 night. Thank you.

6 (Applause.)

7 MR. BROWN: The next speaker is Stephen  
8 Musgrave, Manuel Amador-

9 MS. HARRIS: If you signed up to speak we  
10 will eventually get to your name.

11 (Off the record discussion.)

12 MR. MUSGRAVE: Stephen Musgrave, cofounder  
13 of nogaspipeline.org, Director of Harsimus Cove  
14 Association and bringer of feedback. Pardon me.

15 Thank you, John, for your excellent insight and  
16 your remarks and everybody that has come before me,  
17 thank you.

18 We hear a lot about Spectra's unrelenting  
19 commitment to safety and their commitment to the  
20 communities in which they operate. But let's  
21 remember the primary objective of any corporation is  
22 profit. I don't mean to be cynical, but that's  
23 literally in the corporate charter, is to maximize  
24 shareholder profit.

25 Safety, that's expensive; it cuts into profits.

1 I'm not sure if Spectra's shareholders have the  
2 ethical fortitude to give up profit eaten up by  
3 safety. If they did, they'd likely not be investing  
4 in the fossil fuel industry at all. They would most  
5 likely be involved in solar, wind, geothermal, et  
6 cetera, et cetera, et cetera.

7 So who do we trust? The claims made by  
8 Spectra's employees and representatives? They will  
9 be moving on soon. Or do we think that the  
10 profit-seeking market forces will keep us safe?  
11 There is rarely any credit given for avoiding the  
12 disaster that never happens. Sure, you can sleep at  
13 night, but Wall Street doesn't care.

14 Running a pipe through Jersey City provides  
15 Spectra with the highest profit margin. Putting it  
16 in the river is too expensive we are told. The  
17 truth of the matter is the people of Jersey City are  
18 underwriting shareholder profits with our safety.  
19 Spectra personnel are making promises they cannot  
20 keep. Thank you, good night.

21 MS. HARRIS: Thank you.

22 MR. BROWN: We're at number 53, Manuel  
23 Amador.

24 MR. AMADOR: Good evening, my name is  
25 Manuel Amador. I'm a business representative with

1 Heavy Construction Laborers Local 472. On behalf of  
2 my business manager, Tony Olivera and roughly 7,000  
3 active members, we are asking your support for this  
4 much-needed, job creating, project.

5 At a time when our union halls are full, the  
6 members are losing their health coverage, their  
7 homes in foreclosure. This pipeline project will  
8 provide desperately needed jobs, many hundreds of  
9 them to our ready, willing and able workers. Many  
10 of these members live in Jersey City, Bayonne and  
11 Linden. By supporting this project, you can help  
12 put these people back to work.

13 Spectra Energy has jumped through hoops to  
14 design the safest and most environmentally sound  
15 pipeline. In fact when constructed, it will be the  
16 safest pipeline ever built.

17 Simply put, our members, many of which have not  
18 had steady work in two years, need this project to  
19 move forward. We need construction to begin now.

20 This project will also have a huge economic  
21 impact on the region and promised vital tax revenue  
22 to the towns involved. Stop the delays now. We  
23 need the gas and the jobs. Thank you.

24 MS. HARRIS: Thank you.

25 MR. BROWN: We're on 54. The next name is

1 Phil Testa, and after that Tracy Chang and then  
2 Jeanne Daly.

3 MR. TESTA: Good evening. My name is Phil  
4 Testa, I have 38 years as a member of Local 472. I  
5 have a prepared statement. I was going to talk  
6 about jobs. But being that it's been broached, the  
7 safety of the pipeline - - right now, the pipeline  
8 that exploded in Edison, there's more condos on top  
9 of it right now. So, those people are living there  
10 right now on a safe pipeline. No pipelines in  
11 Jersey City, it's too late. Every street in Jersey  
12 City has a pipeline on it. We're talking about,  
13 DLT, when you have an accident on a pipeline all the  
14 distribution mains are lumped in with transmission  
15 lines. Ninety percent of the hits on gas mains are  
16 the lines that are existing in the cities already.  
17 There is already four inch lines probably running  
18 into every school, every hospital, and there's pump  
19 lines, 24 inch pump lines that are pumping 120  
20 pounds of gas. Would that be any safer in your  
21 town? It's time.

22 Texas Eastern Line comes through Lambert, Dylan  
23 and then comes up through North Jersey. We have  
24 transmission lines all through our towns that feed  
25 the people of Jersey City. It's okay for us to have

1 transmission lines through our towns, but it's not  
2 okay here. Thank you.

3 MS. HARRIS: Thank you.

4 (Applause.)

5 MR. BROWN: Tracy Chang, 55. Jeanne Daly?  
6 Andy Velwest, Christen Green, Kirsten Green, excuse  
7 me.

8 (Applause.)

9 MS. GREENE: I'm going to talk a little  
10 bit about some stuff I noticed in the draft EIS.  
11 Appendix I 1.2 and 1.3, your words. "It is  
12 anticipated that a considerable portion of the soil  
13 and groundwater encountered will contain  
14 contaminants at concentrations above New Jersey and  
15 New York's acceptable standard guidelines. Volatile  
16 compounds like benzene, xylene, ethyl benzene,  
17 xylene." What toxins will be airborne and breathed  
18 in by our residents and children when Spectra lays  
19 the pipeline past our homes? And what other city  
20 with this population density has a high-pressure 30  
21 inch pipeline running through it?

22 In paragraph 4-223 it states that, "Outside  
23 forces, including excavations and natural events are  
24 the cause in 35.2 percent of significant pipeline  
25 incidents." Thirty five percent of the accidents

1 that happen to pipelines aren't within Spectra's  
2 control. So, regardless of what precautions they  
3 take, we may not be safe. Not only are we supposed  
4 to tuck our kids in at night, give them a kiss on  
5 the forehead and trust that Spectra is doing their  
6 job, but now we have to just cross my fingers on the  
7 other 35 percent of accidents, since it is outside  
8 of Spectra's control.

9 Section 496 does state that, "Several studies  
10 have looked at the effect of pipelines on sales and  
11 property values. We acknowledge that most were  
12 conducted on behalf of the project developers." Did  
13 you catch that? "While we acknowledge that no urban  
14 areas were evaluated, we don't think this  
15 invalidates the study's conclusions."

