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BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

X Docket Number

IN THE MATTER OF: : CP13-499-000
CONSTITUTION PIPELINE AND : CP13-502-000
WRIGHT INTERJECTION PROJECT

Oneonta High School
130 East Street
Oneonta, NY 13820

Tuesday, April 1, 2014

The public scoping meeting, pursuant to notice,
convened at 7:10p.m., Kevin Bowman chair of the scoping
meeting.

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

2 MR. BOWMAN: If I could have everyone's
3 attention for a quick second, we will be starting. So
4 if you could find your way to your seats, I would
5 greatly appreciate it. Good evening, everyone. On
6 behalf of the Federal Energy Regulatory Commission,
7 I want to welcome all of you tonight to the second
8 public comment meeting on the draft of environmental
9 impact statement or DEIS. On the Constitution Pipeline
10 and Wright interconnect projects. We have a very long
11 meeting ahead of us tonight. I ask that you hold any
12 sort of interjections or the meeting will last probably
13 until 2 or 3 o'clock tonight, and I want to make sure that
14 I get everyone's comments tonight. So, please, I ask
15 be respectful. Thank you.

16 So let the record shows that the DEIS
17 comment unit began at 7:10 on April 1, in Oneonta,
18 New York. My name is Kevin Bowman, and I am an
19 Environmental Project Manager with the Office of Energy
20 Projects, which is a division of the FERC.

21 To my right is Doug Mooneyhan. To his
22 right is Kelly Munoz, and to her right is Amy Gitchell
23 with the U.S. Army Corp of Engineers. Also, at the
24 tables on your way in representing FERC tonight was
25 Lavinia DiSanto, Jen Ward, Kim Seachrist and David

1 Swearingen.

2 The U.S. Army Corp of Engineers, the
3 Environmental Protection Agency, The Federal Highway
4 Administration and the New York State Department of
5 Agriculture and Marketing are participating as
6 cooperating agencies in the preparation of this EIS.
7 I would like to thank the cooperating agencies for
8 their continued assistance in the neighbor review of
9 these projects.

10 I'm going to briefly turn things over to
11 Amy Gitchell with the Corp of Engineers who will go
12 over a brief overview of how their environmental review
13 process relates to these projects. Amy?

14 MS. AMY GITCHELL: Good evening. Thank you,
15 Kevin. My name is Amy Gitchell. I'm the Chief of the
16 Upstate New York section of the regulatory branch for
17 the New York District, U.S. Army Corp of Engineers.
18 I will be participating in tonight's meeting on behalf
19 of the Corp of Engineers.

20 The Corp of Engineers is here today to
21 Obtain information and evidence to learn of the public's
22 concerns and to assist in the regulatory review of the
23 permit application submitted by Constitution Pipeline
24 Company for the construction of the pipeline that will
25 be described by Mr. Bowman. If constructed, the

1 pipeline would require crossings of wetlands and streams
2 that are considered waters of the United States and
3 regulated under Section 404 of the Clean Water Act in
4 both Pennsylvania and New York. The Federal Regulatory
5 of Energy Commission, as the lead Federal Agency, will
6 make a decision whether to issue a certificate of public
7 convenience and necessity to allow construction of this
8 project.

9 The Corp of Engineers is neither an proponent
10 or nor an opponent of the proposed work. Our role is to
11 determine whether the proposed activity, in this case the
12 construction of a 124 mile pipeline that would require
13 numerous crossings of water through the United States is
14 in the overall public interest. This hearing will play
15 an important part in that determination.

16 Please understand that we do not expect to
17 answer questions from the audience in this hearing related
18 to the proposal as we are here to obtain information and
19 your comments. Questions on the regulatory process in
20 general can be directed to my staff and my office on
21 another day.

22 The New York District has issued a public
23 notice for this project with the comment period closing
24 on April 7. The entire public notice, including all of
25 the attachments is currently posted on the New York

1 District Website. The Website address is
2 www.nan.usace.army.mel. We do have some copies of the
3 public notice without the attachments on the registration
4 table. I'll ask that you reserve taking those if you --
5 for those that don't have access to the internet. If
6 you are not currently on the public notice email
7 distribution list and would like to receive an email
8 announcement for future public notices from my office,
9 please provide your email address to one of the staff
10 members at the registration table today.

11 I look forward to hearing your comments
12 this evening.

13 MR. BOWMAN: Thank you, Amy. You'll note
14 that we have arranged for a court reporter to transcribe
15 these meetings so that we will have an accurate record of
16 the meeting. If you would like to have a copy of that
17 transcript, you may make arrangements to do so with the
18 court reporter following this meeting.

19 In June 2013, Constitution Pipeline Company,
20 Iroquois Gas Transmission filed applications under Section
21 7 of the Natural Gas Act. These projects would consist
22 of the installation of approximately 124 miles of 30 inch
23 natural gas -- 30 inch diameter natural gas pipeline
24 between Susquehanna County, Pennsylvania and Schoharie,
25 New York.

1 The primary purpose of this meeting is to
2 give you all an opportunity to provide specific
3 environmental comments on the draft EIS prepared by a
4 FERC staff on these projects. It will help us the most
5 if your comments are as specific as possible regarding the
6 proposed projects and the draft EIS.

7 I'd like to get clarified that this is a
8 project being proposed by Constitution and Iroquois. It
9 is not a project being proposed by FERC. Rather, the FERC
10 is the lead Federal Agency responsible for evaluating
11 applications to construct and operate interstate natural
12 gas pipeline facilities and for evaluating review. The
13 FERC, therefore, is not an advocate for the project.
14 Instead, as mentioned throughout this process, the FERC
15 is an advocate for the environmental review process.

16 During a review of these projects, we
17 assembled information from a variety of sources, including
18 Constitution Iroquois, you the public, other State, Local
19 and Federal Agencies and our own independent analysis of
20 of field work. We analyzed this information, prepared a
21 draft EIS
22 that was distributed to the public for comment. News
23 and availability for the draft EIS was issued for this
24 project on February 12, 2014.

25 WE are nearing the end of the 45 day

1 comment period on the draft EIS. This comment period
2 formally ends this Monday, April 7, 2014. All comments
3 received, written or spoken, will be addressed in the
4 final EIS. I encourage you if you plan to submit
5 comments and have not, please do so here today either
6 verbally during the comment portion of our meeting or
7 in writing using one of the forms on the side tables
8 outside the room. You may also submit comments using
9 the procedures outlined in the "notice of availability"
10 of DEIS which includes instructions on how to submit
11 them electronically. Your comments will be considered
12 with equal rate regardless of whether they are provided
13 verbally during the comment portion of this meeting
14 tonight or submitted in writing.

15 If you receive a copy of this EIS, either
16 in paper or CD, you will automatically receive a copy of
17 the final EIS. If you did not get a copy of the draft
18 and would like to get a copy of the final, please sign
19 the attendance list outside the tables and provide your
20 name and address, and we'll make sure you get a copy of
21 the final EIS.

22 I would like to state that neither the
23 draft nor the final EIS are decision making documents.
24 In other words, once the draft or the final are issued,
25 they do not determine whether or not the projects will

1 be approved or denied. I also want to differentiate
2 between the roles of two distinct staff members at the
3 Commission. They are the Commission and the Environmental
4 Staff. Myself and the other FERC members here tonight
5 are part of the FERC Environmental Review Staff. We
6 will oversee the preparation of the EIS's for this
7 project. WE do not determine whether to approve or
8 deny these projects. Instead, the FERC Commissioners do
9 that. They consist of five Presidentially appointed
10 individuals who are responsible for making a determination
11 of whether to issue a certificate of public convenience
12 and necessity certificate to Constitution and Iroquois.
13 As I mentioned earlier, the EIS is not a decision making
14 document. But it does assist the Commission in
15 determining whether or not to approve the projects.
16 The Commission will consider environmental information
17 from EIS, public comments, as well as a host of other non-
18 environmental information such as engineering, markets
19 and rates in their ultimate decision on whether or not to
20 approve or deny projects. There is no review on FERC's
21 decision by the President or Congress, thus maintaining
22 FERC's role as an independent regulatory agency. Only
23 after taking into consideration the environmental and
24 non-environmental factors and consideration will the
25 Commission make its final determination. If the Commission

1 votes to approve the project or a certificate were to be
2 issued, Constitution and Iroquois would be required to
3 meet certain conditions outlined in that certificate.

4 In addition, FERC environmental staff would monitor the
5 project through construction and restoration and perform
6 daily onsite inspections to document environmental
7 compliance in accordance with applicable laws and
8 regulations,

9 Constitution and Iroquois' proposed plans and mitigation
10 and any additional conditions from that FERC certificate.

11 Okay, that's my brief overview of the FERC
12 process. Now let me go onto the important parts of today's
13 meeting and that is taking comments from you all. If you
14 don't want to speak tonight or you don't have the time or
15 you don't get to say everything you wanted tonight, you can
16 use one of the written comment forms outside by the tables.
17 And you can either give that to us tonight, or you can
18 mail that in to the Commission. There are instructions
19 outside on the table and its availability for the DIS.
20 Of course, either way, your comments will be considered
21 with equal weight.

22 As I mentioned before, this meeting is being
23 recorded by a court reporter so that all your comments will
24 be transcribed and placed into the public record. I ask
25 that for the benefit of the court reporter that each

1 speaker first identify themselves and, if appropriate,
2 provide the agency or the group that you are representing.
3 Also, please spell your name for the record so that we can
4 accurately document who you are.

5 Additionally, my number one rule for tonight
6 is that you please show respect for anyone who is speaking.
7 We have approximately 100 people signed up to speak
8 tonight. A lot of people. So we're going to have to limit
9 everyone to three minutes, so that as people signed up at
10 the end don't have to wait too long.

11 So with that, I do want to mention that if you
12 spoke last night, we will be calling tonight people who
13 signed up if it's their first time to speak at a FERC DEIS
14 comment meeting. We will be continuing that trend
15 tomorrow, Wednesday and Thursday if you come to those
16 meetings as well. So with that, we'll lead into our
17 comments tonight.

18 So our first speaker tonight?

19 MR. MOONEYHAN: Anne Marie Garti? If
20 we could go ahead and get Robert Lidsky and Dick Downey
21 to come forward after Ms. Garti speaks?

22 MS. ANNE MARIE GARTI: My name is Anne
23 Marie Garti. The last name is G-A-R-T-I. I represent
24 Stop The Pipeline with the PACE Environmental Litigation
25 Clinic. So I was at the hearings last night, and today

1 I was thinking about why you're getting so much negative
2 feedback from people in the community. And so I think
3 there are three broad categories of negative comments.
4 There may be more but a lot of people think that the
5 DEIS is riddled with industry bias. And another big
6 point is that the DEIS is written as if it's a generic
7 EIS, not a site specific EIS. And it's your legal
8 obligation to write a site specific EIS even though this
9 pipeline is 124 miles long. And that's your
10 responsibility, not ours. We don't have to supply you
11 with the information. You have to get the information,
12 and then we just have to respond to it. So you're on
13 notice that it's not site specific enough. And the third
14 thing is that there's a lot -- there's a huge amount of
15 missing material, and that needs to be supplemented or
16 revised before we can fully comment. So I'm not going
17 to -- I'm going to do something a little different tonight,
18 which is that I'm going to tell you a little story,
19 kind of, in terms of local history to help you to
20 understand this area that we're in now. And what
21 that story is, is that where we are now, some hundreds
22 of millions of years ago was under a shallow sea. And
23 then there's this huge uplift. There was a tectonic
24 lift, and it formed what we call the Catskill Mountains.
25 Those Catskill Mountains are really not mountains at all

1 but it's an uplifted plateau. So just where the pipeline
2 is cited is on the North West edge of this uplift. And
3 that's why there's a steep drop down to the Susquehanna
4 Valley. And because it was a plateau, the ridge tops
5 are flat. And because there's a lot of water in this
6 area because of the rainfalls from the Great Lakes, it's
7 very wet up there. So along this area are two head
8 waters of two major rivers; one being the Susquehanna
9 and the other is a Delaware, and they're not very far
10 apart. You know, actually in certain spots you can have
11 foot in one and one foot in the other. The proposed
12 project itself is in the Susquehanna head waters. Now
13 the native Americans, when they came thorough, they're
14 the first known humans to interact with this territory,
15 and they would travel along the rivers

16 MR. MOONEYHAN: Please conclude your
17 comments.

18 MS. ANNE MARIE GARTI: Will somebody
19 seize their time to me?

20 MR. BOWMAN: We won't be doing any
21 conceding of time because it might be too difficult for
22 us to track.

23 MS. ANNE MARIE GARTI: Come on. I'm
24
25 representing the people.

1 MR. BOWMAN: Excuse me. Ms. Garti,
2 you can submit your comments as written comments at
3 the close of the meeting.

4 MS. ANNE MARIE GARTI: So how much time
5 do I have left?

6 MR. MOONEYHAN: Your time is up.

7 MS. ANNE MARIE GARTI: My time is up?

8 MR. BOWMAN: Yes, ma'am. I'm asking
9 that everyone else please remain quiet while anyone
10 else is speaking. I said I had one rule in this meeting,
11 that everyone respect whoever is speaking regardless if
12 it's the speaker or myself. Robert Lidsky?

13 MR. ROBERT LIDSKY: My name is Robert
14 Lidsky. I'm an intervener and a landowner along the
15 route. No one should get a job by stealing land.
16 Eminent domain is theft. Do not steal my land. I'd
17 like to talk about landowner compensation. Determining
18 landowner compensation for Constitution's taking the
19 right of way reveals fundamental flaws in FERC's
20 permitting process. Constitution uses these flaws
21 to its advantage when dealing with landowners who
22 have property that it wants to use for its pipeline
23 project. FERC's process is fundamentally flawed and
24 unjust and taints its relationship with Constitution.
25 Instead of FERC as regulator impartially setting

1 standards for protecting and compensating landowners,
2 it ignores landowner's concerns, cutting them loose
3 while giving Williams and its partners a simple,
4 convenient way to fast track the pipeline project
5 and get their easements at the lowest possible cost
6 in the shortest possible time. It is FERC's duty to
7 mitigate impacts on landowners. It's not what happens.
8 In reality, FERC issues a permit based on Constitution's
9 analysis of the impact on landowners while ignoring
10 the direct and residual adverse impacts on landowners
11 and communities. Despite numerous landowner and
12 community concerns, FERC treats that superficial analysis
13 as fact, and a simpleton mitigator is not relevant.
14 The DEIS appears to be a near total approval of
15 Constitution's statements and analysis. FERC approves
16 these mitigations in a generic way, not parcel by
17 parcel. No determination is made on what specific impacts
18 will actually do to my parcel of property until all the
19 other landowners were treated as individuals. Instead,
20 that burden of proof is placed entirely on landowners
21 and at their own expense. My compensation is not tied
22 to the approval of the DEIS. If FERC allows
23 Constitution to take my land, then Constitution should
24 be required to pay for the devaluation of my entire
25 property instead of paying only for the acreage of the

1 easement itself. To FERC my compensation made an
2 eminent domain court, long after the pipeline is permitted.

3 Is it relevant? But the Constitution's of huge
4 importance, quick permitting, lowest cost. I will have
5 to bear all the cost of proving that the EIS is
6 inadequate to the task of protecting me. The expense
7 of eminent domain legal representation and expert
8 witnesses without question exceeds the 7 cents on the
9 dollar offered me by Constitution putting me in this
10 precarious financial position is exactly what
11 Constitution intends. In issuing the DEIS, it is
12 FERC's job by statute to take all landowner's
13 concerns into account. That obligation is obviously
14 ignored. FERC, you have failed to do your job. You
15 have given Constitution power over landowners, and
16 you know it, and you condone it. Eminent domain is
17 Constitution's immoral tool of choice to steal, not only
18 from me, but from hundreds of other landowners.

19 MR. MOONEYHAN: Please conclude your
20 comments, sir.

21 MR. ROBERT LIDSKY: I'm about to. It's
22 no wonder that the term sacrifice zone has worked its
23 way into our vocabulary. Thank you.

24 MR. MOONEYHAN: Mike German and George
25 Busch, Dick Downey?

1 MR. RICHARD DOWNEY: My name is Richard
2 Downey, D-O-W-N-E-Y. I represent the Unatego area
3 landowners association. I will be presenting in writing
4 a critique of your evaluation system as found on pages
5 4-141 and 142. I'll be doing that later on in writing.
6 However, in summary, I want to say the following;
7 according to the last census, half the homes in the
8 United States are heated with gas. Electrical
9 generation is switching from coal to gas. In 2008
10 it was 21 percent, not it's 30 percent and rising.
11 Because of the switch, carbon dioxide has been
12 reduced in the United States to the lowest levels
13 in 20 years. All this with a growing population and
14 a growing GDP. European manufacturers are moving to
15 the United States. Cost of production and cost of
16 feedback -- feedstock are lower here than in Europe.
17 The old rustbelt has new energy. 24 liquid natural
18 gas terminals are in the planning stage or construction
19 phases. We need them built to offset Russia's chokehold
20 on Europe. 18 pipelines from Russia pass through the
21 Ukraine. Compressed natural gas can cut automotive
22 mileage costs by half. They emit 30 percent less Co2
23 then gasoline. To service CNG cars and CNG truck
24 fleets, CNG stations will be built. This is the
25 demand for natural gas. This demand depends upon

1 a delivery system. The Constitution pipeline is part
2 of that delivery system. Let's get it done. The sooner
3 the better. The better for our economy, for our homes,
4 businesses, factories and civic institutions. The
5 better for our local, state and national government and
6 the better for the world. Let's get the pipeline built.

7 MR. MOONEYHAN: Mike Germany, George Busch
8 and Mike Zagata?

9 MR. MICHAEL GERMAN: Good evening. I have to
10 lower the microphone a little to speak up and I have great
11 sympathy for you all sitting up here. I may not make
12 it to the last speaker tonight. I may leave a little
13 early. My name is Michael German, M-I-C-H-A-E-L
14 G-E-R-M-A-N, and I am here representing
15 Leatherstocking Gas. Leatherstocking is an
16 intervener in this case and has recently filed
17 written comments with the FEIRC relative to the
18 DIS in support of the Constitution pipeline.
19 Leatherstocking Gas is a new gas distribution
20 company with 15 gas utility franchises in the
21 State of Pennsylvania and 10 franchises granted by
22 municipalities in the State of New York.
23 Leatherstocking has begun piping and serving
24 customers in communities in Susquehanna County,
25 Pennsylvania. Leatherstocking is not currently

1 serving any customers or built any facilities in
2 the State of New York. There appears to be some
3 confusion as to the status and nature of
4 Leatherstocking's plans to serve customers and
5 communities in proximity to the Constitution pipeline.
6 While eight communities in New York in proximity to
7 Constitution have granted Leatherstocking municipal
8 gas franchises, Leatherstocking has not done any
9 engineering or applied to the New York Public Service
10 Commission to perfect those franchises. Second mis-
11 conception, Leatherstocking is not a gathering
12 company, a processing company or a compression
13 company. We will not get in the business of
14 gathering, processing or compressing gas. We
15 are a local utility intending to serve retail
16 customers in New York and Pennsylvania. Third,
17 if Leatherstocking does provide gas service to
18 the aforementioned eight communities, they gas
19 volumes involved would be inconsequential to the
20 Constitution pipeline. At maximum, we believe we
21 would serve a roughly 2,000 MCF a day on a cold
22 day which equals 0.5 percent of the estimated
23 throughput of Constitution. When Leatherstocking
24 does apply to the New York Public Service Commission
25 to perfect any of its eight franchises, which all but

1 one were unanimously granted by local communities
2 around here, it will be subject to a comprehensive
3 environmental review by New York Public Service
4 Commission regulations and New York Seeker.
5 Historically when the New York Public Service
6 Commission approves a gas franchise, it always includes
7 an extensive environmental mitigation measures in its
8 order. The bottom line is, natural gas service is
9 needed in currently unserved areas along the
10 Constitution pipeline and the route 88 corridor.
11 This is proven by the fact that these communities
12 have granted Leatherstocking franchises. The New
13 York Public Service--

14 MR. MOONEYHAN: Finish your comment, sir.

15 MR. MICHAEL GERMAN: The New York Public
16 Service Commission has a policy in place to encourage
17 the building of franchises and the State of New York
18 has provided incentive for construction. It will do
19 so -- we will build an environmentally -- one sentence?