16 You're kidding me, right? The reports were  
17 paid for by the developers, were not conducted in an  
18 urban area, but you think their conclusions are  
19 valid?

20 This document is over 900 pages long, and I've  
21 waited six months for it. I do feel you should have  
22 planned two meetings, knowing how many people came  
23 to your first one. There is only 1 page out of 900  
24 that is devoted to terrorism. A 30 inch pipeline  
25 with a 1,200 foot blast radius outside the Holland

1 Tunnel, next to a commuter railroad station, near a  
2 thriving financial center, but only one page is  
3 devoted to terrorism, where it states - it kind of  
4 passes the buck - "The Office of Homeland Security  
5 is tasked with the mission of coordinating efforts  
6 to detect, prepare for, prevent, protect against,  
7 respond to and recover from terrorism attacks.  
8 The likelihood of future acts of terrorism and  
9 sabotage occurring at the proposed project  
10 facilities is unpredictable." Exactly, it's  
11 unpredictable, but it sure looks like a lovely  
12 target.

13 MS. HARRIS: Time.

14 MS. GREENE: I don't know about you, but  
15 I'm not feeling very safe here.

16 Your executive summary states, "The project  
17 will result in limited adverse environmental  
18 impacts. These limited impacts would mostly occur  
19 during the period of construction. The noise  
20 generated during this activity would be in  
21 compliance with the FERC's noise standard." Well,  
22 what about the environmental impact of pressure  
23 release valves venting toxic fumes in the air? I  
24 have yet to see a study published on that.

25 What about the radon that came from the

1 Marcellus Shale gas, which will be released into the  
2 air along with the pipeline? I didn't see any  
3 mention of radon anywhere in your 900 page document.

4 How about the impact of catastrophic incident?  
5 Does it even matter how improbable, with the  
6 repercussions here? Coupled with the health impact  
7 of airborne toxins thrown into the air during  
8 construction, this pipeline is unacceptable. And  
9 the fact that FERC is going to push it through for  
10 Spectra is disgusting.

11 (Applause.)

12 MR. BROWN: Leon Greene, number 60.

13 MR. GREENE: Hi, my name is Leon Greene.  
14 I'm a committeeman for Ward E, District 19 in Jersey  
15 City. The entirety of my district is within the  
16 blast radius of this pipeline. Where I sleep and  
17 where I put my children to sleep at night would be  
18 incinerated if there were a major incident.

19 In the draft EIS, it notes that the applicant  
20 maintains a monitoring system that includes a gas  
21 control center that monitors all sorts of stuff,  
22 central staff, 24 hours a day, yada, yada, yada, in  
23 Houston, Texas. According to a June 13th notice of  
24 amendment from PHMSA to Spectra, that federal agency  
25 inspected the gas company's operating and

1 maintenance procedures on November 29th of 2010, at  
2 that headquarters in Houston. And in connection  
3 with that inspection, Spectra provided all sorts of  
4 documentation. The inspectors found that their  
5 plans and procedures were inadequate in a number of  
6 areas, including pipeline surveillance, emergency  
7 plans, welding procedures. They received three  
8 notices, including letters of warning in connection  
9 with those inspections. This is the most high risk  
10 pipeline they have ever built because it lays a  
11 high-pressure 30 inch pipeline through a densely  
12 populated urban area.

13 To the best of my knowledge, there is no other  
14 city in America of this population density that has  
15 this sort of pipeline running through it. Our  
16 emergency services agencies have all told me that  
17 they can't handle an incident. And to compound the  
18 issue, the applicant has stated that they won't  
19 compensate the municipality for any public services  
20 that might be required.

21 During the 20 year period from '91 to 2010,  
22 there were 1,138 significant incidents reported on  
23 more than 300,000 miles of natural gas transmission  
24 pipeline nationwide. If you break that down, that's  
25 an average of one accident for every 263 miles of

1 pipeline. We talk about these things being  
2 amazingly safe, but one accident for every 263 miles  
3 of pipeline does not sound safe to me.

4 I can understand that you might look at this in  
5 assessing all the different pipelines that you look  
6 at all across the country, and you might think, well  
7 this is a really safe construction that's going to  
8 be undertaken, and it's at a higher standard than  
9 anything else that we approve. But you have to  
10 consider the repercussions in the event of failure,  
11 and you have to consider the alternatives that have  
12 been put on the table. What is an economically  
13 viable alternative? That's one of the things that  
14 Spectra is charged with assessing.

15 John came up here and very eloquently told us  
16 about all the financials of Spectra. This company  
17 has over a billion of cash in the bank. The  
18 difference of 300 million dollars on this project  
19 amortized over the life of the project, which is  
20 probably a 30 to 50 year accounting treatment, is  
21 nothing. It's not even a footnote in their profit.

22 MS. HARRIS: Time.

23 MR. GREENE: Thank you.

24 (Applause.)

25 MS. HARRIS: Thank you.

1 MR. BROWN: Denise Katzman.

2 MS. KATZMAN: Denise Katzman, Jersey City  
3 resident. FERC's draft EIS, this has been intimated  
4 throughout the evening, but directly called, is not  
5 paid for by spur (sic), it's paid for by the  
6 applicant, Spectra, and it's legally permissible,  
7 and in any real business in the real world that  
8 would be a major conflict of interest. And the gas  
9 going to NYC, Con Ed, has alleged 20 percent, and  
10 one gentleman earlier said that the balance, the 80  
11 percent, is for future use. That is a complete and  
12 utter fallacy. The alleged 20 percent, first of  
13 all, every well that is fracked is not a guarantee.  
14 And the gas, these companies, they are going to make  
15 money. It is going to the highest bidder. That is  
16 foreign export, that's where the gas is going.  
17 (Applause.)

18 EIS's are never about protecting and benefiting  
19 us. EIS's are always in support of sacrificing us  
20 for corrupt corporate and political greed. This  
21 isn't about the gas; it's about the money. Jersey  
22 City turned down a 24 million dollar community  
23 benefits package. These companies always plow  
24 through the back door with donations to not for  
25 profits, to try to get in the front door, and they

1 want to pay off the communities. NYC has taken a  
2 hell of a lot more money.

3 And the radon issue. Radon is a radioactive  
4 heavy metal gas. Two years ago in New York, we  
5 spoke directly about the radon attaching itself to  
6 the toxic fracked water. Well, we now have  
7 scientific proof from Professor James Ring, formerly  
8 of Hamilton College in Upstate New York. He is a  
9 nuclear physicist. The radon attaches itself not  
10 only to the water but to the gas, travels with the  
11 gas. The places are closer to us like Marcellus and  
12 Utica in New York. It doesn't have anywhere to  
13 vent. When it gets to your point of use, if you  
14 don't have a state of the art filtration system, you  
15 are sucking that in, and most buildings, the  
16 residents, close off their system, so they don't  
17 have to smell neighbor's smells. It cakes in your  
18 lungs, and it's called lung cancer.

19 And those issues are not in the EIS, because if  
20 they were in the EIS, any sentient being would deem  
21 this dead on arrival. Thank you.

22 (Applause.)

23 Mr. BROWN: Frank Hoffmann, Greg Kierce  
24 and Melinda Vasquez, and Kendall Eskew will be  
25 number 62. Good evening.

1 MR. HOFFMANN: Good evening.

2 MR. BROWN: Good evening.

3 MR. HOFFMANN: My name is Frank Hoffmann,  
4 I represent the approximately 6,500 members of the  
5 Operating Engineers. We strongly support this  
6 project. This is the most environmentally sensitive  
7 design we have ever seen and the safest design we  
8 have ever seen. We hope you'll approve this as  
9 quickly as possible, and I'll submit the rest of  
10 this in writing. Thank you for your time.

11 MS. HARRIS: Thank you.

12 (Applause.)

13 MR. BROWN: Greg Kierce?

14 SPEAKER FROM THE AUDIENCE: Already spoke.

15 MR. BROWN: Melinda Vasquez? That was 65.

16 MS. VASQUEZ: Hi, I'm here to say that  
17 I'm proud to be a Jersey City resident. I've lived  
18 here for about 10 years now, and I have watched the  
19 slow but wonderful revitalization of Jersey City.  
20 Year after year, the city only gets better. It gets  
21 cleaner, it gets safer, more and more cultural  
22 organizations form. This community is a community,  
23 as you can see, you saw the people come together  
24 tonight.

25 I am opposed of this gas pipeline running

1 through my neighborhood.

2 (Applause.)

3 I, for the past two years, have been saving  
4 money to buy property in Jersey City, and now if  
5 this is passed, it will not happen. I will not buy  
6 property in Jersey City. You know why? Because if  
7 I do, that property value will be decreased by this  
8 pipeline. Thank you very much.

9 (Applause.)

10 MR. BROWN: Ali Chu. Paul Bellan-Boyer.

11 SPEAKER: What was the first name?

12 MR. BROWN: Ali Chu.

13 MR. CHU: Thank you. Respecting the time,  
14 I will try and be brief. There were so many great  
15 comments earlier, I particularly would like to  
16 highlight some of the comments made by our deputy  
17 mayor, Kabili Tayari, about the way the  
18 environmental impact statement does really not  
19 address environmental justice and the impact on poor  
20 communities and communities of color.

21 Also, it's remarkable, in reading this  
22 document, it seems that the environmental review  
23 process is designed to omit many things that most of  
24 us would consider part of the environmental impact.  
25 I don't really refer to the blast zone in the case

1 of a catastrophic accident, although that surely  
2 will have an environmental impact. And the exact  
3 risks for that can't be foreseen. But I refer to  
4 the back end, the production part. We don't  
5 consider how the gas gets into the pipeline. We  
6 really don't consider the gas that leaks out of the  
7 pipeline, and we don't consider the economic impact  
8 upon the city of Jersey City.

9 Spectra is great at quoting the potential for  
10 the jobs in its construction and terrible at  
11 calculating the jobs that we're going to lose from  
12 lack of development opportunities on that land.

13 (Applause.)

14 I haven't found a really compelling reason to  
15 take this risk and I would urge FERC to send this  
16 one back to the drawing board.

17 (Applause.)

18 MR. BROWN: Jim Legge.

19 MR. KAPLOWITZ: Jeff Kaplowitz.

20 MR. BROWN: Jim Legge? Okay, then I have  
21 Jeff Kaplowitz. Then after that will be Douglas  
22 Carlucci and Eric London.

23 MR. KAPLOWITZ: Good evening. I was born  
24 and raised in Jersey City. Grew up in the Lafayette  
25 section; I live in the Greenville section now. I

1 have watched my city decline, and I've watched it  
2 come back. The potential of this city is in its  
3 people. You've listened to our councilman, our  
4 mayor, our representatives on the state level and  
5 messages from our representatives on a national  
6 level. You've listened to advocates for special  
7 interests, from the neighborhoods, from public  
8 housing, public education. You've listened to the  
9 people of this group, of the city, black, white,  
10 Hispanic, Asian, it doesn't matter. Over and over  
11 again, there is dissent. There is a feeling that we  
12 are being steam rolled.

13 I don't know much about FERC, but I do know  
14 this. You are an appointed commission that is not  
15 answerable to the people. The system of our  
16 government rests in the power of the people. The  
17 people say they don't want it. Their  
18 representatives echo our opinion, we do not want it.  
19 This is a matter of how our government works.

20 I cannot talk further on what has been said  
21 tonight regarding all of the issues, of alternate  
22 routes, of money involved, the danger, the  
23 terrorism, it's all been said, all of that.

24 I understand jobs. I'm a commercial real  
25 estate broker. I haven't worked in two years

1 because of this economy. I sympathize with the  
2 union workers, but the people who live here should  
3 have the first say what goes through their  
4 neighborhood.

5 (Applause.)

6 That is the form of our government. The areas  
7 that this pipeline will go through, those are areas  
8 that have tremendous potential. When I sat on this  
9 Jersey City Planning Board and we approved building  
10 after building, more and more union workers came to  
11 this town, and they worked every year, one right  
12 after the other, every building. This is a one-time  
13 shot, 18 months part-time work, they'll have it,  
14 they'll be gone, and it won't even affect the  
15 unemployment in Jersey City.