20 MR. MOONEYHAN: Thank you for your time.

21 MR. MICHAEL GERMAN: Thank you.

22 MR. MOONEYHAN: Mikey Zagata, Kathy
23 Shimberg?

24 MR. GEORGE BUSCH: Good evening. My name
25 Is George Busch, B-U-S-C-H, the last name. I'm here to

1 talk about information within the draft environmental
2 impact statement raising issues or concerns by commentors,
3 and interveners as to the availability of property
4 insurance for homeowners and business owners on lands
5 where there is a natural gas pipeline easement being
6 considered. As a director of insurance services for a
7 local insurance agency, I reached out to a cross section
8 of regional and national carriers, both on the commercial
9 and residential homeowners fronts, and received positive
10 indications that there would be no issues with providing
11 insurance for homeowners and business owners where the
12 easement is granted. There is no plan in place to
13 substantially change any pricing or availability to
14 individuals in this area. Thank you.

15 MR. MOONEYHAN: Mikey Zagata, Kathy
16 Shimberg, IngeGrafe-Kieklak?

17 MR. MIKE ZAGATA: Hi. My name is Mike,
18 as opposed to Mickey. I'm not sure where that came
19 from. Zagata, Zebra, Adam, George, Adam, Tom, Adam.
20 It's a pleasure to be here, and it's ironic. I started
21 my career in this building as a biology teacher and
22 coach and went on to do some things in conservation,
23 heading Audubon's legislative office in Washington
24 serving as DEC Commissioner for Governor Pataki and
25 then President and CEO of the Ruffed Grouse Society.

1 Because staff's job is focused on environmental issues,
2 I'd like to talk a little bit about wildlife impacts
3 and whether or not the alleged impacts are likely to
4 be real. New York has about 10 million more acres of
5 forest today than they had in the 1940's. Our forest
6 had been cleared for agriculture, logging and for
7 hemlock to produce tannic acid for tanning. This was a
8 big tanning area. In the 1940's and early 1950's,
9 100,000 dairy farms, family farms went out of
10 business. And when they did, about 10 million acres
11 of land went foul. This area will revert over time
12 to forest, deciduous Northern hardwoods, and that
13 is what has happened since the 1940's. If you lived
14 here in the 1960's, you'll know that this area was
15 covered not only with forest but with brush. And
16 you can find that out if you'd like by going to the
17 NRCS and looking at old maps of this area. If you
18 were a deer hunter back then, you know that you used
19 Winchester model 94, a 30/30, and it was known as a
20 brush gun. A brush gun because that's what we had
21 here. Today we have pole timber. Succession has
22 moved forward. We no longer have the young stages.
23 And as a result, there are about 43 species of neo-
24 tropical songbirds that are at risk. We don't have
25 the meadow larks, the bobble links and the golden

1 wing warblers that we once had simply because we
2 no longer have young forests. The relationship
3 between what I'm saying in the pipeline is that the
4 pipeline, not intentionally but as part of creating
5 a pipeline will clear some forest and cause us to go
6 back to the early successional stage. That is a stage
7 that is severely missing in our ecosystem. And as a
8 result going back to that stage, we'll have early
9 successional habitats for those species that require
10 it. We'll also have openings close to mature forests.
11 You say, "Well, gee, that might not be good." The truth
12 is, according to research by Dr. Scott Stolsen with the
13 U.S. Forest Service and with Cornell's Archeological
14 Lab, many of the interior bird species, some of the
15 thrushes, the scarlet tanager--

16 MR. MOONEYHAN: Finish your comments, sir.

17 MR. MIKE ZAGATA: Those species need
18 openings in close proximity so that they can eat up
19 fruits and insects before the migrate and create
20 ecological ecotomes of edge. Thank you.

21 MR. MOONEYHAN: Kathy Shimberg, IngreGrafe-
22 Kieklak, Russell Honicker?

23 MS. KATHY SHIMBERG: Hard to see with this
24 light here. My name is Kathy Shimberg, S-H-I-M-B-E-R-G.
25 I'm representing myself, although I'm active with Stop

1 The Constitution Pipeline. I want to speak mainly about
2 the generic nature of mitigation. I have four pages here,
3 so I'm only going to excerpt things, but I will hand this
4 in. The draft EIS assess a potential -- no, I'm reading
5 from Kimberly Boces introductory cover letter when she
6 says the FERC staff concludes that approval of the
7 projects would have some adverse environmental
8 impacts. However, these would be reduced to less
9 than significant levels with implementation of
10 Constitution's and Iroquois' proposed mitigation
11 and additional measures recommended by the staff
12 in the draft EIS. I'm submitting this as an
13 intervener. My property is not directly on the
14 routes, but the pipeline will effect everybody in
15 this region, including me. Some of my friends live
16 along the routes. Some of my friends live in New
17 England where there are proposed connecting
18 pipelines, if this one gets built. We are aware of
19 the risks, dangers, sacrifices and irremediable
20 ruination in other areas which where this development
21 is taken and is currently taken place including in the
22 Northern Pennsylvania shale fields that would supply
23 the gas traveling through the proposed Constitution
24 pipeline under high pressure. The results of this
25 massive overdevelopment of fossil fuels also is

1 contributing to economic instability and inequality
2 in our country and the world today are appalling, and
3 are not beneficial to the public living here, not
4 necessarily for the company producers of the gas, nor
5 the recipients of their products in order to transport
6 the gas to ocean or other ports for export under the
7 guise of delivering gas purportedly to domestic
8 markets in New England and Downstate New York
9 in vines, or even if it does get delivered there.
10 Anyone who has been paying attention to the news
11 reports in the last few years or has done research
12 going back a couple of decades knows that the two
13 company's, Williams and Cabot, among several others,
14 have an egregious record of accidents, oversights and
15 falsifications of safety. Just within the last week
16 there was another explosion at one of the Williams'
17 facilities, and LNG storage facility in the state
18 of Washington that had recently been inspected and
19 declared safe. There's a lot more that I'm omitting
20 here, but I'll turn it in. No amount of money can,
21 quote, mitigate destruction of individual properties,
22 lives, and livelihoods by contamination--

23 MR. MOONEYHAY: Time.

24 MS. KATHY SHIMBERG: I will turn the rest in.

25 Thank you.

1 MR. MOONEYHAN: IngeGrafe-Kieklak, Russel
2 Honicker, Hazen Reed?

3 MS. INGEGRAFE-KIEKLAK: My name is Ingegrafe-
4 Kieklak, I-N-G-E-G-R-A-F-E K-I-E-K-L-A-K. I'm a member
5 of JLCNY and a landowner, and I'm for the development
6 of natural gas and the infrastructure that goes with
7 it. This pipeline is vital for the area, for the area.
8 We all need lower taxes and the possibility to
9 find work in this region. New York State is the 50th
10 state in business -- and according to Governor Cuomo,
11 Cuomo says New York is open for business. So let's
12 start this pipeline. We do not need for obstructions.
13 We need help for Upstate New York and this country. We
14 have to get our own energy and the infrastructure that
15 goes with it. New York City is converting more and
16 more heating units to natural gas. Where should it
17 come from and how? We have two options; by rail or
18 pipeline. Which is safer? I opt for the pipeline, and
19 I think reasonable people do the same. The reasonable
20 people have to raise their voices and stop the few
21 scare mongers which lots of money from the 1 percent
22 behind them and do what is good -- would you stop them
23 please?

24 MR. BOWMAN: Please don't interrupt.

25 MALE: Restart her time.

1 MS. INGEGRAFE-KIEKLAK: And do what's good
2 for this country, not for the 1 percent who try to keep
3 Upstate as a playground for the rich and famous. For
4 who the so-called environmentalists are useful idiots
5 to do their dirty work. Thank you.

6 MR. MOONEYHAN: Russell Honicker, Hazen
7 Reed, Andrew Storno?

8 MR. RUSSELL HONICKER: My name is Russell
9 Honicker, H-O-N-I-C-K-E-R. As you, yourself, said, the
10 five people who make a final decision are presidential
11 appointees and rates and markets, politics make the final
12 decision. Know this, in the last few days this city has
13 had their elected officials ban fracking. 75 percent of
14 the landowners in Delaware County along this route refuse
15 to cooperate with the pipeline companies. Village after
16 village near here has said no and has changed their land
17 use laws to ban fracking. Politically, people here will
18 fight this tooth and nail. If this were an environmental
19 decision, there would be no question. This would not be
20 considered. Just as nuclear plants would not be permitted
21 on earthquake sites or anywhere else for that matter. We
22 understand FERC is a sham. We understand that. But the
23 political appointees, perhaps, do not understand that
24 opposition here is educated, and we will fight. We have
25 changed the laws to stop it the best we can. And just

1 as I was a journalist in North Carolina where the
2 Federal Government was building -- had planned to build
3 a nuclear waste repository, people there said they
4 would stop it at all costs. It is the same here. The
5 people will stop it at all costs, and politically that
6 will not look good for the presidential appointees or
7 the President.

8 MR. MOONEYHAN: Hazen Reed, Andrew Storno,
9 Jerry Ackerley.

10 MR. HAZEN REED: My name is Hazen Reed. I
11 represent myself and StopThePipeline.org. The DEIS states
12 the environmental consequences of constructing and
13 operating the projects would vary in duration and
14 significance. You identify four levels of impact;
15 temporary, short term, long term and permanent. You
16 further define that temporary impacts generally occur
17 During construction with the resource returning to --
18 and get this important part here -- preconstruction
19 condition almost immediately afterward. Short term
20 impacts are defined by taking up to three years post
21 constructions. Impacts considered beyond that are long
22 term and permanent impacts could occur as a result of
23 any activity that modifies a resource to the extent that
24 it could not be returned to preconstruction status.
25 While job creation is suggested to be one of the big

1 selling points for this project and the associated
2 industrialization and build out around fracking --
3 because, remember, pipelines do equal fracking -- history
4 tells us that more jobs are lost than created long term
5 as a result of these types of boom bust projects.
6 Numerous studies dating back decades have shown that
7 employment, and specifically blue collar employment
8 opportunities, offered are short term contract jobs only.
9 And these are primarily non-local jobs. Just talk to
10 PA and see the Oklahoma and Texas license plates in
11 the area hotels. They're not coming for the weather,
12 folks. And there are the so-called local jobs multiplier
13 effect which could lead to modest job increases, non-
14 project related; but Constitution has suggested that for
15 every local job created, we might get one half of one
16 full time equivalent job here, in retail and possible
17 in other sectors. These nice spillover effects become
18 more pronounced during the bust periods when studies
19 have shown that temporary jobs finish up, non-project
20 jobs lose at a higher rate, three to one more history.
21 Meaning that for every job project worker leaving, three
22 non-project jobs are also terminated. So while
23 Constitution suggest that 300 local jobs might be created
24 and 200 possible non-project jobs might be created --
25 during the bust, not all of those jobs will be

1 significantly created -- you will think find it hard to
2 find work here with the unemployment rate below those
3 three to one rates. So, friends, do not be misled by
4 promises of riches in jobs. History will repeat here.
5 Like almost everywhere else, this type of build out
6 has occurred temporary jobs--

7 MR. MOONEYHAN: Finish your comments, sir.

8 MR. HAZEN REED: --will be given non-local
9 worker, while local workers clean up their mess and then
10 get fired at three times the rate of local projects
11 stealing hundreds of local residents property and
12 destroying their dreams for a boom bust cycle that
13 leaves 12 jobs, as you've identified them, as a greater
14 unemployment that we have now is a permanent impact that
15 would not return this to a preconstruction during the
16 lifetime of this project.

17 MR. BOWMAN: We're getting your comments
18 on the record by getting your comments transcribed by the
19 court reporter. If you continue to interrupt the person
20 speaking, your comments are not going to be accurately
21 transcribed. They don't get into the record, there's no
22 point in having this meeting because we cannot have them
23 places in there accurately. So I want to reiterate, if
24 we continue to have interruptions, we may have to conclude
25 the meeting early. We do have other methods of taking

1 your comments. There is our eSubscription service
2 online and can either be mailed in or that can be left
3 with us. This is going to be my first warning that we
4 can end the meeting early. So please do not continue
5 to interrupt the speaker who has the floor. Additionally,
6 Doug has got a good watch. He can take a three minutes.
7 Please do not call out that speaker's time has expired.
8 WE will call when that time is up.

9 MR. MOONEYHAN: Andrew Storno, Jerry
10 Ackerley, Eugene Mirner?

11 MR. ANDREW STORNO: Thank you. My name is
12 Andrew Storno, S-T-O-R-N-O. I'm an operating engineer.
13 I'm a business agent with Local 825. I support the draft
14 environmental impact statement as it fairly addresses
15 all the issues presented by 124 mile long refill pipeline
16 project. I have a hunting and fishing camp in Delaware
17 County for several years, and I'm confident that the
18 mitigation measures taken by the Constitutional pipeline
19 with both protect the environment and help our economy.
20 This project is much needed for low cost gas to benefit
21 all of us. Job economy, the creation of 1300 jobs.
22 Local 825 has hundreds of certified operators with
23 several that reside in Delaware County. Members that
24 work in quarries, concrete plants live in the area that
25 their families will benefit from this project as well.

1 The Constitutional pipeline will generate amount of tax
2 revenue for the counties, towns, school districts that
3 have been financially stressed. WE all need balance.
4 May our children may want to still live here. Why
5 should they travel for work? WE need goo paying jobs
6 now, low cost gas in the New York State market to benefit
7 our homeowners and commercial customers, for more good
8 paying jobs so all of us can pay our bills. There will 11
9 be a tremendous spinoff of impacts that benefit local
10 merchants, hotels, restaurants and suppliers. Again,
11 I thank you for the time standing up here, and I support
12 this project.

13 MR. MOONEYHAN: Jerry Ackerley, Eugene
14 Mirner, Linda Bevilacqua?

15 MR. JERRY ACKERLEY: My name is Jerry
16 Ackerley, A-C-K-E-R-L-E-Y. I support this project.
17 I'm an operate engineer of Local 825. I've worked on
18 several pipeline projects, and I know how they work.
19 And I rest assure that that they are within FERC
20 guidelines, and everything to protect the environment
21 that can be done is done. And it doesn't matter. There
22 is no exceptions, no excuses. If you get caught not
23 protecting the environment, you're making a mistake,
24 you're down the road. I grew up in Delaware County in
25 Roscoe, Trout Town USA, where they stock all the fish

1 because there's no natural fish there anymore. I
2 love Delaware County. I hunt Delaware County. I live
3 in Delaware County. I do nothing to jeopardize Delaware
4 County. But there's nothing here for us. I see a lot of
5 young people here, which is great. A lot of young people
6 want to work. I see a lot of old people here, which is
7 great too. You guys are already retired. You did your
8 work. You got your money. Don't stop us from doing
9 what we have to do, and don't stop the prospects of
10 what natural gas can mean to our community. Thank you
11 very much.

12 MR. MOONEYHAN: Eugene Mirner, Linda
13 Bevilacqua, Thomas Collier?

14 MR. EUGENE MIRNER: My name is Eugene
15 Mirner. I'm from Franklin, New York. I'm a landowner.
16 Mirner, M-I-R-N-E-R. According to Webster's New
17 International Dictionary, mitigate means to make or
18 become less severe, violent, fierce, cruel, intense
19 harsh, rigorous, painful. The words mitigate or
20 mitigation appear on almost every page of the DEIS.
21 It is, however, a deceptive or well end use of language.
22 That's because the multitude of harm is that this
23 proposed pipeline will caused cannot be mitigated.
24 Every time the DEIS uses the word mitigation, it
25 described the fantasy about how to turn a great evil

1 into a fixable inconvenience. That's false. The
2 proposal to build this pipeline advocates the
3 destruction of irreplaceable agricultural lands,
4 wetlands, forests, habitats and aquifers. None of that
5 can be mitigated. Perhaps some regulatory agency will
6 allow the pipeline coming in to approve a wetland in
7 some other county or state and claim that the harm is
8 mitigated. But it is not mitigated. Not for the real
9 life central New York landowner whose life and home and
10 property are ruined and made worthless. This is a theft
11 of private property, not for public good but for corporate
12 profits. Once upon a time the Williams' Website used to
13 proclaim that the pipeline would enable access to the
14 Marsalis and Utica shales that lie under its route. When
15 fracking follows the pipeline, the health impacts will be
16 the same as everywhere else that fracking has been used,
17 including elevated rates of cancers, birth defects, asthma
18 and death. The murder of innocence cannot be mitigated
19 but must be punished. How do you mitigate the losses
20 of property owners who have made their lives in a rural
21 agricultural area and are going to see it transformed
22 into an industrial zone with a potentially explosive
23 pipeline running through it? How do you compensate
24 them for being unable to sell their properties because
25 no institution will give a mortgage on a property with

1 a pipeline? There's no mitigation here, only exploitation
2 and deception. Just yesterday there was a huge explosion
3 at a Williams gas facility in the State of Washington, a
4 pipeline break and gas leak. Residents were evacuated in
5 a two mile radius. That's because they were in danger.
6 How do you mitigate the fear and uncertainty of residents
7 who must now live forever with the threat of a pipeline
8 explosion? Finally, I'd like to ask how do you propose
9 the mitigate the destruction of a livable planet by
10 enabling additional fossil fuels to be burned? Two weeks
11 ago the American Association for the Advancement of
12 Science issued a report warning that the rate of climate
13 change now may be as fast as any extended warming period
14 over the past 65 million years and is projected to
15 accelerate in the coming decades. There was a risk
16 added of abrupt, unpredictable and potentially
17 irreversible changes in the earth's climate system with
18 massively disruptive impacts, including the possible
19 large scale collapse of the Antarctica and Greenland
20 ice sheets, collapse in part of the Gulf stream, loss
21 of the Amazon Rainforest, die--

22 MR. MOONEYHAN: Please conclude your
23 comments, sir.

24 MR. EUGENE MIRNER: The scientific
25 evidence is in. We must stop contemplating further

1 fossil fuel projects. It cannot be mitigated, and it
2 must be ended.