16 Once again, the people of Jersey City, the  
17 people of Hoboken, the people of Bayonne should be  
18 listened to. I feel I've sat here, and it's  
19 preordained what the decision will be, and that's a  
20 shame. The people who protest on Wall Street and  
21 around the country feel our government has left us.

22 MS. HARRIS: Time.

23 MR. KAPLOWITZ: You have left us. And I  
24 ask you, for once, give in to the people and do  
25 what's right in a democratic society. Thank you.

1 (Applause.)

2 MR. BROWN: Douglas Carlucci, Eric London,  
3 Stacey Jackson, Jim Walsh

4 MR. WALSH: Hi, my name is Jim Walsh. I'm  
5 the eastern region director for Food and Water  
6 Watch, a national consumer advocacy organization  
7 that works to protect the essential resources of  
8 food and water. I work out of our office in New  
9 Brunswick. I live in Mammoth County, New Jersey,  
10 where residents there have been fighting another  
11 risky pipeline that would go through the Raritan  
12 Bay, the Raritan River and through a number of  
13 communities.

14 I really want to thank you for the opportunity  
15 to express our opinions on this risky pipeline  
16 project. The proposed new pipeline poses serious  
17 threats to public health and the environment, and I  
18 urge you to deny this application for the project  
19 for a number of reasons.

20 Before I get into those reasons, I'd like to  
21 take a minute to address the urgent need to create  
22 good paying jobs in this country. Unemployment  
23 rates hovering near 10 percent have left many  
24 workers unemployed, underemployed or for long  
25 periods of time, and that these to change.

1           However, we should not sacrifice long-term  
2 health and well-being of our communities for  
3 short-term job creation. As an alternative to this  
4 pipeline, we call on everyone to support our plans  
5 to renew America's water by renewing investment in  
6 out deteriorating water infrastructure with federal  
7 investment in public drinking water systems.

8           This investment will not only create jobs far  
9 in excess of the pipeline, but these jobs will  
10 improve the quality in health and well being of all  
11 of us.

12           Our concern with the pipeline starts with the  
13 risk of real explosions, whether due to human error,  
14 natural disaster, or dependence on companies to  
15 actually self regulate themselves. A little over a  
16 year ago, a natural pipeline of similar design  
17 exploded in Bruno, California, killing eight people  
18 and destroying thirty eight homes.

19           A pipeline like this, in this densely populated  
20 region of the country, could cause even greater  
21 devastation. While following the coverage of the  
22 San Bruno, California natural gas explosion, I came  
23 across two issues that I find particularly  
24 disturbing.

25           First, advocates there pointed out the federal

1 agency in charge of insuring safety of gas  
2 pipelines, Pipeline Hazardous Material Safety  
3 Administration, only has 100 inspectors. As a  
4 result, there is a large reliance on the industry to  
5 inspect and police itself.

6 Second, the emergency plans are not made  
7 available to the public. Congress looks over the  
8 plans but does not require the industry to submit  
9 the plans to an oversight agency or make them  
10 public.

11 I previously had been in Middlesex County for  
12 10 years. A natural gas pipeline exploded there in  
13 1994, producing a fireball that could be seen for  
14 miles, completely destroying eight apartment  
15 buildings and severely damaging six more. About 100  
16 people suffered from burns and smoke inhalation.  
17 Two thousand residents had to be evacuated, and a  
18 thirty-two year old woman died from a heart attack.

19 The potential dangers of this catastrophic  
20 explosion along this proposed pipeline could be far  
21 more severe in the densely populated communities  
22 that it cuts through.

23 To make matters worse, the proposed pipeline  
24 would pass through Jersey City, putting the burden  
25 of risk to public safety disproportionately on poor

1 communities and communities of color. The pipeline  
2 also threatens the water we drink and the air we  
3 breathe in both the near term and long term.

4 How? It is simple. The purpose of this  
5 pipeline is deliver shale gas from fracking, much of  
6 which will probably be shipped overseas through  
7 risky liquefied natural gas terminals, doing nothing  
8 to promote domestic energy independence.

9 MR. BROWN: Jim, wrap it up please.

10 MR. WALSH: Yes, sir. More fracking for  
11 shale gas means more air pollution wafting in from  
12 Pennsylvania to New Jersey and New York. Air  
13 monitoring in Dish, Texas found carcinogens and  
14 neurotoxins after drilling started near their  
15 community. More fracking for shale means more toxic  
16 waste water spilling over into vital drinking water  
17 sources, like the Delaware River, which could be  
18 opened up to fracking on November 21st.

19 More fracking means increased warming of the  
20 planet, due to methane, a potent greenhouse gas,  
21 leaking from each well pad. More fracking means  
22 increased warming of the planet due to sea level  
23 rises and threats in New York City and New Jersey's  
24 vital coastal communities. More fracking means  
25 threats to the safety of our food, which is at risk

1 from air and water pollution and soil contamination.

2 The public and our planet cannot afford to  
3 shoulder the burdens for private gain. You are  
4 obligated not to place corporate profit above the  
5 public good. According (sic) this project would be  
6 doing that. I urge you not to grant this  
7 application. Thank you.

8 MS. HARRIS: Thank you.

9 MR. BROWN: Daniel Gruber and then Omar  
10 Dyer, Angel Hernandez, Riaz Wahid. So again, Daniel  
11 Gruber, Omar Dyer.

12 MR. DYER: Sorry. Can you hear me? Well,  
13 I have a prepared statement that I'm going to submit  
14 to you, and I'm just going to summarize when I have  
15 to say.

16 In America, we have never been about banning  
17 new innovations, new technology from enhancing.  
18 We've never been about banning companies or people  
19 coming together and bringing creative ideas to  
20 enhance a system. This proposal with this pipeline  
21 system, I've read it. It has one of the greatest  
22 technologies combined, and we have never been about  
23 banning. That's what they did in Jersey City, with  
24 the pipeline ban that they put in, of banning a  
25 situation from occurring. We've never been about

1 banning things that innovators and one of the  
2 greatest tools that we have.

3           If we ban the lightbulb from being evolved, how  
4 will we get this new fluorescent light bulb that we  
5 have? If we ban the microphone from being built,  
6 how can we have these sound systems? So, it's not  
7 about just banning; it's about expanding. And we  
8 need to come together and expand on this pipeline  
9 system because we have the oldest pipeline system in  
10 the world. China builds better pipelines than what  
11 we do. And we have the best engineers in the world.  
12 We do have a crisis in America. We have a jobs  
13 crisis in America. And if this pipeline is going to  
14 create jobs, bring in the latest technology that we  
15 have, then why are we banning it? Thank you.

16           MS. HARRIS: All right, thank you.

17           MR. BROWN: Angel Hernandez. Riaz Wahid.

18           MR. WAHID: Riaz Wahid. I don't know  
19 about the union members, it looks like the coffee  
20 and donut time is over for them. We are not against  
21 jobs. I am a father of two kids who go to public  
22 schools in this area. It is very fair to expect  
23 them to come home safely. Like how you expect to go  
24 to work, is to come home safely. It's very fair.  
25 Would any of the union brothers rent or buy a home

1 even near the gas pipeline? Would you let your kids  
2 to stay and study near the gas pipeline? Can you  
3 assure against accidents? The issue is not the  
4 pipes. It is whatever you are doing will break, if  
5 not today, at some point. The issue is automatic  
6 shut off valves. They don't break. When they  
7 break, things go very fast.

8 Nuclear industry had a standard called  
9 probabilistic safety analysis, PSA, probabilistic  
10 safety analysis. I'll bet you, if you do that, you  
11 do the same standard for these gas pipelines, you  
12 will not let them run through our neighborhoods.

13 If these union guys want jobs, I have solution  
14 for them. Transport manually, you will have a job  
15 forever. We don't care.

16 Small mom-and-pop businesses have invested  
17 billions of dollars in these neighborhoods, that's  
18 at risk. In case you approve this, there will be  
19 tons of law suits from noise and warnment, (sic)  
20 closing of streets, et cetera, et cetera. And you  
21 better be prepared for that.

22 If you want to run gas pipeline, run it through  
23 Wall Street, not main street.

24 (Applause.)

25 Let me say it clear, run it through Wall

1 Street, not Main Street. It will solve the problem  
2 for us.

3 MS. HARRIS: Time.

4 MR. WAHID: We get a lot of gas from the  
5 local politicians. I'm a resident here, I can't  
6 have any more gas. No gas pipeline. Thank you for  
7 your time.

8 MS. HARRIS: Thank you.

9 (Applause.)

10 10

11 MR. BROWN: Kelly Wilson. Tony Nelessen.

12 MR. NELESSEN: Never come late for a  
13 Jersey City meeting, you'll wind up being 81st.  
14 Anyway, my name is Tony Nelessen, I'm a professor at  
15 Rutgers University. I was asked, originally by  
16 Dennis Column, to actually look at this report, and  
17 I've been really interested in this, listening to  
18 this dialogue in democracy, which I call it.

19 But I will just condense my statements here and  
20 just read a couple of things for you guys. I have  
21 been involved with the city, and am probably one of  
22 the city's greatest fans. As a private  
23 practitioner, I worked on 10 major redevelopment  
24 plans in the city recently, including the General  
25 Square Redevelopment Plan and several plans in the

1 Balentine area.

2 I couldn't be more supportive of this city.  
3 But my typical concern was the economic prosperity  
4 and quality of life in New Jersey. In particular,  
5 this high growth area, which Jersey City is. And  
6 the state depends, in part, on continuous access to  
7 reliable, competitive priced energy.

8 Today's constraints on the existence, supply  
9 and distribution networks translated to  
10 substantially higher natural gas costs for New  
11 Jersey and New York. As an example, four dollars in  
12 Pennsylvania, as opposed to eighteen dollars in New  
13 Jersey for the same quantity of natural gas.

14 There is a growing recognition that, without  
15 new supply, New Jersey faces severe energy  
16 shortages. With energy shortages comes economic  
17 shortcomings. The New Jersey and New York  
18 communities west of the Hudson River are projected  
19 to grow by 1.1 million more people by 2030 and  
20 millions more square feet of job generating  
21 commercial/industrial growth.

22 This growth will generate significant demand  
23 for heating, electrical generation. A majority can  
24 be supplied substantially by natural gas, combined  
25 with a heavy use of renewable resources. This will

1       assume, by the two together, that we'll have enough  
2       resources to deal with this future growth.

3               New Jersey, like Brooklyn and Hoboken are part  
4       of a larger economic region. This is one of the  
5       world's most significant economic engines.  
6       Producers of media, arts, culture and tourism. It's  
7       a metropolitan region of a world scale, and Jersey  
8       City is part of this world city, and considers  
9       itself the sixth borough of New York City, as well  
10      as Wall Street West.

11              The city is an integral piece of this regional  
12      city and more now than ever, holds the key to the  
13      future of this particular area. In troubled times  
14      like we have, we must do everything possible to  
15      encourage growth, economic development, personal  
16      financial capability in times of increased demand  
17      for everything, most importantly, future  
18      sustainability and the borderless world city.

19              We must reduce costs, pollution, create a  
20      healthy, safe community, that will need reliable and  
21      continuous supports of energy and electricity.

22              In summary, New Jersey as well as Jersey City  
23      and a world city, for which it is a part, must grow  
24      and must meet this growing energy demand. To build  
25      this world city with beautiful streets, parks,

1 housing and mixed use schools and a supportive  
2 population, this pipeline can significantly improve  
3 the chances of that happening.

4 The world in the next years will not be the  
5 same as the world we have today. We must be ready  
6 for that future, and that future is going to include  
7 a supply of inexpensive energy.

8 MR. BROWN: Thank you.

9 MS. HARRIS: Thank you.

10 (Applause.)

11 MR. BROWN: Henry Faulkner, Jordan DeLiso,  
12 Fred Sullivan.

13 MR. SULLIVAN: Jersey City and New York  
14 City have been here since 1660, 1700. The greatest  
15 asset of a region is its people. The greatest asset  
16 or economic asset of this region is high density  
17 populations.