3 MR. MOONEYHAN: Linda Bevilacqua, Thomas
4 Collier, Kenneth Williams?

5 MS. LINDA BEVILACQUA: My name is Linda
6 Bevilacqua, B as in boy, E, V as in Victor, I-L-A-C-Q-U-A.
7 I live in Franklin. The fellows in the orange shirts
8 aren't going to like what I have to say, but here it goes.
9 My husband, myself and our children moved here from Long
10 Island 19 years ago and bought a dairy farm. As it didn't
11 work out, my husband was forced to go back to New York
12 City to work in construction in the union and commute
13 back and forth here for 17 years while I stayed here with
14 our children and ran a small farm. If you want to make
15 a decent living, and especially in construction, Upstate
16 New York is not the place to live. I have four children,
17 and they have all decided to stay here in the area, even
18 though I've encouraged them to leave the area for higher
19 wages. Construction jobs are not here. Whenever I ask
20 people who originate from here why they never left, the
21 majority of them show a disdain for the city and the
22 lifestyles of it, and they don't want to leave the families
23 that they have here. What do you think it's going to be
24 like living here if the pipeline is approved with noise,
25 fumes, traffic, construction, pollution, etc? Your

1 serenity will be gone. We left Long Island because of
2 pollution, crime and high cost of living. We have, aside
3 from our family, no family here. There are always trade-
4 offs in life. Please keep the area rural with its peace
5 and quiet. Keep the pipeline out of here.

6 MR. MOONEYHAN: Thomas Collier, Kenneth
7 Williams, Joan Tubridy?

8 MR. THOMAS COLLIER: My name is Thomas
9 Collier, C-O-L-L-I-E-R. Last night in Richmondville,
10 a gentleman merchant spoke about our need to find
11 common ground. I agree. But search for what is our
12 common ground. I remembered when I shared many things
13 in common with others. We all lived intentional
14 community. We shared the land in common, like mindedness,
15 right location and honest work ethics, and we shared life
16 experiences. I thought that that was what we who were
17 in that auditorium last night shared also. We share
18 common ground literally in our intent to live on this
19 ground in this community with respect and stewardship
20 of our land. WE share belief in right location and
21 honest work ethics. Farmers, teachers, skilled and
22 unskilled workers. I am a member of a union family.
23 My father was a steward in the IBBW. My mother, my
24 wife, my brother, my sister are all members of the
25 New York State Teacher's Association. We all share

1 the land as owners and its beauty that we enjoy and
2 respect and love. One more thing we share in common,
3 we are all people in this meeting room. What was
4 missing last night was a person, in quotes, who was
5 not in that room. It was the Constitution Pipeline
6 Corporation. It does not want to join or share along
7 in our community that wants to buy 124 mile by 110 foot
8 strip of land through all of our communities. There you
9 have it. Communities versus corporations. The
10 corporation. Google it. Watch the movie. Decide where
11 you stand and work and live. This is our common ground.
12 This is our community. And thank you all very much.

13 MR. MOONEYHAN: Kenneth Williams, Joan
14 Tubridy, Rodney Gould?

15 MR. KENNETH WILLIAMS: Good evening. I'm
16 Kenneth Williams, W-I-L-L-I-A-M-S. We bought our family
17 in 1963. In 1968 Texas Hetrick built a pipeline diagonally
18 through our farm, 640 acres. My mother milked 50 head
19 of cows and took care of young stock. She did it so
20 well that it made the local kids jealous. She gave
21 all the babies the best care that she could possibly
22 give. She looked out for the young. Dad went to many
23 colleges for mechanical, civil aeronautical engineering.
24 Nothing
25 gets by him. Mom and dad approve of our pipeline. I

1 traveled for many years in construction, including the
2 Trans Alaska pipeline where I was involved in drilling
3 compressing, pumping natural gas and oil with a General
4 12 Electric turbine we have sold in Prudhoe Bay. I'm an
5 13 environmentalist. I've worked with the Sierra Club,
6 14 Audubon, Green Peace. I'm also a member of the New York
7 15 State Chestnut Foundation. I've studied soils, erosion,
8 16 runoff, hydrology and many CT protocols. The earth is
9 mine to protect for coming generations. I detest GMOC's.
10 I think GMO means generate more obituaries. I'm an
11 advocate of natural organic medicine, not chemical
12 capitalism. I'm a steward of the land, the forest and
13 the air. I avoid opinions. I prefer educated,
14 evidentiary facts, linear logic supported by verifiable
15 science. The pipeline right a way cleared is a great
16 way to observe wildlife, turkeys, deer and the bald
17 eagle on our property. The pipeline is the safest
18 way to transport energy. Compressed natural gas can
19 lessen our carbon footprint by up to 80 percent. I
20 respect all anti-gas advocates, especially the ones
21 dressed in animal hides, riding a horse, living in a cave
22 without electricity. The rest of them are hypocrites. Look
23 it up. I built my house for my family and three boys with
24 a pipeline in my front yard. I've lived there for 40
25 years. The pipeline is a quiet neighbor roomed by

1 courtesy gentlemen. My children like them. A friend
2 of mine built a pigpen on the pipeline. The pipeline
3 personnel helped her to move it and installed the pig
4 fence for her prized pigs. Will your neighbor do that?
5 I only hope your neighbors learn from my neighbors how
6 to be as neighborly as the pipeline can be. A pipeline
7 will lower New York State's energy costs, reduce electric
8 bills, lower the home heating costs, costs less for our
9 taxes by lowering the heating and energy costs at our
10 schools. The biggest benefit of safe, compressed
11 natural gas will provide to you is this: you will hug
12 and see your children instead of all them once a week
13 on the telephone in a state where they got a smart
14 job that has natural gas. 1000 families a day live in
15 New York because of Albany's lack of intelligent
16 decisions. Let's come together for the children and
17 build this pipeline.

18 MR. MAHOONEY: Joan Tubridy, Rodney
19 Gould, William Turick?

20 MR. BOWMAN: Before you, sir, try and
21 help you out so you understand how much time you have
22 left. Doug's going to give a 20 second warning and
23 then after two minutes and 40 seconds and then after
24 that 20 seconds has elapsed you'll be alerted that
25 your time has expired. You can go ahead.

1 MS. JOAN TUBRIDY: Joan Tubridy,
2 T-U-B-R-I-D-Y. I'm an elementary teacher, former
3 farmer, and I guess I'm one of the rich and famous, so
4 I was cleaning my chainsaw just before I came tonight
5 to cut firewood. I'm here to talk about jobs. Everyone
6 knows we need jobs. Constitution has promoted the
7 benefits of creating 1300 jobs. So a closer look reveals
8 that only half will be in-state, including Pennsylvania,
9 and only half of those are 325 eight month jobs from the
10 five impacted counties. This might mean 65 very temporary
11 jobs to each of the counties along the route. Bear in
12 mind these jobs are created through the theft of your
13 neighbor's property. Of course, Constitution doesn't
14 have to be concerned of that because they're not our
15 neighbors. In fact, they're happy to frack our
16 neighbors in Pennsylvania to swell their bottom line
17 by shipping gas through our region to urban centers,
18 coastline Canada and beyond. Nothing neighborly about
19 that. Let's focus on other jobs that are sustainable,
20 enduring and community based, many of which will be
21 threatened with the pipeline and the fracking that's
22 sure to follow us forward. Stores that serve -- I'm
23 sorry. Local people know that the multiplier effect
24 of buying local generates a far greater local circulation
25 of revenues. The promise of cheap gas for our homes

1 and communities not only diverts attention and funding
2 from renewable energy initiatives and jobs for those
3 being trained in the installation of these systems,
4 such as SUNY Delhi's programs, but it's also a false
5 promise. How long before cheap gas becomes expensive
6 gas due to competition from global markets? After all,
7 both Iroquois and Tennessee Gas pipelines slated to
8 connected with the Constitution's Schoharie Counties.
9 And Schoharie County has published plans to export this
10 gas North to Canada and East to Atlantic Canada. Energy
11 independence or energy to the highest bidder? While
12 taxes collected from the pipeline for local counties have
13 been highlighted by performance of this project, the
14 offset of property devaluation and reduced revenues from
15 landowners grieving the devaluation of their property,
16 local assessors have not been considered. Back to jobs.
17 According to FERC's strategic plan, your job is to ensure
18 reliable, efficient, sustainable energy for consumers by,
19 among others, promoting the development of safe, reliable
20 and efficient energy infrastructure. FERC recognizes the
21 potential of electricity generated from renewable's as
22 cost effective means of reducing greenhouse gas emissions
23 by allowing these renewable's to compete on level playing
24 field through changes in their policies. Your long term
25 goals are to allow reported resources to compete to be

1 explored and to be implemented. But time is short, and
2 long term goals must become short term goals. That is
3 your job, one that is, in light of this week's report
4 from intergovernmental and climate change makes business
5 as usual--

6 MR. MOONEYHAN: Please conclude your
7 comments, ma'am.

8 MS. JOAN TUBRIDY: We need a reversal from
9 business as usual. We have a closing window of
10 opportunity, and you have choices to make. Please act
11 now.

12 MR. MOONEYHAN: Rodney Gould, William
13 Turick, Stan Sielicki?

14 MR. RODNEY GOULD: My name is Rodney
15 Gould, G-O-U-L-D. For over five years now, New York
16 State has been debating the benefits of natural gas.
17 I've been to too many meetings exactly like this one
18 tonight and witnessed the best and the worst of human
19 behavior. One aspect of this debate consistently
20 occurs. Those who support gas but have too much fear to
21 speak in front of a crowd. The farmer who leases my
22 fields is a prime example. He directly told me he would
23 rather cut off his arm than to come up here to speak. I
24 would like to speak for them tonight, also, as their
25 voices are never heard. Natural gas has far reaching

1 implications for the United States, from the local level
2 to the state and national and international level. Just
3 recently the news has been full of global warming. In
4 2007 they said it was imminent. They say it is now here.
5 In New York State we have seen the lowest amount of
6 emissions in years. The reason, natural gas. Our
7 economy is slowly gaining ground in parts of the United
8 States, and several news reports have credited, guess
9 what, natural gas. New York State continues to struggle
10 with a significant teacher layoff. Townsville just
11 finding they don't have enough income stream to meet
12 their budget needs and businesses that are moving to
13 other states with better opportunities. The answer,
14 natural gas. I can remember the 1970's when we had
15 gas rationing and long lines waiting at gas stations
16 to fill your cars. We have the opportunity to be
17 energy independent from the Middle East. How? Natural
18 gas. The Constitution pipeline will bring natural gas
19 into the local area. It was one of the reasons that
20 Amphenol agreed to stay in your state. I don't know
21 how the rest of you feel. But let's keep Amphenol here
22 where they can realize the benefits of cheap energy.
23 Unadilla has signed a franchise to bring natural gas into
24 their community benefiting those who can no longer afford
25 the high cost of propane or fuel oil. While alternative

1 energies need to be explored and developed, it is natural
2 gas that will give us the time needed to make them
3 viable. I fully support the Constitution pipeline and
4 hope that my voice will be heard along with those who
5 support it with speed. Thank you.

6 MR. MOONEYHAN: William Turick, Stan Sielicki,
7 Victor Furman:

8 MR. WILLIAM TURCIK: William Turick,
9 T-U-R-I-C-K. My wife and I live in East Meredith, about
10 a half mile away from the proposed Constitution
11 pipeline. We oppose the construction of the pipeline.
12 We've reviewed the DEIS and are concerned about
13 environmental and socioeconomic issues that have not
14 been adequately addressed. The DEIS acknowledges that
15 damage to the environment is inevitable and asserts that
16 the Constitution can mitigate these damages but without
17 specifically specifying exactly how. Therefore, the DEIS
18 is incomplete. The DEIS does not specify which
19 regulatory agency are responsible for oversight and
20 compliance of what regulations are in place to ensure
21 that inspections are conducted before, during and after
22 construction. In addition, it does not indicate how
23 budgets will be increased. We're sure that there is
24 money to hire additional staff to inspect the pipeline
25 and investigate complaints. Accordingly, the DEIS offers

1 little evidence that they will be an effective enforcement
2 mechanism in place to assure that the proposed mitigation
3 measures are carried out. Without regulatory assurance,
4 the mitigation suggestion may never to implemented.
5 Oversight will be weakened or even nonexistent and be
6 a classic example of the fox guarding the henhouse.
7 Property values and mortgages, there will be significant
8 decrease in property values. FERC cites three examples
9 of pipelines not affecting property values. These examples
10 were in Oregon, Washington and Arizona, 3000 miles away.
11 In the East, we have many different concerns and
12 mindsets. And these risks will hinder the sale of the
13 property since potential landowners may not be able to
14 obtain a mortgage and assurance if the property has
15 an easement or a gas line on it. The DEIS highlights
16 a state and local governments who benefit by the
17 pipeline. However, the DEIS does not consider loss of
18 tax revenue due to the decreased property values. It
19 does not acknowledge that a pipeline can influence a
20 buyer's decision to purchase a property or that the
21 buyer may subsequently decide to purchase another
22 property. Obviously, FERC knows that no one wants to
23 be a seller of a property with a pipeline on it.
24 Insurance companies, DEIS does not adequately address
25 the ability of homeowners to maintain their insurance

1 at covered rates or to renew insurance coverages at
2 reasonable, not prohibited, rates. Nor does the DEIS
3 address how Constitution will compensate the landowner
4 for loss of insurance or an increase in insurance
5 premiums. Nationwide Insurance in 2012 indicated that
6 it will not insure properties with pipelines. Local
7 insurance companies have expressed the same concern.
8 The DEIS says that insurance coverage could be--

9 MR. MOONEYHAN: 40 seconds, please.

10 MR. WILLIAM TURICK: --effected. There are
11 numerous occasions in the DEIS that FERC recommends
12 actions and procedures Constitution should follow. This
13 should be required, not recommended. Thank you.

14 MR. MOONEYHAN: Stan Sielicki, Victor
15 Furman, Dan Fitzsimmons?

16 MR. STAN SIELICKI: Stand Sielicki,
17 S-I-E-L-I-C-K-I. I represent Triangle Area Landowners
18 Coalition. I am for construction of the Pipeline. In
19 keeping with FERC's responsibility to determine if the
20 proposed Constitution pipeline is in the public interest,
21 I stand before you to say that it is, emphatically. If
22 it is not in the public interest to supply New York City,
23 Boston and other parts of the Northeast with a cleaner
24 fuel source other than oil and coal for home heating and
25 electrical generation, I don't know what is. Is it not

1 in the public interest to create jobs and improve the
2 standard of living in this economically distressed
3 area? Is it not in the public interest to increase the
4 the tax base to pay for our schools and educate our
5 youth? There are approximately 1.8 million miles of
6 natural gas pipeline in the United States. There are
7 approximately 5,018 miles of pipeline in New York State
8 where the benefits of natural gas are realized and
9 hopefully not taken for granted. The proposed line
10 will be approximately 124 miles and will pass through
11 Brune, Chenango, Delaware, Schoharie Counties. Is
12 it fair or even reasonable to deny these residents the
13 opportunity for cleaner and lower cost fuel as others
14 in New York already receive? The Constitution pipeline
15 is a win/win situation. All of New York should avail
16 itself to the blessing and opportunity of this home
17 grown energy source. Thank you.

18 MR. MOONEYHAN: Victor Furman, Dan
19 Fitzsimmons, Phil Dobie?

20 MR. VICTOR FURMAN: Victor Furman,
21 V-I-C-T-O-R --F-U-R-M-A-N. Today we heard a lot about
22 the devaluation of land because of gas pipelines. In
23 Oxford, New York this week I heard testimony from a
24 real estate agent saying that an area where a ban was
25 put in place or on a lake was not selling the property

1 between 800 and 1000 dollars an acre. Areas outside of
2 that band were getting between 2000 and 3000 dollars an
3 acre because the hope was still there that New York will
4 open up gas lines. WE heard that unemployment in New
5 York -- that these jobs are temporary. I'd like to submit
6 to you that a temporary job is better than no job at all.
7 The people who have the property to supply gas to the
8 cities and a lot of the pipelines across those
9 properties are doing the people themselves in the
10 whole state a favor. They're not being selfish.
11 They're not endangering their property for having a
12 pipeline on it. That's rubbish. It's pure rubbish. I
13 submit to you that the people here in orange today are
14 here to support American jobs, American fuel and American
15 liberties which are being taken away from us by people
16 who are against it who live in apartment buildings in
17 the city. Granted, there are some landowners who own
18 land that do not want gas drilling. That's true. But
19 most of the people that get is are the people that use
20 it. So I ask you to take those chairs and those tables
21 and put them all here at the front doors and have these
22 people that are against it come here and sign a paper
23 saying they want off the grid and they want off it
24 today. Thank you.

25 MR. MOONEYHAN: Dan Fitzsimmons, Phil Dobie,

1 Ken Barton?

2 MR. DAN FITZSIMMONS: Dan Fitzsimmons,
3 F-I-T-Z-S-I-M-M-O-N-S, President of the Joint Landowners
4 Coalition of New York. The Constitution pipeline will
5 benefit the people of Upstate New York in many ways. Of
6 course, we all know that it will provide jobs during the
7 construction restoration phase. It will also help to
8 maintain jobs as in the case of Amphenol in Sydney where
9 it will provide cheaper and cleaner energy to an already
10 major employer. The Constitution pipeline, once completed,
11 will provide additional revenue in the form of school and
12 property taxes to the school district, municipalities
13 along the route of approximately \$13 million each and every
14 year. We are all aware of the financial crisis facing our
15 schools and municipalities. The plan path along the
16 pipeline route are designed to allow gas to be distributed
17 to municipalities along the route that presenting to not
18 have natural gas. Will make it possible for lower energy
19 cost, reduced carbon footprint for all Upstate New York
20 residents. School districts and businesses, all these taps
21 will help the public service commission fulfill their plans
22 to make natural gas more available to New York State
23 residents. Support the pipeline. Thank you.

24 MR. MOONEYHAN: Phil Dobie, Ken Barton,
25 Jim Thomson?

1 MR. PHIL DOBIE: First of all, I'd like to
2 thank you for the opportunity to speak. You certainly
3 don't have an easy job. Phil Dobie, D-O-B-I-E. I'm a
4 retired operating engineer. Pipeline jobs, construction
5 road and everything gave me a good life and have given
6 me and my family a real nice retirement at no cost to
7 the government, state or federal. One thing that has
8 not been mentioned that I think of is if this pipeline
9 does not go -- New York already has a reputation of one
10 of the worst businesses run states in the Union. And
11 Governor Perry from Texas was in Manhattan just the
12 other day, I'd say a week or 10 days ago, and the question
13 was asked what he was doing here. He says you fish
14 where the fish are. I'm bringing businesses back to Texas.
15 He's already bought or brought seven businesses from
16 the Northeast to Texas and because cheap energy.
17 30 percent of all new businesses in the last five years
18 within the Lower 48 are all in Texas, started in Texas.
19 There's a reason for that and that's cheap energy. You
20 know people -- you talk about your land, you talk about
21 taxes. If businesses keep losing -- if the state keeps
22 losing the businesses at the rate we're doing, your
23 taxes are going to go right through your roof. You're
24 not going to be able to sell your property because
25 nobody is going to be able to afford to live here.

1 Your schools, look at the shapes they're in, and I don't
2 mean physical building, but I'm talking about the
3 salaries and things for the teachers. Drive these
4 roads. My God, you may need a tank to get down some
5 of these. We need to bring business back to New York.
6 It gives us stable status base and brings more tax
7 revenue to the state. It's obvious that the leadership
8 in Albany is not doing their -- I won't say they're not
9 doing their job, but they're not doing a very good job
10 of bringing business in. It's up to the local
11 communities, in my mind, to make this happen. Thank
12 you.

13 MR. MOONEYHAN: Ken Barton, Jim Thomson,
14 Bill Davis?

15 MR. KEN BARTON: Good evening, everybody.
16 My name is Ken Barton, B-A-R-T-O-N. I support the
17 building of this pipeline. And a few things, I'm a
18 landowner. I have a pipeline running through my farm
19 right now. It actually increased the value of my land.
20 My land went from \$2000 an acre up to \$5700 an acre
21 because of that pipeline potential for the future, just
22 so you know. I'm a member of the 158 operating engineers,
23 and this pipeline will go through another section of my
24 farm. So it's a good thing. We need jobs. My kids left
25 because we don't have jobs. I have a kid living in

1 Virginia now, and that's really frustrating to me
2 considering all the potential that we have right here.
3 This is our future. This is needed. Natural gas would
4 save New York State. I'm not saying fracking. I'm
5 saying natural gas, the pipeline. Low energy for
6 businesses means more businesses can come to our area.
7 We kind of need it. We need a future. Right now we
8 have none. Let's do something here. Let's create
9 some jobs. Let's help the people. Let's help the
10 schools. A lot of tax money here for our schools.
11 Windsor, where I live, gets \$2 million a year from
12 Williams Oil. That lowered our taxes. That helped us.
13 All these other counties along this route will get
14 supplements from the gas line. It will lower taxes.
15 It will help the people. That's what we need. We need
16 jobs. We need a future. Let's do this, people. Thank
17 you.

18 MR. MOONEYHAN: Jim Thomson, Bill Davis,
19 Wes Gilliam?

20 MR. JIM THOMSON: Jim Thomson, T-H-O-M-S-O-N.
21 I'm here tonight to represent the Board of Directors of
22 the Delaware County Industrial Development Agency and
23 would like to convey our strong support for this project.
24 Over the years our economy has evolved from being local
25 in scope to national and now to a global economy. The

1 problem is that some areas of our country still have to
2 rely on oil and all of the problems associated with it
3 for our energy supply. The number of our communities do
4 not have access to the inexpensive, clean burning energy
5 that natural gas provides. Our local industries need
6 access to this energy supply in order to remain competitive
7 in the global economy that they are forced to compete in.
8 Our schools and institutions need access to this energy
9 supply in order to control their costs as compared to the
10 expense of burning oil. And virtually every business and
11 home can enjoy the benefits to their own budget and to the
12 environment that natural gas will provide. Our
13 municipalities and schools will not only save on expenses,
14 they will realize an influx from new revenue from taxes
15 paid by this entire project. This will, in turn, help
16 everybody's tax bill by reducing operating costs, as well
17 as increasing revenue. This is a true win/win situation.
18 We understand that there are concerns about the
19 construction of the pipeline but feel strongly that the
20 professional regulatory agencies will do the proper job
21 of protecting the environment and make sure we have a
22 safe and secure installation at the end of the day.
23 We have confidence in our regulators. The Delaware
24 County Industrial Development Agency supports this
25 project because we view it as an opportunity for several

1 of our communities who do not currently have access to
2 natural gas to finally have that opportunity. This
3 project will spur creation of new jobs and retention of
4 existing jobs in the fortunate communities as well as
5 reduce heating costs and tax bills for all. It makes
6 sense for our businesses and institutions -- it makes no
7 sense for our businesses and institutions to burn
8 millions of gallons of expensive foreign oil when they
9 could have access to natural gas produced in a
10 neighboring state for a fraction of the cost. How many
11 manufacturing jobs could we create with this savings?
12 How many teachers can we retain? Let's view this project
13 as an economic development project that it truly is and
14 allow the professional regulators to do their job and
15 enjoy the many benefit this project can bring. Thank you.

16 MR. MOONEYHAN: Bill Davis, Wes Gilliam,
17 Eleanor Moriarty?

18 MR. BILL DAVIS: Good evening, everyone. My
19 name is Bill Davis. I live in Delaware County. I've been
20 on a lot of pipelines. I've put a lot of pipe in the
21 ground. And people talk about the environment and stuff.
22 I can tell you for a fact that they have inspectors on
23 that job that make sure that pipe is put in correctly
24 and safely. I also want to bring up something that, to
25 me, is more important is just the delivery of the fuel

1 to a person's house is a lot safer and cheaper than to
2 have oil delivered to your house. That's all I got to
3 say, and I'm for the pipeline. Thank you.

4 MR. MOONEYHAN: Wes Gilliam, Eleanor
5 Moriarty, Suzy Winkler?

6 MR. WES GILLIAM: My name is Wes Gilliam.
7 I'm the program director of Catskill Mankeeper. Your
8 Website has released -- or it reads, has released a draft
9 environmental impact statement. I stand here today to
10 correct this misinformation. This is a partial draft,
11 incomplete environmental impact statement. I testify
12 here today officially to direct the Commission to
13 reissue a revised draft environmental impact statement
14 which includes documents such as, but not limited to,
15 the upland forest mitigation plan, a back survey that
16 includes the sections of New York, not just the sections
17 of Pennsylvania as it stands today and a series of other
18 documents and surveys that should accompany a document
19 of this. How would a landowner who is facing their
20 land being taken by eminent domain and their forest
21 clear cut without the needed information to comment
22 in a setting like this? How can the landowner be
23 expected to do it in such a short timeframe for
24 public comment when the New York State DEC is asking
25 for an extension? The Environmental Protection Agency

1 is asked for an extension, and the Department of
2 Interior of Fish and Wildlife Service has asked for
3 an extension? Once all this information is released
4 and submitted to the public, you must submit a revised
5 draft environmental impact statement and an appropriate
6 comment period. And I suggest that FERC explains to
7 these landowners who are facing their land taken by
8 an industry who is trying to pull the wool over New
9 Yorkers and especially bussed in union workers from
10 other parts of the state that this is about jobs. It's
11 not about jobs. It's about making profit off the
12 back of New York landowners for a few in the gas industry.
13 This is not a question of a pipeline. This is not a
14 question of individual landowners in their backyard.
15 This is a question as to whether FERC is going to allow
16 under the false pretense of public good a project that
17 will do the exact opposite. This is a part of a full
18 build out of infrastructure across this state and our
19 nation that will keep us addicted to fossil fuel which
20 is an outdated source of energy.

21 MR. MOONEYHAN: 40 seconds, please.

22 MR. WES GILLIHAM: Let's not cling to
23 an archaic, dead end, disastrous future with fossil
24 fuel. Let's look to the future and use the technology
25 that we have, that we know, to make an extreme

1 transition -- I have 10 seconds, please. I will finish
2 by saying thank you, and I appreciate the need to move
3 forward, and I've been off the grid since 1984.

4 MR. MOONEYHAN: Eleanor Moriarty, Suzy
5 Winkler, John Leemann?

6 MS. ELEANOR MORIARTY: My name is Eleanor
7 Moriarty, M-O-R-I-A-R-T-Y. I'm a resident of Delaware
8 County and a taxpayer of Delaware County. I am also
9 second generation Irishman who has been a supporter of
10 unions all my life, and I've marched with Teamster in
11 New York City to save their jobs. All that adds up to
12 R-E-S-P-E-C-T. I expect it. I have concerns about the
13 access roads that are going to built in Delaware County.
14 There are 18 that are planned permanent no access roads]18
15 and two temporary access roads. They will be ascending,
16 grading, widening accessing dirt roads, as well as
17 building a few new ones. I am wondering what's' going to
18 happen when the erosion occurs on these dirt roads and
19 how they will impact our public roads. And will that be
20 the responsibility of our highway departments for the
21 maintenance and to repair the damage? Under justification,
22 Constitution states, "the need for the location of the
23 access roads is to minimize impassed wetlands. Minimize
24 is not specific to the proposed sites of each of these
25 wetland areas, as each wetland often has unique qualities

1 to it. There are only seven other proposed access roads
2 in Delaware County are classified as wetlands by the DEC,
3 which leaves the majority of impact wetlands will have no
4 regulatory protection due to size. CP has stated it will
5 use equipment such as mass and temporary bridge crossings
6 to reduce impact to wetlands without describing what
7 this equipment material will be made of or what type of
8 bridge crossing will be used. No specifics are stated
9 as to how the equipment will be cleaned or washed down
10 area to prevent transportation of evasive species from
11 one location to another. What chemicals and techniques
12 will be used to clean equipment? Nor have they stated
13 how they would secure their equipment in these areas
14 from vandalism or the roads from ATV travel which would
15 create another aspect of erosion and ruts along with
16 impacts into our wetlands. With the Karst, what is the
17 schedule of maintenance for operational access by
18 Constitution, and what are the techniques of the
19 frequency and the techniques of their maintenance
20 schedules? But most -- the two parcels I'm particularly
21 concerned about is PAR, permanent access road, 46 and 47.
22 One is it being a designed road and the other one is
23 a dust-top analysis. These two roads are going to be
24 either coming terribly close or on the Franklin Mountain
25 Sanctuary which is a hundred acre sanctuary--

1 MR. MOONEYHAN: Finish your comments, please.

2 MS. ELEANOR MORIARTY: It is a major
3 migratory road for hawks, raptors and golden eagles. There
4 is no good mitigation going on. They're horrible
5 mitigation policies in the CETEIS. And I cannot believe
6 that you even have submitted it for review.

7 MR. MOONEYHAN: Suzy Winkler, John Leemann,
8 Nick Hoffman?

9 MS. SUZY WINKLER: Suzy Winkler, Burlington,
10 New York. We've been told that the proposed pipeline is
11 solely a delivery system intended to bring gas to market
12 from Pennsylvania. But even though it's an open access
13 project, it will not promote shale gas extraction along
14 the corridor. I don't believe that's true. I think
15 the path carved out by Cabot Williams when the route
16 was born was intentionally designed in its entirety to
17 wind its way through communities that are not protected
18 by bans against shale gas abstraction and through towns
19 that are not inside the boundaries of a protected
20 watershed system. Surely it's not a coincidence that no
21 town through which the pipeline would pass is protected
22 by unruly or a watershed boundary. Just the opposite. This
23 is an example of a cynical, clever and well crafted plan
24 targeted at those towns vulnerable to industrial
25 build out and whose local governments lack the political

1 will to fight such an onslaught. And for what purpose
2 would such a route be so designed if it were not
3 anticipating the acceptance of gas into its line? At
4 some point in the future when the market price is right,
5 our nation's dependency on fossil fuels will make
6 fracking here very appealing to wildcatters, no matter
7 how small the targeted shale. I think it's disingenuous
8 and unethical to allow the Constitution project to be
9 segmented and their application to move forward while
10 representing the purpose only as a delivery system. I
11 know this pipeline is a gas -- is a way for gas industry
12 to get their foot in the door for environmental develop --
13 I'm sorry -- industrial development and will, without
14 question, be a liability in the Southern tier. It will
15 decrease the value of our agricultural landscape, our
16 farms, our tourist trade and our homes. As for jobs,
17 the mantra parade around the Constitution PR machines,
18 it's a hollow one intended to gloss over the downsize
19 of industrialization and bait folks living in
20 communities along the corridor into supporting the
21 project. Folks who genuinely are looking for a way
22 to earn a decent day's pay should not be exploited
23 by false hopes of local long term job creation. I
24 urge FERC to redirect Constitution and require that
25 the revised DEIS include a thorough and honest

1 analysis of the projects impacts, including those from
2 shale extraction and all environmental leak, degrading,
3 ancillary activities that will follow if the pipeline
4 is built. Thank you.

5 MR. MOONEYHAN: John Leemann, Nick Hoffman,
6 Rebekah Schecter?

7 MR. JOHN LEEMANN: Hi, everyone. I'm John
8 Leemann, L-E-E-M-A-N-N. I'm with the Operating Engineers
9 Local 158. I just want to bring up a few things. I
10 know -- obviously I'm for the pipeline, in case anyone
11 couldn't figure that one out. But I know we face an
12 educated opposition. I heard that tonight. And I wanted
13 to talk about this is an environmental deal, so I want
14 to kind of talk about some of the environmental things
15 that we do. I worked with the Army Corp of Engineers at
16 Fort Drum for the past 10 years. I've worked right hand
17 in hand with them. I've worked with the New York State
18 DEC on these types of projects in dealing with our
19 slit plans and going to the classes. And I don't
20 think a lot of people realize what the management end
21 of the job has to go through to even be involved
22 in these projects. We can't even do these projects
23 if we don't go to the saw and water -- our storm, water
24 management classes that the nearest state DEC puts on
25 They require people to be there on site. There's a

1 daily checklist that's done on any type of storm,
2 water management stuff that goes on on these job sites.
3 And if you're going to call yourself educated about
4 this stuff, you have to kind of get out on the field
5 and see how it actually works. We've all been there.
6 We know what it is. And I think -- you know I went to
7 college for engineering. I understand what they
8 taught me in the classroom, but I had to get out into
9 the field and see it. So we're going to trust your
10 judgment on this. We want this project to go forward.
11 That's all I got.

12 MR. MOONEYHAN: Nick Hoffman, Rebekah
13 Schechter, Mark Mincher?

14 MR. NICK HOFFMAN: Good evening, everybody.
15 My name is Nick Hoffman, H-O-F-F-M-A-N. I live here in
16 Oswego County right in Oneonta. My wife and I just
17 purchased a house seven months ago. We currently
18 heat our home with natural gas, and when I can convert
19 everything to that, I will. I'm a firm believer in the
20 ability of this company to put this pipeline in place
21 with minimal environmental impact. Like most of the people
22 that live here in Delaware County where I was born -- well
23 not born but feels like it. I hunt, fish, love fresh air,
24 love drinking fresh water. Just want to ensure everybody
25 that if they didn't get the memo there's absolutely no

1 fracking going on in New York. This is a pipeline
2 destruction from Pennsylvania. And whether, you know,
3 our crap in the yard and prospering, that is what it is.
4 Everybody needs this natural gas. Everybody knows
5 employees -- I mean I don't know for sure but probably
6 1000, 1500 people. You know, I have a brother-in-law
7 that works there. He loves his job. He's an engineer,
8 well educated. If he were to lose that, you know, there
9 you go. There's all those jobs. You know this is going
10 to promote jobs, non-union, union. Leatherstocking is
11 going to come in, put all these taps in. Even people
12 with DBA's, LLC's are going to be able to go out there,
13 you know, make some money, whether it's short term,
14 long term. You know, the future is ahead of us. Let's
15 just concentrate on getting this line in. Let's get
16 what we can get out of it, get some natural gas. I've
17 been there, like he said, with all these guys. I work
18 seven people in this room right here, you know, and we
19 can do it safe. And we have all the orientations, all
20 the safety meetings. It can be done right. Nothing is
21 done without a risk. If you don't take chances, you're
22 never going to get anywhere. You know some people are
23 really against it. You just, you know, you got to
24 swallow your proud sometimes. You know, we've got to
25 share. We all got property. We've got families. Let's

1 just all join together and make this happen. You know,
2 help each other out here. So, thank you. That's all
3 I've got to say.

4 MR. MOONEYHAN: Mark Mincher, Rebekah
5 Schecter, Andy Mintvlak?

6 MALE: Mark had to step out for a minute.

7 MR. MOONEYHAN: Rebekah Schecter?

8 MS. REBEKAH SCHECTER: Rebeka Schecter,
9 R-E-B-E-K-A-H S-C-H-E-C-T-E-R. I am coming tonight
10 as a local organic business owner and as an eyewitness
11 to something called reality. Along with agreeing with
12 the masses that the DEIS is incomplete and that both the
13 Federal Energy Regulatory Commission and the interveners
14 need more time to properly assess the information and/or
15 lack thereof, I also have environmental impact concerns
16 regarding our food. Real food comes from the
17 environment. Tainted water equals tainted food. Tainted
18 air equals tainted food. We have dear neighbors down in
19 Minisink, New York, also known as the black dirt region,
20 who have decided not to plant this year's seeds because
21 they know that the vegetables they produce can no way
22 still be considered organic. This is due to a compressor
23 station a quarter mile from their farm. And there are
24 many other farms in the immediate vicinity. The workers
25 and families all complain of the same pain in their

1 lungs and also experience great disorientation when
2 working out in the field. There are currently no
3 standards or testing performed on any produce or dairy
4 coming from fracked or pipeline areas. Excuse me. Your
5 milk carton will not tell you that it is infused with
6 DNA disruptors. Let us take that family that spoke last
7 night with the \$2 million a year dairy farm on route 145
8 in Schoharie County. Suppose Cabot Williams decides that
9 they have to have a compressor station on or near their
10 land? Not only will the family and workers get sick,
11 just like Minisink, but so will the cows. What will the
12 impact be then? How many people in how many different
13 towns drink that milk? My brothers in orange and yellow,
14 I am not your enemy, and I don't want to be your's. And I
15 wish I didn't have this weird altruistic opinion
16 impression for you. Do any of you drink milk or any
17 cheese or ice cream? There's a town in Pennsylvania
18 where there's a dairy farm that had the skin is falling
19 off the backs of these cows. And that milk is still
20 being sent to the market. Are you listening? Do you not
21 know anybody or any family member that has cancer?
22 We are rapidly approaching a 50 percent cancer rate.
23 50 percent in our population. God forbid if you become
24 sick in 10, five, two years. The peers that you have
25 will not tell you that if it comes from a yogurt

1 container, you have five years prior. There is no
2 barcode on the content--cancer says. Living by a pipeline
3 and/or compressor station equals cancer. Living by a
4 hydrofracking well equals cancer. Eating something of
5 frack food 10 states away from any drill pack equals
6 cancer. You cannot have food and fracking pipelines.
7 They don't exist. Quick drinking the Kool-Aid. Put
8 down the TNT.