18 Increasingly, our economy is dependent on  
19 information economy and creativity. Creative and  
20 information economy people are highly informed. You  
21 don't want to live or be endangered by a pipeline,  
22 physical explosions, out gassing, and they can  
23 easily and quickly find this. They don't want their  
24 kids to study no more than 100 feet from here. We  
25 have many schools that have gone from poor

1 performing to almost performing, and they will not  
2 improve if a pipeline sits there, and parents won't  
3 send their kids here. This city will not grow.

4 So, the biggest wealth being, basically, the  
5 high, or the wealth creator here is high density  
6 population. New York City has population densities  
7 of close to 10,000 people per square acre. Downtown  
8 New Jersey is starting to grow into a highly,  
9 densely populated area. The area, especially along  
10 Hoboken and the waterfront, are most valuable in  
11 creating these areas of high creativity and output.

12 A professor, Joffrey B. West, "Why cities keep  
13 growing and corporations always die and life gets  
14 faster" introduces basic physics or looks at cities  
15 in the context of physics. So the human body, which  
16 is much bigger than a mouse, is many, many, many  
17 times more efficient than a smaller organism.

18 A bigger, denser city has a 15 percent output  
19 economically and creativity above a smaller city.  
20 As population densities increase, energy uses  
21 decrease, and this energy coming in here in this  
22 suboptimal way, which could be moved to possibly  
23 below the water-

24 MS. HARRIS: Time.

25 MR. SULLIVAN: Some other form of energy,

1       could disrupt this high density use of this city and  
2       the creative output due to this. So, these are  
3       smart actors, the biggest resource are the people.  
4       They can easily move away from a poorly constructed  
5       infrastructure.

6               If you look at the probability of this  
7       corporation or any group of companies that will  
8       exist through the term of this, there is a high  
9       probability that many of them will go bankrupt.  
10      These agencies and regulators will wax and wane in  
11      it's possibility, but these cities will persist.

12             MR. BROWN: Go ahead and wrap up.

13             MR. SULLIVAN: So, you know, innovation.  
14      There's back offices to Wall Street. There's  
15      creativity here, it just keeps on increasing. But  
16      it will not increase if dangerous choices are made  
17      like this. I can guarantee you, it's more likely  
18      that a pipeline 130 feet from here, there is more  
19      likely to be an accident than out in the middle of  
20      the Hudson River. It's obvious. It doesn't even  
21      take an engineering study.

22             MS. HARRIS: Thank you.

23             MR. BROWN: Thank you.

24      (Applause.)

25             MR. BROWN: Okay, we have about 10 names,

1 and we have 10 minutes. Ed Ciolko, Michael Solomon,  
2 Bruce Alston, Lorenzo Richardson.

3 MR. RICHARDSON: Lorenzo Richardson,  
4 lifelong resident of Jersey City. You heard a lot  
5 of comments, but I just want to paint a picture for  
6 you to take back with you. This is my high school,  
7 I went here to high school. Right over there,  
8 Pierce Number 9 is my grammar school. Beyond that  
9 is the waterfront that used to be barren land,  
10 nothing but railroad debris and contaminated  
11 containers, before it got built up.

12 This pipeline, in its proposed route, would  
13 impact Christ Hospital, and this is potentially, but  
14 not limited to, also General Square Transportation  
15 Center, Holland Tunnel, the PATH, Newark Avenue and  
16 Montgomery Street, which are main arteries. You  
17 shut this down, you shut this city down. You shut  
18 most of this region down because everything comes  
19 through there, particularly through the Holland  
20 Tunnel, everything off of Route 3, 1-9, et cetera,  
21 et cetera and the turnpike.

22 So, since this is really about money, I don't  
23 know why we're not running this through Wall Street.  
24 Maybe they won't have a problem having it. Because  
25 everybody who came up here tonight, other than the

1       paid lobbyists, basically don't want it.

2               So, I spent my whole day, about month ago in  
3       July, at the Office of Public Engagement at the  
4       White House. A nice visit, spoke to the people in  
5       charge of, amongst other things, environment. And  
6       I'm hoping that Mr. Kaplowitz, who spoke earlier  
7       over here, I'm just hoping that his premonitions are  
8       not going to come true. Because when they invited  
9       me to the White House to give the issues that are  
10      coming out of this community, where the needs are, I  
11      hope that they are actually being heard, and that we  
12      are not being neglected and just being used as just  
13      some place to just be a dumping ground.

14             Because we know this has been done before,  
15      we've seen this script before, but we're hoping that  
16      you are not those type of people, and that this is a  
17      different type of administration that's in place.

18             Finally, I want you to think about this route,  
19      which spans from this side of you, up where  
20      Dickinson High School is, all the way around, going  
21      towards Bayonne. I want you to imagine if that  
22      pipeline went, that there would be a wall of fire  
23      cutting this off from the rest of the city.

24             Now, the shock impact from that would probably  
25      knock all the buildings down towards the Hudson

1 River. Nobody would be able to get in to save  
2 anybody. Everything would crumble into the water.  
3 I just want you to just take that picture back with  
4 you, to these people that are going to be making the  
5 final decision.

6 Because if what happened in Edison,  
7 Philadelphia and San Bruno - - and remember none of  
8 those areas are as densely populated as this area.  
9 And again, we still have a very old and crumbling  
10 infrastructure below this surface. I want you to be  
11 mindful what would be the possible picture that  
12 would take place if we have an explosion here, based  
13 on that pipeline. Thank you and have a good  
14 evening.

15 MS. HARRIS: Thank you.

16 (Applause.)

17 MR. BROWN: Now, the next names are  
18 Yolanda Navaro, Howard Gotbetter and Stephanie  
19 Daniels. So, Yolanda Navaro? Stephanie Daniels?  
20 Esther Wintner?

21 MS. WINTNER: This is the second time I've  
22 been here to speak to the Federal Energy Regulation  
23 Committee, and I'm here tonight because I want to  
24 say that as a resident of Jersey City, I have lost  
25 faith in this government, our federal government.