9 MR. MOONEYHAN: Andy Mintvlak, Mark
10 Mincher, Bruce Hodges?

11 MR. MARK MINCHER: Good evening. My name
12 is Mark Mincher, M-I-N-C-H-E-R. I am a proud member of
13 the International Union of Operating Engineers, Local
14 158. Good evening, and thank you for the opportunity
15 to speak. I support the Constitution pipeline but
16 do not discredit the concerns of the local landowners.
17 I do not think that our goals are that different. I
18 think that we can easily find common ground. What is
19 proposed here is a transmission line for cheap, clean
20 practical energy as opposed to impractical or more
21 damaging alternatives. Solar energy engineering is not
22 here yet. There is opposition to wind farms and
23 hydroelectric dams and also strong opposition to nuclear
24 energy. There can be safe and reasonable transmission
25 of natural gas through this pipeline which can benefit

1 fellow New Yorkers. Cheaper heat and industrial power
2 for jobs in New York. We cannot exist on casinos or
3 tourism. It is necessary to bring clean industry back
4 to New York. Cheap gas is a start. The operating
5 engineers receive training in pipeline safety training.
6 The safety training is for the safety of the pipe and
7 the public. Any imperfections in the pipe or the
8 pipe covering that prevents corrosion or could cause
9 damage to the pipe is repaired or replaced before going
10 into the ground. It only makes sense for the gas
11 companies to protect their investment. All welds are
12 tested, x-rayed and pipe is hydrostatically tested.
13 Third party testing is used. Welders are tested as a
14 pre and point cutouts of a failed weld are expensive
15 and not taken lightly. As far as water and wetlands,
16 trenchilous crossings and dry crossing methods will
17 be used, such as horizontal boring, going under the
18 streams. Minimal vegetation impact. 440 total acres.
19 Local tradesmen's will be used from the local union
20 halls. You neighbors, your relatives, men and women
21 that you see in your town daily working in -- working
22 people with the same concerns and principles and
23 regards for the environment and public safety. In
24 closing, I support the DEIS statement and the
25 Constitution pipeline. Thank you.

1 MR. MOONEYHAN: Andy Mintvlak, Bruce
2 Hodges, Christopher Cerone?

3 MR. ANDY MINTVLAK: Thank you for the
4 opportunity to speak tonight. My name is Andy Mintvlak.
5 I'm currently mayor of the Village of Sydney, and I will
6 very brief with my statements tonight. In 2006 and 2011
7 our community was hit with two devastating floods.
8 Besides massive damage to our residential community of
9 3900 people, our major employer of 1000 employees
10 sustained over \$50 million in damages. With the help
11 of local, town, county, federal and state officials,
12 Amphenol was convinced to stay in our community. One of
13 the major parts of the economic package presented to
14 Amphenol included low cost natural gas. Besides
15 benefitting Amphenol, natural gas will provide low cost
16 energy to the rest of our business community, our
17 residents and governmental buildings. Also, additional
18 tax from the pipeline will reduce the taxes to our
19 community members. Upstate New York trails the rest
20 of the country in job creation. The cost of energy
21 is one of the reasons why this occurs. In closing, on
22 behalf of myself and the board of trustees, I certainly
23 urge FERC to approve the Constitutional pipeline and
24 help our community and the rest of the communities in
25 New York state grow and prosper in the future. Thank you.

1 MR. MOONEYHAN: Bruce Hodges, Christopher
2 Cerone, Keith Schue?

3 MR. BRUCE HODGES: Good evening. My name is
4 Bruce Hodges. I am the business representative of the
5 International Association of Machinists and Aerospace
6 Workers, Local 1529 in Sydney, New York at Amphenol
7 Corporation. I'm here to represent the 650 plus
8 unionized employees plus the 150 plus salary employees,
9 many of whom are in the audience here tonight. As the
10 mayor just mentioned, back in 2006 and 2011 we had two
11 very devastating floods at our facility. You just
12 don't know what it's like. I've been there since
13 1979, so we're not talking short term jobs here, folks.
14 We're talking people who have been there 30, 40 years.
15 This is lifetime jobs we're talking here. You have no
16 idea how devastating it was to see four foot of water
17 in that plant twice. And after the second time, at the
18 time being union president, I figured Amphenol was going
19 to say, "Sorry, guys. Gig's up. We're going to move
20 someplace else." Well luckily they didn't. And one
21 of the key factors that made them decide to reinvest in
22 New York and stay in New York was to get access to
23 low cost environmentally friendly natural gas. And that's
24 what this pipeline will give us. We're at a very
25 competitive business. We make electrical interconnect

1 products for commercial and mill arrow products for the
2 military in Sydney. Very long, proud history in
3 Sydney. It's a very competitive market. And every
4 little break that we can get in the cost of doing
5 business at that Sydney plant keeps more jobs. It keeps
6 jobs we've got. It generates more jobs. That's why
7 this is important. It's a job keeper and it's a job
8 incentive to keep work in Sydney and to bring more
9 working into Sydney. This new plant is a major
10 investment from both Amphenol Corporation and state
11 and local governments to keep this work here and
12 keep this workforce here in this state. Lastly,
13 I want to mention that a lot of our members are going
14 to benefit from this because it's going to give them a
15 new source of fuel to be able to heat their homes,
16 something they've never had. And my colleagues
17 downstate are amazed to find out there's any part of
18 New York State that doesn't have natural gas in their
19 towns. They just can't believe it. And that's the
20 the case. So this is going to be a far cheaper, more
21 environmentally friendly fuel for folks, for my members
22 to use. And that helps them put their kids through
23 college and stay in these communities. So I strongly
24 urge the Commission to continue forward with their good
25 work in getting this pipeline approved. It's good for

1 the economy. It's good for the environment, and it's
2 good for jobs. Thank you.

3 MR. MOONEYHAN: Christopher Cerone,
4 Keith Schue?

5 MR. BOWMAN: Just a reminder, if everyone
6 could spell their names? Thank you.

7 MR. CHRISTOPHER CERONE: Good evening.
8 My name is Christopher Cerone, C-E-R-O-N-E, and I am a
9 Delaware County landowner, and I'm here this evening
10 to convey my support of the Constitution pipeline
11 project's DEIS. As a landowner I've seen firsthand
12 the many benefits of pipeline projects. Several
13 years ago the Millennium pipeline project was built
14 in the town of Hancock. This project brought many
15 jobs that employed hundreds of local workers, workers
16 who patronized local businesses, businesses that were
17 on the verge of closing. That project also brought
18 much needed economic stimulus to the town of Hancock,
19 Delaware County and New York State. I found that the
20 project had minimal environmental impacts and that the
21 benefits of the project far outweighed the negatives.
22 I understand that landowners have concerns, and these
23 concerns should be heard and addressed. But simply
24 saying no to a project because you don't want it is
25 not a good reason not to build the project. There are

1 regulatory agencies in place to ensure that these types
2 of projects are done correctly. And I am confident that
3 they will be done correctly. Therefore, I reiterate my
4 support of the Constitution pipeline project. Thank you.

5 MR. MOONEYHAN: Keith Schue, Marian Karl,
6 Bernadette Ortensi?

7 MR. KEITH SCHUE: Good evening. My name
8 is Keith Schue. It's S-C-H-U-E, and I live in Sherry
9 Valley, New York. My background includes five years
10 with the NEPA Conservancy grant which time I worked
11 with agencies on projects involving NEPA Analysis.
12 So I have some knowledge of requirements for the
13 evaluation of the impacts, alternatives and the level
14 of review necessary to draw conclusions about the
15 effects of a proposed action. The analysis of
16 alternatives at this draft EIS are blatantly
17 flawed, and conclusions about the pipeline, about
18 how the pipeline project would have only minor or
19 temporary impacts are simply not supported by facts.
20 Regarding to do shale gas development, the final EIS
21 must consider the indirect and cumulative impacts of
22 reasonably foreseeable gas extraction in the vicinity.
23 That hasn't happened. It is also common knowledge that
24 Iroquois, one of the applicants for the pipeline, has
25 made an open access -- an open season announcement for

1 its SONO project that would reverse the flow of its
2 Iroquois mine to export gas from the Constitution
3 pipeline to Canada by 2016. However, the EIS makes
4 no mention of this and wrongfully identifies New
5 England as the only markets for Constitution. FERC's
6 failure to acknowledge this, along with the TTP
7 Northern Expansion Project at the Gizzin Wright are
8 blatant omissions and they also constitute illegal
9 segmentation. Regarding alternatives, the EIS
10 shockingly concludes that the Constitution pipeline
11 is better than renewables by making an absurd
12 comparison between the footprint of the pipeline
13 and the land area needed by wind turbines or solar
14 panels to produce the same amount of energy. But
15 produced and transported energy are two different
16 things. Gas does not magically appear in a pipe.
17 It requires an industrial network of wells, flow back,
18 ponds, gathering lines, compressor stations and
19 roads, none of which are considered in FERC's
20 comparison. DEIS also concludes that greenhouse
21 gas emissions from this project are negligible if
22 you compare them to the total greenhouse gas
23 inventory of carbon for the entire United States.
24 Again, this is an absurd, non-substantive comparison
25 by which conceivably any project could be justified.

1 Finally, it is unconscionable that FERC would assert
2 that the best alignment between Pennsylvania and
3 Wright, New York is a green field corridor blasted
4 through forests, hills, valleys and streams of the
5 Susquehanna Valley and Northern Catskill region. A
6 new corridor that directly impacts a thousand acres
7 of forest and 91 acres of wetlands, permanently
8 destroying 471 acres of forest land, impacting 277
9 water bodies and resulting in the even greater
10 fragmentation of critical interior forest canopy.
11 This is simply not consistent with the plethora of
12 research that exists on the importance of contiguous
13 connected ecosystems and the harm caused by impacts.

14 MR. MOONEYHAN: 40 seconds, please.

15 MR. KEITH SCHUE: Nor does it address
16 the requirement to prioritize the use of the established
17 corridors before cutting new ones. Thank you.

18 MR. MOONEYHAN: Marian Karl, Bernadette
19 Ortensi, Bradley Vanzile?

20 MS. MARIAN KARL: My name is Marian Karl,
21 K-A-R-L, and thank you very much for taking my comments.
22 Our planet's climate is changing rapidly, and the burning
23 of fossil fuels is a big part of the problem. Building
24 the Constitution pipeline will add to that problem.
25 Back in the 1958, Dr. Charles Keeley began measuring

1 the concentration of carbon dioxide in the atmosphere
2 from an observatory atop Hawaii's Monolao. It is the
3 longest running such measurement in the world. The
4 curve was instrumental in showing how human emissions
5 of carbon dioxide were steadily accumulating in the
6 earth's atmosphere and raised awareness that human
7 caused climate change is an ever increasing threat
8 to the stability of our climate. A graph of his
9 findings shows a steadily increasing Co2 in our
10 atmosphere starting at 315 parts per million in
11 1958. It has climbed to 402 parts per million in
12 the current readings. Northeastern states are
13 working now through the regional greenhouse gas
14 initiatives to reduce gas emissions. Why permit
15 another fossil fuel pipeline at the same time we
16 are trying to get consumers off of fossil fuels?
17 This pipeline does not make sense and is not
18 necessary. The gas industry uses half truths and
19 sometimes even downright lies in its propaganda.
20 For example, other fossil fuels are not as clean
21 as natural gas when it is burned. Actual research
22 has shown that natural gas produced by the process
23 called fracking is as dirty and no more
24 environmentally friendly than coal. This is because of
25 the production process and transmission systems

1 required in producing it. Also, we cannot pat ourselves
2 on the back because our use of natural gas instead of
3 coal has approved the quality of our air when at the same
4 time we are exporting coal to other countries, India
5 or China, for example, which then moves the atmosphere,
6 the atmosphere that we all share. Although the--

7 MR. MOONEYHAN: 40 seconds, please.

8 MS. MARIAN KARL: Okay. Although the
9 draft EIS says the negative impact of this project
10 will be temporary, it is hard to believe that building
11 this pipeline will not inevitably lead to fracking
12 in our area. And the majority of people in--

13 MR. MOONEYHAN: Please, finish your
14 comments.

15 MS. MARIAN KARL: --this area do not
16 produce bans or moratoria against fracking. Thank you
17 very much.

18 MR. MOONEYHAN: Bernadette Ortensi,
19 Bradley Vanzile, Patricia Kernan?

20 MS. BERNADETTE ORTENSI: Hello. My name
21 is Bernadette Ortensi, O-R-T-E-N-S-I. And I live at
22 741 County Highway, 29, in the town of Springfield.
23 I am a farmer who owns 500 acres which is split by the
24 County line so we also have land in Herkimer County,
25 town of Stark and Moore, New York. I am a diversified

1 crop and livestock farmer, certified organic with
2 No for New York, LLC. WE just received the conservation
3 farmer of the year award last night at an award
4 ceremony. I live right along the Tennessee
5 pipeline and have had no disturbance on my farm or
6 to any of the surrounding farmers in my area. WE
7 go about our business day in and day out. I believe
8 in the future of our state and want you to know, I am
9 in favor of the Constitution pipeline installation.
10 I am also a mother of two young men, ages 22 and 23, who
11 are finishing up college and have no opportunity to
12 get a decent paying job in our area to return back to
13 their childhood community. I want to thank everyone
14 on this committee for allowing a public comment time
15 and love that our country is still based on freedom
16 of speech and freedom of land rights. Thank you.

17 MR. MOONEYHAN: Bradley Vanzile,
18 Patricia Kernan, Richard Ogsbury?

19 MR. BRADLEY VANZILE: Good evening. My
20 name is Bradley Vanzile, capital V-A-N, capital
21 Z-I-L-E. I'm for the Constitution pipeline. I'm a
22 member of Labors Local 17 Union. I've worked heavy
23 construction for 39 years. 57 years I've lived in
24 Schoharie County. I'm a landowner. I have one
25 pipeline going through my land right now. The pipeline

1 that went through my land was nothing but scrub land.
2 I'm a farmer. And when they cleared the land, they
3 receded it. I now hay that land. So I didn't see
4 any agricultural problems there. I haven't seen
5 any agricultural problems on my land. And after 57
6 years I'm still alive. Okay. I lived in Schoharie
7 County, like I said, 57 years. 39 years I've been
8 doing construction. Most of the time I have to
9 travel to make a living. Last year the economy was
10 so bad up here I only worked 17 weeks. Three days I
11 spent working at the college in Oneonta. The rest
12 of the time I was down in Westchester working. I
13 left my family, and I was living in a motel. I'd like
14 to be home with my family for about a year. I'd like
15 to retire on my farm. I believe there will be tax
16 revenue for the area. And also, the people that go
17 out on these pipelines, they're drug tested. They're
18 trained. I started doing pipelines in 1987, and I had
19 to go back to school for over a week to take new
20 safety courses and to get caught up on things that
21 have been implemented. I support the draft EIS, and I'd
22 like to thank everyone here. Good evening.

23 MR. MOONEYHAN: Patricia Kernan, Richard
24 Ogsbury, Larry Bennett?

25 MS. PATRICIA KERNAN: Hello. My name is

1 Patricia Kernan, K-E-R-N-A-N. I'm a trustee of the
2 Kernan Land Trust at Old Lennon in
3 Delaware County in the county of Bakersfield.
4 Constitution has proposed putting their pipeline
5 from one end of this property to the other. This
6 represents about 1 percent of the entire length of
7 the proposed pipeline. And this is an enormous
8 problem for us on several levels. If they were to
9 confiscate this land by eminent domain, as they plan
10 to do, it would seriously degrade a very large
11 ecologically pristine complex. I'm
12 talking about a land with carnivorous plants,
13 picture plants, sun dews, several types of sun dews,
14 bog rosemary, dwarf mistletoe, black spruce. This
15 is the real thing. And it's one of the largest
16 in New York State outside of the Appalachian Mountains.
17 And they're proposing to blast through it. Also, it
18 would permanently fragment a forest that has been
19 deliberately put aside in trust to conservation for
20 300 years, the longest allowable time that's allowed
21 by the law of New York State. It would obliterate
22 70 years worth of forestry work and planning that my
23 father started in 1947. And his children are
24 continuing through the trust. It has also inspired --
25 every one trust member's careers. This piece of land.

1 This piece of land has been celebrated as a model of
2 land management, land and forest management, by DEC's
3 conservation magazine six times. That's every 10 years
4 since 1956. No wonder they don't want to go destroy
5 it. DEC is against this. All this would be negated
6 by building no pipeline across this piece of land.
7 Friends, it would make it impossible to harvest
8 timber. It pays the taxes. It makes conservation
9 of it possible. The pipeline has
10 proposed to go straight across. The only area that
11 can be used is a logging land on other property.
12 No sane logger is going to operate--

13 MR. MOONEYHAN: 40 seconds, please.

14 MS. PATRICIA KERNAN: --heavy logging
15 equipment over a 30 inch pipeline. The Kernin Trust
16 situation is a glaring example of how Constitution
17 have refused to seriously consider a viable alternative
18 routes. They cause environmental destruction, despite
19 declaration to the contrary. We've provided Constitution
20 and FERC with overwhelming scientific and technical
21 evidence gathered by some of the best scientists in the
22 state. That the preferred group--

23 MR. MOONEYHAN: Thank you for your comments,
24 ma'am.

25 MR. PATRICIA KERNIN: --will inevitably

1 permanently destroy a unique wetland. Thank you.

2 MR. MOONEYHAN: Richard Ogsbury, Larry
3 Bennett, Todd Diorio?

4 MR. RICHARD OGSBURY: I'm Richard
5 Ogsbury, O-G-S-B-U-R-Y. I live in the town of Wright,
6 Schoharie County, been there a number of years. My
7 wife grew up on the farm. We have four pipelines--

8 MR. MOONEYHAN: Could you speak into the
9 mike, please?

10 MR. RICHARD OGSBURY: We have four
11 pipelines that run within 85 feet of our family room.
12 And the nice thing about it is it's transporting
13 approximately 30 percent of the fuel that's going
14 through it is for energy. And it's a nice feeling
15 to be part of the people that have this pipeline to
16 be a part of transporting it for the public's use.
17 It's not an inconvenience. And the previous
18 gentleman just said it doesn't interfere with farming.
19 I was run and farming on -- working on the farm when the
20 first one went through in 1951. And it hasn't
21 interfered with it at all. And as far as the
22 environmentalists on tour, there is more hard hats --
23 white hard hats and safety vests than you can imagine.
24 And they speak about temporary jobs. The fellows and
25 and ladies in tin hard hats and muddy boots and

1 safety vests know that there's other ways to make
2 the living. But there's a lot of pride in what they
3 do every day, be it in road construction, pipeline
4 or building and being able to afford the necessary
5 items that you need to exist in our society. My
6 hat's off to those boys. I came down that road years
7 ago. Thank you very much.

8 MR. MOONEYHAN: Larry Bennett,
9 Todd Diorio, Mark Norman.

10 FEMALE: Larry had to step out. He'll be
11 right back.

12 MR. MOONEYHAN: Todd Diorio?

13 MR. TODD DIORIO: It's Todd Diorio, and
14 it's D-I-O-R-I-O. I'm the business manager with Labors
15 Local 17, and I'm the secretary treasurer with the
16 Eastern New York Labors District Council. I represent
17 approximately 5000 neighbors in this region of New York,
18 many of whom live in this area of this proposed pipeline.
19 I'm here to talk about a couple of things real quick.
20 Jobs and taxes, which is most important to our people.
21 This project will create over a thousand good paying
22 union jobs, including anywhere from 600 to 800 jobs for
23 local workers and will produce a payroll of almost
24 \$200 million. Workers on this project will be highly
25 trained and the majority will have years of experience

1 in pipeline construction. Many of these workers that
2 will be employed on this project will finally have
3 opportunity to work close to home and family, unlike
4 in the past where they had to travel. You heard from
5 many of the members. Brad just spoke recently, and we
6 have about 125 laborers here. We didn't want to be
7 repetitive and have every one of them speak, so I'm
8 speaking on their behalf, the ones that showed up.
9 The owners of this pipeline will spend over \$100 million
10 on construction materials and supplies. This project
11 would economically stimulate the Upstate towns, villages
12 and counties where this line runs through. We witnessed
13 this firsthand when the Millennium pipeline was there.
14 You heard about people keep saying temporary jobs.
15 We don't consider our jobs temporary. We go from job
16 to job. As the job finishes, we move onto the next one.
17 We need more jobs like this. The other things to talk
18 about is the taxes. We've seen firsthand -- we're
19 experiencing in my town right now with the loss of
20 a powerhouse, every place, every town, every
21 municipality could use the extra tax benefits. The
22 sales tax generated in the New York State on this
23 project will be about \$4 million and about \$13 million
24 annually to counties, towns and school districts. And
25 on the safety issue, we've heard it, and I am not going

1 to repeat myself. These guys are highly trained, as they
2 mentioned drug testing, hours and hours of classroom
3 training. These men are handpicked for these jobs, and
4 they take pride in what they do. So we are in favor
5 or this pipeline project. These jobs are much needed to
6 keep people working in this area, and we totally support
7 this project. Thank you.

8 MR. MOONEYHAN: Mark Norman, Barry Lynch,
9 Stephen Stoddard?

10 MR. LARRY BENNETT: I'm sorry. It's a long
11 meeting. I had to make a bathroom break. My name is
12 Larry Bennett, and I have four points to make. I live
13 in Delaware County. And there's no question that this
14 pipeline is going to affect our roads and bridges, our
15 landscape, our well life, our hunting and fishing, and
16 there's just no question about that. That's not
17 something you can argue. Personally I say I grabbed the
18 dynamite and it's going to go on up the hill from us,
19 and you know it's going to be dynamited because anybody
20 who lives here knows that you're going to put
21 something 30 inches in the ground you're not going to
22 do it with a backhoe. You're going to do it by blowing
23 rocks out of the ground. So that's one point. Another
24 point is that I work at Brewery Ommegang in Cooperstown,
25 and we've been opposed to fracking since 2010. And it's

1 pretty simple because if our water's compromised, we're
2 out of business. So the people who believe that the
3 pipeline will bring fracking are people who say it won't.
4 I don't know, but I'm not willing to take a chance. So
5 we have been opposed to the pipeline. But I brought
6 the brewery because today I spoke with four gentlemen
7 very briefly at the brewery, had a brief and friendly
8 conversation. It was brief, but it was nice to see
9 them there. And I think that's what we need is more
10 conversation and less of this yammer at one another.
11 But they do have a point that they need jobs. I've been
12 speaking to what we do because we make jobs. I'm not
13 here to pump the brewery. I'm just here to make a point.
14 And that point is that we have 110 people here, 41 people
15 across the country, I started here about seven years ago,
16 so we've been growing and growing successfully. We make
17 beer that's shipped all over the country and the world
18 now. This is New York State owned. We're proud of that.
19 It brings jobs. And we believe that there are
20 alternatives for jobs. We train people. We hire
21 people locally. We promote people locally, and if people
22 leave us, they almost do it to start their own brewery.
23 So we're drop creators, and we think that's a great
24 way to create jobs. It's not only about breweries, but
25 there's a lots of entrepreneurial spirit in Upstate

1 New York. On an economic side of that, when I started
2 there we were probably bringing in \$10 million a year.
3 This year it's going to be pushing 100 million and in
4 three years we're still going to be pushing \$300 million.
5 And these are jobs here. This is money coming in here,
6 and we believe in this. And--

7 MR. MOONEYHAN: 20 seconds.

8 MR. LARRY BENNETT: --we don't believe
9 in fracking and the potential of the pipeline bringing
10 it. So I just want to say we need to talk about these
11 things because they effect everybody's lives in many
12 ways, and we need to work together and not yammer at
13 each other. Thank you.

14 MR. MOONEYHAN: Mark Norman, Stephen
15 Stoddard?

16 MR. MARK NORMAN: My name is Mark Norman.
17 I'm with the Local 158 International Union of Operating
18 Engineers. I just recently joined the 158 through an
19 apprenticeship program called Helmet Stardettes. I'm
20 an Iraq war vet. I served nine years in the United
21 States Army. Thank you. This program designed to take
22 veterans like myself and once we leave the service their
23 goal is to put us out in the workforce and train us to
24 run this equipment and do it safely and professionally.
25 And it's a great opportunity. I look forward to doing

1 it for these gentlemen. And hopefully I can do it here
2 on this Constitutional pipeline right home at New York
3 instead of overseas for a change. I'd like to serve my
4 country here. With that being said, while I was in the
5 iron services I got to travel all over the world and see
6 a lot of beautiful places. And one of the most beautiful
7 places I got to visit, I was stationed in Fort Richardson,
8 Alaska. During that time, I traveled in convoys from
9 Fort Richardson, Alaska to Fort Greely. All along this
10 route you were traveling right parallel with the Alaskan
11 pipeline, which by the way, you might think it's crazy,
12 folks, but it's beautiful. I've had the opportunity to
13 see cow, moose and her calve grazing underneath this
14 pipeline. This pipeline is put through a region that's
15 riddled with fault lines, glacial rivers, some of the
16 toughest terrain you would ever see in the world, frozen
17 permafrost, and they did it with technology that we --
18 we have way better technology in this current time
19 than we had back then. And what people underestimate
20 is nature's ability to heal itself. People think of
21 a clear-cut, they think of the damage that's done.
22 I seen what was qualified as a clear cut turn into
23 some of the most beautiful wildlife land you've ever
24 seen five years later. A gentleman spoke earlier talking
25 about the advantages that can become with some of these

1 projects. You take the good with the bad. I think
2 you'd be surprise at the outcome and how quick this land
3 will actually heal itself. I've seen it first hand in
4 other places. Just something to take into consideration
5 when these things are being overseen. But anyway, thank
6 your for the time and God bless.

7 MR. MOONEYHAN: Carrie Lynch, Stephen
8 Stoddard, Dean Tamburrie? Carrie Lynch? Stephen
9 Stoddard?

10 MR. STEPHEN STODDARD: Good evening, ladies
11 and gentlemen. My name is Stephen Stoddard. That's
12 S-T-E-P-H-E-N S-T-O-D-D-A-R-D. I'm from Harpersville,
13 New York. I'm also a landowner. I enjoy the outdoors.
14 I believe in protecting it to the fullest. I also
15 belong to the Teamsters Local 693 out of Binghamton, New
16 York. And that's why I'm here tonight. This is for
17 my fellow Teamsters, laborers, operators, welders so
18 we can get this pipeline going. I also spent 17.5 years
19 in the United States Navy as a veteran, and I spent a lot
20 of time away from my home, which I don't want to have
21 to do anymore but I still have to do because its' the
22 only way I can work. I've worked on pipelines since
23 2008 when I started on the Millennium pipeline. I've
24 seen firsthand the care that is taken by the men and
25 women who work on environmental crews, restoration

1 crews, as well as all the other crews that are involved
2 in putting pipe in the ground. For two years I also
3 worked in the gas fields down in Pennsylvania, cementing
4 gas wells, the casings of gas wells. I've also worked
5 on frack crews. I know what fracking is. I know what
6 it isn't. And I know what cementing casing wells
7 means. I know what all of it is. I've seen it first
8 hand. I do understand everybody's concern. The
9 people working on these jobs are highly trained.
10 They're highly skilled in their individual fields,
11 and they work very well together to protect themselves
12 and the areas around them as well as the public community.
13 It's very tiresome to continuously hear so much ignorance
14 about the gas industry, about the environmental impacts
15 that are made by pipelines and other issues of the gas
16 industry. And just because you found it on the
17 internet doesn't mean it's the truth. Pipelines
18 rupture. Most of the time they rupture because someone
19 failed to do their homework and failed to call 8-1-1
20 before they dug or drilled with an auger. And that's
21 what causes it. This project will bring much needed
22 jobs to this area. This area has been depressed for
23 a long time. I'm sick of it. I came home here to
24 make something of myself after spending a long time
25 in the military. There's not much here to do to make

1 something of yourself. You got to leave the area.
2 And I'm tired of it. Every aspect of local businesses
3 will be effected from laundry services to camping areas,
4 apartments, part stores, gas stations, etc. It's not
5 just a job for me. This will -- it helps everybody. The
6 fact is there's no sound reason for this project to be
7 stopped. The concerns of local citizens are perfectly
8 understandable. What they need to understand is that
9 we pipe liners live here too. This is our environment,
10 and we do everything we can to protect it. Please allow
11 us to do our jobs. We don't come and try to stop you
12 from doing yours. Thank you very much.

13 MR. MOONEYHAN: Dean Tamburrie, Julie
14 Huntsman, Kelly Branigan?

15 MR. DEAN TAMBURRI: Good evening. My
16 name is Dean Tamburri, T-A-M-B-U-R-R-I. I'm a proud
17 member of Labors Local 17. I'm here this evening to
18 give my support for the Constitution pipeline. Our
19 membership has participated in many hours of pipeline
20 construction safety training. Our members have installed
21 thousands of pipelines safely throughout New York and
22 throughout America. With this, our members have
23 traveled all over the -- even the country sometimes to
24 get work for their members or for their families.
25 With the approval this will allow local members to work

1 where they live. This project will bring needed jobs and
2 tax revenue Upstate New York. The safe transmission line
3 cannot only lower electrical costs but can bring your tax
4 base an open opportunity for future industry to take
5 advantage of more job opportunities of this clean
6 energy source. United States needs to become more
7 energy efficient as soon as possible. This will bring
8 us one step closer to achieving that goal. Please
9 approve this construction of the Constitution pipeline
10 as soon as possible. I just want to take this opportunity
11 to thank all the members who came out to support their
12 fellow members and this important subject and
13 construction for Upstate New York. Thank you.

14 MR. MOONEYHAN: Julie Huntsman,
15 Kelly Branigan, Phil Hulbert?

16 MS. JULIE HUNTSMAN: Hi there. My name
17 is Julie Huntsman, H-U-N-T-S-M-A-N. I serve on the
18 town board of the Town Otsego and I'm mostly a land owner.
19 I'm not really anywhere near Constitution pipeline,
20 but I do have some concerns about it. First, I do
21 request that FERC extend the time period on the DEIS. I
22 understand it's quite a ton, lots of information in
23 it, a lot to digest and relatively not a lot of
24 time to do that. So I think it's a disservice to the
25 landowners and the communities in its path for them not

1 to have more time. I applaud and affirm all the comments
2 the DEC has made to FERC about what's missing in the DIS
3 and confess that my comments are general in nature.
4 I'm sorry I'm not more helpful with specific comments
5 with the EIS. I find myself actually agreeing with
6 a lot of the people here in terms of what we need in
7 the state. We do need clean energy. WE do need jobs
8 WE do need to extend our tax base. I just had
9 disagreements with how to get there. And I confess,
10 I don't know much about pipelines. I'm sitting next
11 to a gentleman that knows a lot about them. I don't
12 feel I can be a trustworthy person to work on them.
13 Nevertheless, my issue is with fracking. And I don't
14 know that the Constitution pipeline will definitely
15 lead to fracking in New York like Mr. Bennett said.
16 I don't know. I'm kind of afraid to put my bets on
17 that it will not. I want to -- I do have a number of
18 issues with fracking. There is well documented problems
19 with it. A lot of times they are dismissed, and they're
20 not known because there's quite a culture of secrecy
21 and deception about the industry. That's unfortunate.
22 We could reverse that, as well as the many environmental
23 loophole which enables them to bypass many environmental
24 regulations. I want to 10 per mile anti-five point anti-
25 fracking statements, most of which I left out. I'm

1 going to hand to you. I understand the appeal of the
2 pipeline. There's a great need for jobs. This is
3 compelling and real. I understand from the pipeline's
4 Website there is to be total of 1300 temporary
5 construction jobs but 25 percent of the people living
6 in the five counties on route, that 326 jobs, 66
7 Susquehanna, 45 Brume, 22 Chatengo, 112 Delaware,
8 81 Schoharie. And unfortunately the jobs are over
9 in eight months. I understand a temporary job is
10 better than no job. But I was very disappointed
11 at the number of permanent jobs created as
12 estimated on the Website to just be seven. IN
13 contrast, New York State now has 5000 permanent
14 jobs directly related to solar energy, and they're not
15 going away. From 2012 to 2013, employment in solar in
16 New York State grew from 20 percent and were number five
17 in solar. Cheap natural gas won't stay that way. The
18 sweet spot in Pennsylvania is going to deplete and gas
19 will push up prices as well exports. So what economic
20 advantage is there then? Our communities, our state
21 and our rural doesn't need the pipeline. The only
22 energy security or long term economic growth is in
23 renewals. Thank you.

24 MR. MOONEYHAN: Kelly Branigam,
25 Phil Hulbert, Carmen D'Amico?

1 MS. KELLY BRANIGAM: Hi. My name is
2 Kelly Branigan, B-R-A-N-I-G-A-M. First of all, I also
3 urge you to extend the comment period to allow those
4 effected time to review the DEIS in light of the recent
5 additions by Williams. Julie addressed the job
6 situation admirably. I won't talk about that. This
7 pipeline is not about jobs. It's not about energy
8 independence. It's certainly not about the public
9 good. It's about nothing but profit for private
10 companies. They don't care about our communities.
11 They don't care about impacts to the residents who
12 will be directly affected. They care about making
13 money. The FERC Commission, right or wrong, has a
14 reputation for merely going through the motions and
15 rubber stamping every pipeline application that crosses
16 the desk. Each project is looked at separately with no
17 determination of accumulative impacts of the many. I
18 urge you, the representatives, to listen carefully to
19 the speakers here tonight as well as at the other
20 hearings. Those that stand to profit will urge you to
21 ignore the environmental concerns, downplay the missing
22 information and ask you to overlook the very real
23 concerns being voiced here and those put to you in
24 writing. The future is not natural gas. The reserves
25 have been vastly overstated. We're seeing write downs

1 by the industry as gas fields are developed and better
2 information becomes available. With a rampant depletion
3 of shale gas wells, the only way to maintain production
4 is to drill well after well after well. Increased
5 dependence on natural gas for heating, transportation
6 and power plants combined with exports will deplete
7 those reserves even faster. Prices will skyrocket with
8 demand. Cheap coal will once again be in great demand.
9 So much for the climate. The DEIS must incorporate
10 health impacts as a consideration, as well as
11 environmental impacts. The pipeline will carry gas
12 higher than radon. The closer to the source, the
13 greater the chance of exposure. Radon is the second
14 leading cause of lung cancer in the United States.
15 Emissions from compressor stations must be analyzed
16 with special attention paid to those living nearby and
17 the cumulative impacts of multiple stations must be
18 addressed. This pipeline is not needed. Increasing
19 production and usage of methane gas will accelerate
20 already dangerous climate change. We have aging
21 pipelines leaking methane in massive amounts in cities
22 across the nation. The oil fields in North Dakota burn
23 off millions of cubic feet of methane gas as a waste
24 product. All of these factors must be taken into
25 consideration. Please don't rubber stamp this. Pay

1 close attention to the issues being raised about the
2 deficiencies of the DEIS. Demand answers. Require
3 documentation.

4 MR. MOONEYHAN: 20 seconds, please.

5 MS. KELLY BRANIGAM: Ask the hard
6 questions. I urge you to recommend to the Commission
7 the denial of the approval of this unneeded and unwanted
8 pipeline. Thank you.

9 MR. MOONEYHAN: Phil Hulbert, Carmen
10 D'Amico, Mark Pizzati:

11 MR. PHIL HULBERT: My name is Phil Hulbert,
12 P-H-I-L H-U-L-B-E-R-T. I'm a landowner potentially
13 affected by the Constitution pipeline. I'm a registered
14 intervener, and I speak tonight on behalf of myself and
15 my family. I would note for this record that more miles
16 of pipeline are proposed to be installed on steep slopes
17 that are proposed to be co-located on these abtained
18 rights of way. My family and I own 10 acres of land in
19 the Town of Davenport in Delaware County. This is where
20 we live. AS depicted in the environmental construction
21 plans of August 2013 and as nearly as I can tell from
22 the drawings and DEIS, the pipeline will be close to our
23 property on two sides; to the West and to the North. In
24 fact, on the North side the pipeline will likely occupy
25 a portion of our land as will a construction right of

1 way and a temporary work space. All trees on that portion
2 of land, many of which may be 30 or more years old,
3 according to a forest grass plan will be removed. This
4 will eliminate some of the buffer between our property
5 and an adjacent neighbor. This forest and piece of land
6 is important to us, but some of it will be deforested
7 forever. Quite simply, 30 year old trees may not
8 regrow on that land in my lifetime. I'm aware of no
9 effort on the part of Constitution Pipeline to mitigate
10 this project impact for us or other landowners. Based
11 on the scale of the map depicting the pipeline, the trench
12 and the pipeline will be something more than 200 feet from
13 the well that supplies our drinking water. The DEIS
14 suggests 150 feet may be an important distance separating
15 the pipeline from sources of drinking water. I'm not aware
16 of any literature citations in the DEIS that support that
17 distance. I do not know if FERC will issue a certificate
18 of public convenience and necessity. If it does, however,
19 I suggest that a much greater effort be made to avoid
20 routing the pipeline on properties of landowners who do
21 not intend to reach agreement with Constitution Pipeline.
22 My family and I count ourselves among those landowners.
23 Thank you.

24 MR. MOONEYHAN: Carmen D'Amico, Mark Pizzati,
25 Ann Stark?

1 MS. CARMEN D'AMICO: Hello, everybody. My
2 name is Carmen D'Amico, D-A-M-I-C-O. I'm an American and
3 Spanish citizen. I live in East Meredith. I represent --
4 I tried to be here to talk about people in my area. The
5 more I hear about the Constitutional Pipeline, I hear
6 experiences of other people in other parts of the United
7 States and really they are concerned about the pollution
8 in the air. When I think about my children -- I have six
9 children -- my neighbors, how the pollution can effect the
10 water we are going to have. You know it's really very
11 scary to me. I hear my neighbors also having concerns
12 how they take their lands. They don't pay the value of
13 their houses. Insurance are not really covered in that.
14 I think that's a little strange because if it's really
15 safe, why put no coverage? Why? What is behind? One
16 thing that we pay -- I come from the Canary Islands --
17 the reason I come from America is the freedoms. And I
18 really see that freedom taken away from the people when
19 I see my neighbors so close to me -- protect their freedom.
20 They don't care. If you really we have to compromise
21 and work to get it up, why not respect the 75 people that
22 are in my area? Why not take the I88 highway? It's a
23 little more difficult, more uncomfortable. But you know
24 what? They should respect the 75 people -- sorry, 75
25 percent. That is a lot. The other thing I would like

1 to encourage, coming from another country, I'd like to
2 encourage more positive energy like the windmill that
3 we have in the Canary Islands and work very well. It
4 would be nice to see people more work in the energy
5
6 that that's not destroying the air we live. It will
7 get a job. And with the straight air we breathe. What
8 is worth it to me? I don't think that makes sense to me
9 because it's killing us. We have a job and we kill
10 ourself after. So also another thing that I have in my
11 house is a solar panel and it's a very good cause of
12 energy. And if we can grow that in our community and
13 make people work in that, I think we can much more
14 positive and it's better for our health. The last thing,
15 I finish my speech, just it come to me the story of the
16 lower end.