1       Because the fact that we're still having this  
2       discussion, in spite of everything that has been  
3       presented, why this is still continuing is against  
4       the will of the people is beyond something that I  
5       can understand.

6       (Applause.)

7               I can't, in any way, repeat what has been said  
8       before me so eloquently by the people that know far  
9       more in detail about the negative effects of having  
10      a pipeline run through a major city, a high pressure  
11      pipeline. But for the average person, such as  
12      myself, I can't help but scratch my head and think,  
13      what rocket scientist came up with this idea?

14             I also feel that, as someone who takes the  
15      threat of terrorist attacks very seriously, as  
16      someone who lived through that, whose spouse lived  
17      through that, we are the lucky ones. In the  
18      aftermath, it was people like myself that continue  
19      to go to work downtown, and every day we smelled the  
20      scent of death in the air. And I don't know if you  
21      know what that smells like, but you never forget  
22      that. And to think that is a possibility, that  
23      could happen in our own city where we lay our heads  
24      to sleep, is of deep concern.

25             I also think that it is duplicitous of some of

1 the people to pit residents against people looking  
2 for work. We know that this is a deep economic  
3 recession, but to have this discussion without  
4 thinking that there are other options just doesn't  
5 make sense, because my understanding is that the  
6 company can run the pipeline in the river bed. That  
7 there are alternatives that can be done, and these  
8 people would have jobs, and the residents would feel  
9 safe, would seem like the most rational way to go.

10 I urge this commission to remember that your  
11 responsibility is, primary responsibility in part,  
12 is to our safety, and I urge you to please take that  
13 into consideration and make that first and foremost  
14 in your consideration. Because from my humble  
15 perspective, when I look at Spectra and I look at  
16 the Feds, I look at you as overlords that are  
17 forcing this down upon the people, and I don't think  
18 that's right. I think that people need to work.  
19 Let them work, building their pipeline elsewhere.  
20 This is a city that will take all the risk and none  
21 of the reward. The paltry 2 million dollars that  
22 this firm is looking to pay the city will in no way  
23 pay for the effects of lost revenue due to decreased  
24 property values and tax revenues and, God forbid, an  
25 emergency that might happen and the services that

1 would go along with that.

2 MR. BROWN: Time.

3 MS. WINTNER: So, I ask that you vote no  
4 to running this pipeline through our city. Thank  
5 you.

6 MR. BROWN: Amanda Nesheiwat.

7 MS. NESHEIWAT: Hello, I'll be quick.  
8 Good evening, very late evening. My name is Amanda  
9 Nesheiwat. I serve as the chair of the  
10 Environmental Commission in the town of Secaucus.  
11 I'm here representing my community. I'm also the  
12 state leader for the Energy Action Coalition. So,  
13 I'm here representing all the students across the  
14 state who are working very hard to create a clean  
15 energy economy.

16 So first, I'd like to say allowing the  
17 construction of this pipeline is creating an artery  
18 for the natural gas that is being extracted my  
19 method of hydraulic fracturing in New York State and  
20 in Pennsylvania. New Jersey is working really  
21 hard, along with Delaware and New York and  
22 Pennsylvania to have a ban on fracking. So, let's  
23 help them out. And I'd also like to say that our  
24 country is really ready for renewable energy. And  
25 what's happening in Wall Street is happening all

1 around the world. I'm stating the obvious right  
2 here. So, please make the right decision. Thank  
3 you.

4 (Applause.)

5 MR. BROWN: Cathleen Connolly.

6 MS. CONNOLLY: It's a long day. Well, we  
7 know about the nuclear plant in Japan. They thought  
8 nothing was going to happen, right?

9 MS. HARRIS: Please speak up.

10 MS. CONNOLLY: We know about the nuclear  
11 plant in Japan, and that nothing was going to happen  
12 to that. We knew about that. We also knew that, at  
13 one time in this country, we thought that iridium  
14 was going to cure cancer. So, we also created and  
15 put it in all our watches. This was something that  
16 we did. We do these things at times.

17 I know, because my grandfather had an iridium  
18 factory and Madame Curie came to buy it. She was a  
19 physicist that studied it, and thought, this is  
20 going to cure cancer. Well, she died of cancer  
21 from handling it.

22 The point is, this fracking is just not  
23 beneficial, and it doesn't take someone that is a  
24 scientist. Surely, you know, common sense, this is  
25 not safe. It hasn't been proven to be safe. We see

1       it contaminates water. We've heard from everyone  
2       here, how it's just going to impact our city. We  
3       are not going to benefit from this. What does it  
4       take? What do you considering? What would make a  
5       difference for you to say no? What would that take?

6               Is it your lives? Is it your salary? Do you  
7       have a commitment? Are you supposed to show up and  
8       say no? Really, I mean, when you go to bed at  
9       night, and you know that there's so many factors  
10      that are wrong, surely you can have an alternative,  
11      and it's just not this one.

12             MS. HARRIS: Time, thank you.

13             (Applause.)

14             MR. BROWN: Anthony Burke.

15             MR. CIOLKO: Actually, I'm 92, Ed Ciolko,  
16      I stepped out. Would that be all right? I'll be  
17      brief. I'm 92, okay?

18             (Brief discussion off the record.)

19             MR. CIOLKO: I'm Ed Ciolko, and I'm  
20      running for City Council here in Jersey City.

21             I intend to lend my support to those opposed to  
22      this abominable intrusion to our sovereignty by this  
23      federal agency intent on allowing Spectra to run  
24      their gas line through occupied neighborhoods within  
25      Jersey City, potentially endangering our citizens so

1 Spectra can save money by excavating this bed nearer  
2 the surface instead of running deep under the  
3 Hudson River, up to 100 feet of water, at  
4 dramatically more money per foot. This  
5 high-pressure line will generate billions of dollars  
6 in revenue over its lifetime.

7 Spend the money up front. Run it exclusively  
8 through and under the Hudson River, across New York  
9 Harbor and away from our tunnels. Relocate this  
10 pipeline and spare Jersey City residents a potential  
11 disaster.

12 (Applause.)