17 MR. MOONEYHAN: 20 seconds, please.

18 MR. CARMEN D'AMICO: It looks so great, so
19 much money, so much job. But what was the point of the
20 story behind? Just a thought. What was the point behind?
21 We have to save our planet where we live. Positive start
22 and working together as America is. I admire and I
23 would like to see America in that direction.

24 MR. MOONEYHAN: Conclude your comments.

25 MR. CARMEN D'AMICO: Okay.

1 MR. MOONEYHAN: Mark Pizzati, Ann Stark,
2 Dee Singer?

3 MR. MARK PIZZATI: Hi. My name is Mark
4 Pizzati. I live in Andes, New York here in Delaware
5 County. And I'd like to speak about some of the
6 impacts of the proposed pipeline project would have on
7 landowners who have owned property along the route that
8 the pipeline is proposed to take. The first DIS in
9 Section 4.9.5, titled 'Property Values and Mortgages',
10 it states that we also researched comments received
11 about the potential impact of installation of the
12 pipeline on the ability to obtain a mortgage or mortgage
13 rates. We interviewed staff at banks and mortgage
14 companies but could not confirm the impact would occur.
15 Well unfortunately, these financial institutions that
16 FERC mentions seems to have been thousands of miles from
17 Delaware County. Actual documentation has been provided
18 here in Delaware County that shows FERC's claims to be
19 extremely uninformed at best. At a spring of 2013 meeting
20 of the Chenango Delaware Gun Club, I met a landowner named
21 Mark E. Archibald who's a military veteran and property
22 owner in Masonville, New York who owns property directly
23 on the route of the proposed pipeline. On March 15 of this
24 year, Mr. Archibald filed an official comment with FERC
25 saying that, and I quote, "I contacted and met with the

1 loan officers of the Sydney Federal Credit Union, Community
2 Bank and NBT banks of Sydney. All three banks said they
3 would not consider a mortgage loan on my property if indeed
4 a pipeline lease and pipeline existed. The loan officer
5 said this would be because of their liability on the
6 property." Now I'd like to mention that a property that
7 cannot be mortgaged makes it difficult or impossible to
8 sell. And a property that cannot be sold really has no
9 value. This pipeline project is destroying not only Mr.
10 Archibald's property but 700 other landowner's property
11 values as well. These are hardworking Americans who
12 chose to invest in our community, in many cases with their
13 life savings. I find it outrageous that any Federal
14 Agency group of people or political would be so heartless
15 as to treat a fellow America in this way. This pipeline
16 route could have been sited on--

17 MR. MOONEYHAN: 40 seconds, please.

18 MR. MARK PIZZATI: Sure. This pipeline
19 route could have been sited on any person's land who sites
20 in this room tonight. Ask yourself how you would react
21 if you were in Mr. Archibald's place. I find it difficult
22 to understand how some can feel they have the right to
23 earn money from the destruction of another person's
24 investment and many cases with their life savings. No
25 private corporation should profit and no individual

1 should get a job by stealing the land from another
2 American. Thank you.

3 MR. MOONEYHAN: Ann Stark, Dee Singer,
4 Mike Richardson?

5 MS. ANN STACK: Good evening. My name is
6 Ann Stack, S-T-A-C-K. My husband and I are landowners
7 in Davenport. The un-Constitutional pipeline is shattering
8 our dreams of building a home on our land, something we
9 have been planning for over eight years. As they intend
10 to build this nightmare right through our planned home
11 site. Tonight I will address just one of the many concerns
12 I have, we have, regarding this plan debacle. To risk
13 the long term destruction of diverse water sources,
14 including streams, wetlands, bogs, lakes, ponds and
15 especially wells, aquifers, polluting an element essential
16 for our lives and the lives of our children, our grand-
17 children and their grandchildren and the lives of the
18 birds, the insects and the animals that are integral to
19 this community. This isn't just about humans. You know
20 there's a whole lot more that makes up a community. It's
21 a complexity of life. To do this, to risk these long term
22 destruction for the short term financial gains of a
23 corporation would be an act of supreme shortsightedness
24 and ignorance. For FERC, and agency of the United States
25 Government whose primary role should be to act on behalf

1 of the citizens of this country, we, the people, to
2 allow such a travesty to happen would be a violation of
3 FERC's mandate to protect and do what is in the long term
4 best interest, the United States of America. Please wake
5 up. And I'm looking at the four of you sitting up there,
6 but what I do mean FERC, all of FERC. For the sake of your
7 children and your children's children -- this isn't about
8 jobs that are going to last six months and nine months.
9 This is about the long term ramifications and you know
10 if a pipeline is coming through New York, fracking will
11 follow. There's no two ways about it. So don't kid
12 yourself. Wake up for the birds, the animals who are
13 powerless to speak for themselves. I ask you to do that
14 which is the only right thing to do. Stop the proposed
15 so called Constitution pipeline from ever being built in
16 this land of the free and home of the brave. Be brave.
17 Show those power driven scoundrels that you will not
18 cower in their presence or be swayed by their smooth
19 talk. Do not allow them--

20 MR. MOONEYHAN: Please finish your comments,
21 ma'am.

22 MS. ANN STACK: --to risk the permanent
23 pollution of our water. Thank you very much.

24 MR. MOONEYHAN: Dee Singer, Mike
25 Richardson, David Marsh?

1 MS. DEE SINGER: Hi. My name is Dee
2 Singer, D-E-E, Singer S-I-N-G-E-R. I would like to
3 express my opposition to the pipeline, along with my
4 husband. My husband and I moved here five years ago.
5 believe it or not we moved from Miami. However, we miss
6 the change of seasons and our family who live in the
7 area. We love it here. I paint in my art studio that
8 we built on our property. And guess what I paint? This
9 beautiful landscape. We couldn't believe when we heard
10 murmurs soon after we settled in of a possible pipeline.
11 These rumors soon turned into reality. Are they crazy?
12 Why? After all the news of accidents, environmental
13 issues, renewable energy on the horizon, etc. We also
14 found out that it provides no benefits, certainly not
15 for us. Of course the principles of the Constitution
16 pipeline will line their pockets. Maybe they would like
17 a pipeline in their backyard. And by the way, I don't
18 want this to become Texas. Because if I did, I would
19 live there. Our hearts are very heavy. Please don't let
20 them do this. Thank you.

21 MR. MOONEYHAN: Mike Richardson, David
22 Marsh, Joey Murray?

23 MR. MIKE RICHARDSON: Hi. I'm Mike
24 Richardson, R-I-C-H-A-R-D-S-O-N, and I live in Kino
25 Lake, New York which is in the town of Bethel. I was

1 on the Millennium pipeline. And I have seen what the
2 Millennium pipeline has done and Precision pipeline and
3 the rest of them that have worked on that 186 mile spread.
4 And I don't see any problems with it. I hear a lot of
5 people, I see a lot of signs here that say oh you know
6 if they're going to take our land by eminent domain. You
7 you know sometimes that's a little bit over the top. You
8 know I've heard about carnivorous plants. You know I've
9 heard about people talking about it's bad for the animals,
10 birds, etc. Duke Energy out in California just got fined
11 for killing 26 bald eagles and 14 golden eagles on their
12 wind farms. You know now I don't think the pipeline is
13 going to pop out of the ground and swat the birds out of
14 the air. So you know, I travel. I work as a laborer. I
15 work on the pipelines. And I don't see a problem, and I
16 would hope that you would give Constitution Pipeline a
17 break and let them work through the area. The people that
18 work the pipelines, they shop in the area. They eat in
19 the area. You know they come up here and they stay in
20 campgrounds. Keota Lake they were in the campgrounds.
21 They were eating out at our restaurants, gas stations.
22 They were in gas stations. They were using our businesses.
23 They were buying lumber. They were buying from hardware
24 stores. So you know sure, short term but I don't see
25 any long term environmental impact because I still live

1 in Keota Lake, and I still see, spread two where I
2 worked for eight months, and it's pristine. It's
3 beautiful.

4 MR. MOONEYHAN: 20 seconds, please.

5 MR. MIKE RICHARDSON: So thank you very
6 much, and I would hope that you would give the Constitution
7 pipeline a consideration. Thanks.

8 MR. MOONEYHAN: David Marsh, Joey
9 Murray, Giuseppe Fiduli?

10 MR. DAVID MARSH: Thank you for having this
11 important meeting. I'm David Marsh, M-A-R-S-H. I am here
12 tonight representing a lot of the union members that you
13 already heard from, many of whom you have not, and thanks
14 for hanging in there, guys and gals. I am speaking on
15 behalf of the Bennington Oneonta Building and Construction
16 Trades Council. Labors Local 785 -- I'm sorry. I'm
17 business manager Labors Local 785. I'm actually speaking
18 here tonight in place of Dan Richardson, President of the
19 Bennington Oneonta Building Trades Council who was unable
20 to come. Labors Local 75 is one of 18 Bennington Oneonta
21 Building and Construction Trades Council for the unions.
22 The Bennington Oneonta Buildings Trades Council
23 represents over 3000 union members and their families
24 in Brume, Chenango and Otsego Counties here in New York.
25 Our union members are not only construction workers. We

1 are homeowners, tax payers, parents, grandparents and
2 members of our local communities. The Constitution
3 pipeline will have both short term and long term positive
4 impacts from an increase in annual property taxes paid by
5 the pipeline. Table 4.9.7-1, page 4-114 summarizes three
6 of the major positive economic impacts for this pipeline
7 and its construction. In New York State, construction
8 payroll is estimated to be \$1.31 million. Annual
9 property taxes are estimated to be \$12.7 million per year,
10 and the cost of purchasing multiple material is estimated
11 to be \$20.3 million. That's economic stimulus by private
12 investment. The Constitution pipeline will bring an
13 estimated 1300 much needed construction jobs to this
14 areas as well as increased jobs related to providing
15 transportation and construction materials and supplies.
16 Construction with the pipeline will be performed by
17 union construction workers. And this I want to clear up
18 is the misconception about local labor. Our national
19 pipeline agreement requires a minimum of 50 percent of
20 the labor force be local union labor ensuring that a
21 substantial portion of the personal income stays in the
22 local communities.

23 MR. MOONEYHAN: 40 seconds, please.

24 MR. DAVID MARSH: Oh. I'll move to the
25 next part. These are quotes from your summary. "No

1 action alternatives were considered for the -- I'm talking
2 about now the NG -- wait. I'll finish up by saying please
3 support this project. I'll read my last sentence. The
4 Bennington Oneonta Building and Construction Trades
5 Council respectfully requests the Constitution Pipeline
6 ES be accepted as written and the Federal NG Regulatory
7 Commission issuing notice to proceed with construction.
8 David Marsh, affiliate of the Bennington Oneonta Building
9 Trades Council. Thank you very much, and this will be
10 submitted in writing.

11 MR. MOONEYHAN: Joel Murray, Giuseppe
12 Fiduli, Steven Payne?

13 MR. JOEL MURRAY: Hello. My name is Joel
14 Murray, J-O-E-L --M-U-R-R-A-Y. Thank you for having me.
15 I'll say that the draft environmental impact statement is
16 woefully inadequate, ignoring the full range of project
17 impacts from the distribution and inevitable fracking
18 and inevitable continued pipeline development from this
19 pipeline. Therefore the draft should be reissued,
20 considering the full range of impediments as their mandate
21 to do. The question of the very premise of the pipeline
22 that certain amount of energy will not get to market if
23 it's not built, it will certainly just simply take more
24 time for energy to get to the existing pipeline system.
25 And so it's only this change and slight improvement in

1 the delivery that should be considered against all the
2 negative impacts. I'm a New York State registered
3 architect and well aware of the skills of union laborers
4 and have no doubt that all these gentlemen do a fantastic
5 job on the pipeline. However, it seems to me that it
6 goes through some of the most sensitive environmental
7 areas in the state. And having traveled through some
8 of the country, to me this is the most beautiful area
9 in the country. I just had to see it industrialized.
10 That would be contrary to the existing communities
11 structure. Businesses around me are water bottling
12 plants, cheese shops, dairy farms and maple syrup
13 production. All these depend on a healthy environment.
14 A number of the conclusions of the FERC report I find
15 I have issues with. There is statements that this is
16 not adversely target lower income individuals. However,
17 the route of the pipeline is through areas of the state
18 where the income is two to three times less than other
19 areas of the state where people do not have to worry
20 about the impacts, as in New York City, Downstate, up
21 in Saratoga, even Cougars town area excluded themselves
22 from the possibility of pipeline. Therefore, it's the
23 lower income people in these areas that are going to
24 face the adverse effects. Also the report states that
25 the loss of property value is not supported by the

1 literature and other statements that will not have
2 adverse effects on the environment and the water are
3 just simply not true. It's a short drive to Pennsylvania.
4 Our discussion with Pennsylvania residents shows the
5 harsh reality of living in the world developed with
6 fracking where people can't buy their water and they're
7 ashamed to even--

8 MR. MOONEYHAN: 40 seconds, please.

9 MR. JOEL MURRAY: --state that where they
10 can't even get water at the local Wal-Mart. It's off the
11 shelves. So just thank you for this opportunity. We
12 want these people to have jobs but not at the expense
13 of the entire local environment for all time to be
14 destroyed. Thank you.

15 MR. MOONEYHAN: Giuseppe Fiduli, Steven
16 Payne, Dan Dolezel?

17 MR. GIUSEPPI FIDULI: Good evening. My
18 name is Giuseppe Fiduli, F-U-D-U-L-I. I'm a landowner
19 and directly effected by the Constitution pipeline.
20 I oppose the pipeline. I'm a resident on Long Island,
21 and I purchased my property up here about 10 years ago.
22 In the last 10 years I have done extensive improvements
23 to the property, also building a home where me and my
24 wife would like to retire. We come up here for the last
25 five, six years with our kids on vacations. And we hope

1 that one day we'll be able to have also our grandkids to
2 be able to come out and enjoy without worrying about 2000
3 pipelines through my property and my kids or my grandkids
4 or their kids getting sick from it. Everybody tonight
5 is talking about creating jobs. I'm a business owner on
6 Long Island. I know about creating jobs. I have 50
7 employees. I've been in business for 35 years. I know
8 that all these people here, when I first came in, I was
9 very angry when I saw all these orange shirts. And then
10 while I listened to them talking I realized they're all
11 here to protect their job and to protect what they need
12 to do to supply for their family. But come to an expense
13 of people who have worked all their lives and now put
14 their life savings into an investment up here and taking
15 that away from them and their dreams and the freedom that
16 this country is built on. I'm an immigrant. I come from
17 a different country. And one of the things I always
18 admired when I first came here was land of the free and
19 be able to create your opportunity and work hard for what
20 you earn and be able to do what you want. Obviously
21 I say as years go by, this is becoming less and less real
22 because I've never seen anything like this where my
23 livelihood is threatened and my saving are threatened by
24 taking away because of greed of the pipeline company.
25 This has nothing to do with helping Delaware. It has

1 nothing to do with helping anybody up here. It's only a
2 mean to destroy the beautiful landscape that we are in
3 love with and--

4 MR. MOONEYHAN: 20 seconds.

5 MR. GIUSEPPI FIDULI: --destroy our lifestyle.
6 Thank you.

7 MR. MOONEYHAN: Steven Payne, Dan Dolezel,
8 Steve Connors?

9 MR. STEVEN PAYNE: Hello. I'm Steven Payne,
10 P-A-Y-N-E. Yeah, I took a lot of ripping in school. I'm
11 a Federal OSHA safety instructor. I'm a pipeline safety
12 instructor and a proud member of the Labors Local 785.
13 Our jurisdiction is nine counties of South Central New
14 York. This pipeline goes through our side yard. It goes
15 through our backyard. This is where we raise our families
16 and where our children play. We have a core of highly
17 trained experienced pipeline workers. We will ensure
18 this pipeline is built to last and built safely. I'll
19 leave you with this parting thought. If someone in this
20 room had a 60, 70 year old artery going to their heart,
21 old, corroded, deteriorated, they'd go get it fixed. Let's
22 put some new pipelines in and take some pressure off the
23 old ones. I thank you.

24 MR. MOONEYHAN: Dan, I'm not sure if it's
25 Miller of Operating Engineers. Loren Mulberry?

1 MR. DAN DOLEZEL: Dan Dolezel,
2 D-O-L-E-Z-E-L. Hi. My name is Dan Dolezel. I just
3 spelled it. I'm a local 17 laborer and a local community
4 member. I want to see the Constitution built and see it
5 built union. Building it union will ensure maximum safety
6 for my union brothers and sister, the surrounding
7 communities and its environment. I and other union
8 members have received 80 hours of pipeline safety
9 training are constantly learning safety construction
10 practices. We take this work seriously. I support the
11 DEIS and believe this pipeline will be built safely as
12 long as it is built union. Let's have some local work
13 and build this pipeline in a safe and environmentally
14 sound manner. Thanks.

15 MR. MOONEYHAN: Loren Mulberry, Steven
16 Connors? Loren Mulberry? Mr. Connors?

17 MR. STEVE CONNORS: Good evening.
18 My name is Steve Connors, C-O-N-N-O-R-S. I looked at
19 the DEIS and really was kind of determined what I wanted
20 to say tonight. And I decided to take kind of a personal
21 level because I think that you need to see who some of
22 the homeowners are. So basically I wrote this. This
23 letter is not technical in nature but rather personal. It
24 is a story. My wife and I have been married for 24 years.
25 Like any marriage there have been ups and downs, but I

1 cannot imagine having to be with anyone else. My wife and
2 I did not have the advantage of having parents that were
3 savvy with finances. Subsequently, neither of us was
4 given good counsel on how to handle money. This resulted
5 in us losing our first house to bankruptcy after six year
6 of paying the mortgage. It's hard to explain to somebody
7 what it feels like to lose a house. Subsequently, it took
8 us 10 years to recover. Living on family property we
9 didn't have a credit card and stuff. And after that
10 period we you know carefully started looking for
11 another home. We learned to be prudent and in the value
12 of living a simple life, and it was learned the hard way.
13 We finally achieved that second house. We spent six
14 years getting settled to the point that it was for
15 growing. This may seem like a minor thing, but its
16 integral to our ability to grow healthy food for our
17 family. And we've also been slowly moving towards
18 growing food for as a small business. My wife and I
19 worked hard all our lives. We've paid taxes, always
20 tried to do the right thing and been honest and fair.
21 This pipeline proposal has stolen one thing from us that
22 we have worked hard for and something -- that's one thing
23 people pay for when they pay for a mortgage and that is
24 peace of mind. The American way is to protect people's
25 rights, supposedly. But eminent domain has been misused

1 in the last 10, 20 years in order to augment businesses.

2 And I understand there's people out here that they need
3 to make a living too. But once again, I'd like to stress
4 the point that you can't do it by taking people's land.
5 75 percent of the people that are considered effected
6 landowners, including myself, has said that they don't
7 want it on their property. And our neighbors are fighting
8 about it because they are looking at moving a lot of them.