13 MR. BROWN: Anthony Garrett. Dawn Zimmer,  
14 she spoke.

15 MS. HARRIS: Okay, now we have finished  
16 the list. If anyone would like to speak, now is the  
17 time. Please state your name and spell it.

18 MS. LOPEZ: Well, good evening everybody,  
19 and I thank you for being here. My name is Juanita  
20 Lopez, and I'm running for council person at large.  
21 And that is not the reason that I am here, that I am  
22 candidate. It's that I'm a resident of Jersey City.

23 And I oppose to this pipeline. Why? Because  
24 it could be danger. I wrote a couple of lines here.  
25 I wanted to address the people that needed jobs

1 because I can understand that it's very important to  
2 have a job, and I can understand that they want this  
3 to be implemented.

4 But they need to know the danger of this  
5 happening in our community. They needed to take  
6 that into account. And when you need to put food on  
7 your table, you get blind. So, let's pardon them.  
8 But we definitely need to take this into account,  
9 the safety of our city. Remember the Titanic? I  
10 think it was 1906 or 1912? They said it was safe,  
11 but it wasn't safe. You see, so we definitely, we  
12 need to take this in account. Thank you.

13 MS. HARRIS: Thank you.

14 MS. SONG: Good evening, thank you for  
15 hearing us tonight. My name is Sandra Sung  
16 (phonetic), I'm a resident of Jersey City as well as  
17 an employee of Jersey City. And I have been working  
18 as a project manager reviewing the draft EIS. We  
19 will be filing extensive comments over the next two  
20 weeks, prior to October 31st.

21 Some of our concerns here, that weren't  
22 addressed by anyone else, is the fact that we feel  
23 that over the last round of commenting period, for  
24 the public, really has not been adequate, and we - -  
25 every single time that Spectra has submitted new

1 documents, there is never ample time for us to  
2 properly review and be able to comment on these  
3 documents. We've been running into this for the  
4 past six months, and we are like the DOT, we're just  
5 like the government at the federal level. We know  
6 resources are tight, which is another reason why we  
7 think that this should be reviewed further, for  
8 safety implications. There are so many missing  
9 links. There's so many holes. Right now, PHMSA put  
10 out an advanced notice for proposed rule making for  
11 the DOT regulations that would be regulating this  
12 pipe. The fact that Spectra keeps saying that it's  
13 the safest pipe, and they are just trying to meet a  
14 deadline. And it's very disheartening, and it's  
15 disappointing that the draft EIS has the conclusions  
16 that it does because it does not address the  
17 comments of the public. And we will be filing over  
18 the next two weeks. Thank you.

19 MS. HARRIS: Thank you

20 (Applause.)

21 MS. MCGINNIS: My name is CJ McGinnis, I  
22 am a resident of Jersey City. I am just  
23 reiterating what everyone has said this evening,  
24 the numerous and extraordinary number of experiences  
25 and comments that have been mentioned, the enormous

1 amount of research that has been put forth this  
2 evening. And I would just like to back that, and  
3 say that I am yet another voice in Jersey City, of a  
4 Jersey City resident, who doesn't want this pipeline  
5 here. Thank you.

6 MS. HARRIS: Thank you.

7 (Applause.)

8 MS. GREENE: I'd like to just address  
9 three things. With your final EIS, it would be nice  
10 if we mattered.

11 MS. HARRIS: State your name, again.

12 MS. GREENE: My name is Kirsten Greene,  
13 I'm a resident of Jersey City. They don't mention  
14 how many people commented for or against the  
15 pipeline in your EIS, and it doesn't comment on how  
16 many people filed to intervene. So, I would like to  
17 see those facts in your next version. No amount of  
18 jobs or money could make me want this pipeline.  
19 Somebody could hand me a check for a million  
20 dollars, and I wouldn't take it. And you have three  
21 options for this pipeline, and I'm hoping you just  
22 say, we're not going to do it. I don't want to  
23 spend the next 10 years of my life fighting you, but  
24 if I have to, I will.

25 MS. HARRIS: Thank you.

1 (Applause.)

2 MR. CLARK: Hi, David Clark, Jersey City  
3 resident. I don't want to repeat everything that  
4 everybody has already said. I just want to address  
5 what you now have to do, which if what Dale says is  
6 true, it's very difficult. You have to swim  
7 upstream, you have to go against the grain, you have  
8 to, for the first time ever, say no.

9 Is that true? I don't know, but that would be  
10 very, very difficult for you I'm sure. But I think  
11 there is an overwhelming voice here tonight. I think  
12 people were very clear. There were a few people  
13 that were for the pipeline, but it was all based on  
14 a few jobs. We had other arguments about much more  
15 jobs for development. I mean, development is where  
16 the jobs really come in.

17 But the fact of the matter is now you have to  
18 go and actually be a federal commission, which I  
19 understand is a very challenging thing to do,  
20 especially if you've always said yes, if that's  
21 actually true. But I can't imagine that you've  
22 never had this kind of overwhelming stance against  
23 something like this. It's been extremely  
24 overwhelming from the start to the finish. We've  
25 been doing this for two years. We've been in

1 complete opposition to this. The entire Jersey City  
2 leadership is against it. They've never agreed on  
3 anything before.

4 (Laughter, applause.)

5 I mean, the city council, the mayor, all of  
6 them, they disagree on everything. And they'll say  
7 it too. This is the one thing that they are  
8 unanimous about. So, I hope you can respect that  
9 and do the right thing. Thank you.

10 (Applause.)

11 MS. HARRIS: I will quickly mention the  
12 FERC website. On our website, there is a link  
13 called E-Library. When you type the docket number,  
14 CB11-56, you can use E-Library to gain access to  
15 everything on the record concerning this project,  
16 including the draft EIS as well as all the filings  
17 and information submitted by Texas Eastern and  
18 Algonquin. A link called E-Subscription is also  
19 available for you to sign up, using an e-mail  
20 address to receive e-mails each time a document is  
21 filed in the CP11-56 docket.

22 On behalf of the Federal Energy Regulatory  
23 Commission, I want to thank you for coming tonight.  
24 This meeting is adjourned. Thanks.

25 (WHEREUPON, The proceedings were concluded at 7:53

1 p.m.)  
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