9 It's caused stress in our lives on a daily basis. There
10 isn't a day that goes by that the thought of the pipeline
11 or the discussion of it hasn't been in my house and in
12 my neighbor's houses. It's caused a lot of disruption
13 already. Constitution -- and I understand -- and this is
14 not a denigration on the construction workers because
15 I'm sure that they are very stringent in what they do,
16 however, they cannot guarantee the total safety of my
17 house. We live in a neighborhood with a bunch of little
18 kids, and I have kids. I could get a call at work saying
19 that my house--

20 MR. MOONEYHAN: 40 seconds, please.

21 MR. STEVE CONNORS: --has been blown off
22 its foundation, and I know the possibility is low, but
23 the possibility is there. The other thing I want to
24 stress real quick is the way the Constitution has dealt
25 with us as landowners up until this point has been very

1 disingenuous. They sent us the paperwork saying that we
2 were effectively and noticed the day after your last
3 comment period. And then the next day the local
4 representative called me.

5 MR. MOONEYHAN: Finish your comments, sir.

6 MR. STEVE CONNORS: That's not honest. And
7 that's the way they do business. So can they promise that
8 that they're going to take care of us in the long term?
9 I think not. Thank you.

10 MR. MOONEYHAN: Barbara Monroe, Rachel
11 Polens, Susan Dapkins? Barbara Monroe? Rachel Polens?

12 MS. RACHEL POLENS: My name is Rachel Polens,
13 P-O-L-E-N-S. I'm actually going to comment a little
14 bit on the DEIS. I'm a member of the Meredith Town Board,
15 and it is the duty of town government to ensure roads are
16 kept safe, passable and in good repair for all users and
17 to safeguard town roads from externalized costs, thereby
18 minimizing the property taxes of residents. I object to
19 the fact that the DEIS lacks provisions to protect
20 neighboring town roads from impacts of heavy traffic
21 that would result in bringing supplies to and from
22 contractor yards and access roads along the pipeline
23 route. Section 4.9.4 Transportation and Traffic states
24 "the majority of the pipeline project would be in rural
25 areas and most of the roads impacted by the pipeline

1 would be county and private roads." What about town
2 roads? By what routes would supplies be transported to
3 work sites? Would they use any town roads? None of this
4 is in the DEIS. It lacks any kind of truck routes. That's
5 what I'm talking about. According to Chapter 6, Section
6 11.3 of the 2011 revised draft supplemental generic
7 environmental impact statement on oil and gas and
8 solution mining, heavy truck traffic generally causes
9 more damage to roads because by some estimates each
10 passing of a single large truck is the equivalent of
11 approximately 9000 passing automobiles. According to
12 the New York Department of Transportation the cost to
13 repair damaged pavement on local roads varies from
14 70,000 to 150,000 per lane mile for low level
15 maintenance such as a single course overlay and up to
16 500,000 to \$1.9 million per lane mile for full depth
17 reconstruction. Externalized project costs of this type
18 are untenable for cash strapped Brume, Chenango, Delaware,
19 Otsego and Schoharie County towns. A revised DEIS should
20 specify use of any and all town roads for any part of the
21 construction process and require the applicant,
22 Constitution Pipeline Company, to pay for a full
23 assessment of these roads by an outside engineering
24 firm before construction begins and pay for all repair
25 and rebuilding of said roads afterward. Thank you very

1 much.

2 MR. MOONEYHAN: Susan Dapkins, Harry
3 Alberts, James Volks?

4 MS. SUSAN DAPKINS: My name is Susan Dapkins,
5 D-A-P-K-I-N-S. I'm a resident of Delaware County, town
6 Meredith. I'd like to express my view that the DEIS is
7 incomplete. The comment period should be extended and
8 the applicants should be required to submit additional
9 materials to document more thoroughly mitigations to the
10 adverse environmental impacts. In the beginning of the
11 DEIS, FERC states that the project would have adverse
12 environmental impacts but concludes that mitigation
13 measures will render the impacts insignificant.
14 Throughout the DEIS, there are recommendations for
15 additional mitigation plans and additional requirements
16 for the applicant. It would seem that all mitigation
17 plans should be submitted before the DEIS is considered
18 complete. Some examples of mitigation measure recommended
19 or requested but obviously not part of FERC's review
20 process are as follows. And I'm quoting from more or
21 less from the text of the DEIS. The applicant has not
22 provided sufficient detail for proposed permanent crossings
23 of wetlands nor have they provided sufficient justification
24 for the use of permafils. Site specific plans are needed
25 for roads crossing wetlands and associated water bodies.

1 While legal mitigation plans needed, sites specific to
2 blasting plan, including protocols for water blasting is
3 needed. The applicant needs to file a written approval
4 for water withdrawals to the DEC, needs to document any
5 property insurance issues that coordinate with landowners,
6 used to conduct your physical studies to evaluate
7 subsurface conditions at sites where specialized crossing
8 methods are proposed, including wetlands, water bodies and
9 roads. Karst topography. Constitution has not yet
10 indicated whether it would implement all listed
11 potential mitigation measures discussed in its
12 environmental report. FERC recommends Constitution
13 implement mitigation measures upon Karst terrain.
14 Appropriate mitigation plan for special status species
15 needed. Given that the Constitution pipeline will cross
16 19 designated aquifers, 277 water bodies and proposes
17 to fill 13 wetlands permanently, it would seem that
18 complete documentation of measures to mitigate damage
19 should be required before the DEIS can be considered
20 complete. Another area needing additional detailed
21 documentation are plans for the access roads. In looking
22 at the maps included as part--

23 MR. MOONEYHAN: 20 seconds, please.

24 MS. SUSAN DAPKINS: Okay. I'm going to
25 have to shorten this up. Finally, FERC is charged with

1 weighing public necessity and convenience against
2 environmental impacts. Given the tremendous pressure on
3 natural gas prices, how can the local -- the domestic
4 consumer be guaranteed affordable energy for any period
5 of time? Thank you.

6 MR. MOONEYHAN: James Voltz? Dan Dolezel?

7 FEMALE: He spoke already.

8 MR. MOONEYHAN: Lois Chernin?

9 MS. LOIS CHERNIN: My name is Lois Chernin,
10 C-H-E-R-N-I-N. I live in Otego. I own property there, 64
11 acres. Your environmental impact statement, all 945 pages
12 of it is replete with mitigation plans. If any problem
13 should arise, it seems there will be a fix. Although it
14 is entirely sensible that owners should be careful
15 regarding their own property. They can speak to their
16 own concerns. But what isn't in the statement? It talks
17 about how the turtles and snakes will be affected, how the
18 vegetation will be impacts, how the pipes rejoin and it
19 discusses the merits of putting it in one place versus
20 another. But the real question might be what will the
21 pipeline really do, because I think that is the real
22 problem. Many people have been accustomed to this part
23 of New York State being a quiet rural place of easygoing
24 quiet people. But the land has lately been largely unused
25 and populations are thinning. And there's always a

1 confusion that quietness might be mistaken for acquiescence
2 just because people think unused land is normal, not
3 everyone would agree. And I believe that is the problem.
4 The current appeal of this area is that it is dying.
5 Everyone knows of youngsters that don't come back after
6 college or leaves soon after marriage. How many people
7 have left after retirement tired of the weather and the
8 endless taxes? At one time, not so long ago, the hills
9 were not covered with woods but with active pastures and
10 herds of cows and the lifestyle that required. Snowmobiles
11 and ATV's would have had fences and active crop land to
12 get in the way. Without more jobs and less taxes there
13 will be fewer and fewer people who can or care to stay.
14 Although if the pipeline isn't built, the EIS says it
15 would take 828 truckloads of natural gas per day every day
16 to move the same quantity of gas. Now that would bring
17 jobs and a lot of them. But the environmental impact
18 would not please many. Carbon dioxide is supposed to be
19 a bad thing, and burning gasoline fuels gives off Co2.
20 But natural gas is clean burning and it's used as a major
21 contributor to our now lowering Co2 levels. And you can
22 add into the mixture that natural gas can be burned to
23 produce electricity, replacing the coal that is being
24 phased out forcefully by Washington. I am sure that we
25 all like being able to throw a switch and getting

1 electricity. We, as a country, are going to have to be
2 able -- are going to be able to prosper -- let me start that
3 again. If we, as a country, are going to be able to
4 prosper, we need to be able to have sufficient energy
5 to live. Relying on foreign countries to supply our needs
6 is foolish, given the realities of world politics.

7 MR. MOONEYHAN: 20 seconds, please.

8 MS. LOIS CHERNIN: We have in our power to
9 supply ourselves, as well as other countries, with their
10 own energy. It is cleaner to use than the gasoline we all
11 grew up with and in modern recovery techniques safe to
12 obtain. America could sell energy and remove their hold
13 on Middle East and the Communist countries have on the rest
14 of the world.

15 MR. MOONEYHAN: Please concluded your
16 comments, ma'am.

17 MS. LOIS CHERNIN: One sentence. One last
18 thing, I understand that it might be possible to bring
19 natural gas to the village of Otego. While it won't help
20 me three miles out of town, it would help the schools in
21 lowering the school's fuel bills would lower school taxes
22 and that would help me.

23 MR. MOONEYHAN: Annie Sauter?

24 MS. ANNIE SAUTER: My name is Annie
25 Sauter. Our land, my husband's--

1 MR. MOONEYHAN: Spell that, please.

2 MS. ANNIE SAUTER: S-A-U-T-E-R. My husband
3 can't be here tonight. He's also a military veteran.
4 He's -- I'm 63 years old. He was injured by a chemicals
5 that got into the water at a U.S. Air Force base at --
6 that got into the water. I was speaking to a guy over
7 here, the Fort Drum guy. Where was the OSHA guy then?
8 But so his kidneys -- where were you? Well anyways, so
9 his kidneys were destroyed. He spent 30 years in constant
10 chronic pain and finally had to have experimental kidney
11 surgery at the Cleveland Clinic. The Air Force denied any
12 knowledge of this until after the bases were close, at
13 which point they became immediate super fund sites. So
14 much for oversight. My opinion, Smedley Butler was right
15 about the military industrial complex, and he's right
16 about the same thing going on with corporations. If we
17 keep being told "trust me" -- my husband, when he finally
18 is able to possibly get back on his feet again, we have
19 a studio, a ceramic studio and a forge right -- it was
20 going through -- I can't tell from the new maps whether or
21 not it's going through our land or not. If it's not,
22 it's going through -- it was going through our land
23 originally. If it's not, it's on a hillside above our
24 land. Our studio is between the Susquehanna River and
25 our culvert that comes down the mountain that blocks the

1 road up to Otego is almost continually a retirement range,
2 flooded out, mudded, filled with rocks and soil, and if
3 there was a -- I'm sure If there was a pipeline up there
4 it would either be in our backyard or broken. The idea
5 that these things can be guaranteed safe is ridiculous.
6 I mean we hear almost every five minutes there's another
7 government inspected facility that's gone kapooie. Look
8 at WHIP. You look what happened just in WHIP? Oh, that
9 was supposed to last 15,000 years. Well first they lied
10 and say nothing escaped. Then they say oh well a little
11 escaped. Now it's like I think it's up to 17 people are
12 entirely contaminated with radiation. Now we know if
13 you live around here you know you get your house tested
14 for radon. Our house tested really high. We had to have
15 our house mitigated. You bring that stuff up, that gas
16 up and fracking is going to come. Anybody who thinks
17 that's not going to happen is crazy. So and the gas
18 from Pennsylvania, who knows if it's radioactive? Are
19 we going to be guaranteed that gas isn't radioactive
20 going through there? You want that pumped into your
21 school, radioactive gas? You want your school here
22 with radon? You'll be glowing in the dark. But anyway,
23 so I'm saying I don't want to trust anybody. Fossil fuels
24 -- one sec.

25 MR. MOONEYHAN: 40 seconds, please.

1 MS. ANNIE SAUTER: Fossil fuels are no
2 good. It only makes money. I lived in Kansas. I've
3 seen gas and oil. I've seen what happens when they
4 come in. I've seen what happens when they leave, and
5 it's ugly. They leave. The inspectors are gone.
6 Everything is gone. All that's left is the chemicals
7 in the ground, the poisoned wells, the poisoned people
8 and the poisoned dirt.

9 MR. MOONEYHAN: Kristina Turechek?

10 MS. KRISTINA TURECHEK: Kristina with a K
11 and T-U-R-E-C-H-E-K. I'm not on this pipeline. I have
12 one down the road from me. It hasn't caused any trouble
13 except I guess last year they were fixing it and the
14 roads were full of trucks for several weeks. But nothing
15 terrible happened. Thank goodness. I guess I'm lucky
16 because quite a few people said some of the things that
17 I was going to say tonight, especially with regards to
18 mitigation actually not being possible. If something
19 dies, how do you mitigate? And I'll lose creatures who
20 can't speak for themselves. Anyway, this is really all
21 I need to say tonight. This is called the great law of
22 the Iroquois, "In every deliberation we must consider the
23 impact on the seventh generation, even if it requires
24 having skin as thick as the bark of a pine." You have
25 a lot to do, a lot to think about, and I hope you do

1 think seven generations ahead. Thank you.

2 MR. MOONEYHAN: Rachel Soper, Elizabeth
3 Nields?

4 MS. ELIZABETH NIELDS: My name is Elizabeth
5 Nields spelled N-I-E-L-D-S. Many of us in Otsego County
6 have worked very hard to obtain bans for our towns and
7 villages. We were afraid for our safety, the safety of
8 our children. We fear pollution of our water and the loss
9 of quality of life. I'm sure you know about the
10 radioactivity of the Marsalis shale and of the dangerous
11 chemicals that are often used in drilling. I'm sure you
12 know of the noise produced by compressor stations and
13 heavy truck traffic. I'm particularly concerned about
14 the cumulative impacts such in 4.13.1, Marsalis shale
15 development. The pipeline would make it more convenient
16 to develop shale deposits in our county and in neighboring
17 counties. It would encourage what we have worked so
18 hard to prevent. Our nation's resources should be spent
19 on developing renewable energy. I have been told that
20 the pipe may end up at a seaport and then the gas could
21 then be sent abroad. If this happens, we will be using
22 up what's some have called a bridge fuel. We will only
23 seek to export and consume more and more natural gas
24 and consequently we could become even more dependent on
25 gas for manufacturer's profit and for a fuel. WE will

1 need to drill more and more. And since our supply is
2 limited, eventually we would become more dependent
3 on foreign gas and oil, meanwhile we would jeopardize
4 our most important resource; clean air, water and the
5 soils. And I hope you'll pay particularly attention to
6 the letter from OCCA dated March 28 because they talk
7 a lot about the dangers to the environment. Thank you.

8 MR. MOONEYHAN: John Alishauskas?

9 I'm reading for Rachel
10 Soper. You skipped her.

11 MR. MOONEYHAN: Okay, go ahead. Your name,
12 sir?

13 MR. MICHAEL STOLZER: My name is Michael
14 Stolzer. Rachel Soper's name is spelled S-O-P-E-R.
15 The draft EIS states, "The conclusions in the EIS are
16 based on our analysis of the environmental impact and
17 the following assumptions, first one being the applicants
18 would comply with all applicable laws and regulations."
19 The DEP issued a 19 page penalty report documenting in
20 detail that Williams midstream service is a previous --
21 had previously cited violations that went un-remediated
22 and the same violations were repeated again and again at
23 almost every one of their sites. According to the
24 Pennsylvania DEP's public compliance report, Williams'
25 Company through a three pipeline subsidiaries had more

1 fines in 2013 than any other oil or gas company in the
2 state. The following violations were reported over and
3 over. One, failure to implement, maintain the erosion
4 and sediment best management practices required to
5 minimize and prevent accelerated erosion and
6 sedimentation. Two, failure to provide an erosion and
7 sediment plan. Three, failure to provide adequate soil
8 stabilization. Four, creating a danger of pollution in
9 waters of the commonwealth in violation of the Clean
10 Stream laws. Five, allowing a sediment to enter a water
11 of the commonwealth. Six, pollution discharge into the
12 waters of the commonwealth in violation of the Clean
13 Streams law. Beyond their clear record of environmental
14 and safety violations which I find it difficult to believe
15 in anything Williams has to say given that the company
16 has paid nearly \$2 billion, that's with a B, to
17 governmental authorities to settle allegations of
18 market manipulation, intentionally manipulating
19 natural gas prices and violating the Unfair
20 Competition Act. Following our additional noteworthy
21 violations; failure to comply with approved ESCGP1
22 erosion sediment control for the project in violation
23 of the Clean Streams law, failure to obtain erosion
24 and sediment controlled general permit for an
25 additional access road. The department staff noted

1 states marking on wetland crossing the area but none
2 of the plan maps showed any wetlands. The following
3 DEP instructors comments thumbs up the entire 19 page
4 report in a nutshell stating that these violations,
5 "have been continuously noted in previous inspections
6 and have not resolved as of the date of this inspection."

7 MR. MOONEYHAN: 40 seconds, sir.

8 MR. MICHAEL STOLZER: Well this could go
9 on for a long time. And as it says here, I could go on
10 all night. However, I will conclude by saying, conclusions
11 based on the assumptions that the applicants would
12 comply with all applicable laws and regulations are
13 completely and totally invalid.

14 MR. MOONEYHAN: John Alishauskas?

15 MR. JOHN ALISHAUSKAS: Hi. I'm John
16 Alishauskas. That's John, J-O-H-N, Alishauskas is
17 A-L-I-S-H-A-U-S-K-A-S. I have a 500 acre farm. I worked
18 in the waste industry to try to support my farm with
19 organics, and I also have a Class 3A waste treatment
20 license. I was certified for 4A, have an engineering
21 background. I talk on Truth Radio six days a week
22 because of things that are going on. I was hurt back
23 in '92. I had a 10 ton bulldozer fall on me and blow
24 my head up like a balloon. And I was able to talk from
25 out of my body, and I was kind of given an ability to

1 find a lot of truth. So anyhow, we talk on what I call
2 Truth Radio. I have a piece of equipment here. The
3 patent number is 3,693,731 which is a boring machine
4 that's powered by nuclear power. It bores seven miles a
5 day through solid rock. It melts the rock out, pushes
6 it into the parameter of it and forms a seal like a glass
7 seal and drains the rest of its life. And you could bore
8 a hole directly straight under the ground, miss everybody
9 that's complaining about their land, go directly under
10 hills, cut down the volume of pipe needed, have a hole
11 that's accessible so that the pipe that's in the hole is
12 serviceable, without having to excavate or anything.
13 There's lots of positive things that could come from that.
14 Michael Faraday, the father of electric back in 1820's
15 predicted that we'd be able to behold the sunspot
16 activity from the solar setup and that would create high
17 carbonization in the atmosphere which a lot of people
18 are telling us, "Oh boy, if we have a little gas escape,
19 this could be really terrible." But from what he
20 predicted, and we feel the sun on our face is extremely
21 hot and verifies and also is verified in the National
22 Geographic films and whatnot, that we're losing
23 tremendous tons of -- megatons of natural gas from the
24 ocean, the tundra and the expanding the gas in the
25 ground. It's a problem that's coming at us. WE have

1 people that say, "Oh, we've got gas in our well now.
2 It's natural." It is. But as you have an expansion from
3 heat, the gas is expanding. It's going to come to the
4 surface. So we have a problem that's coming at us.
5 Being in the waste treatment industry in the old days
6 is you developed a law because of a problem. It was kind
7 of a mitigated law that became law and you couldn't get
8 around it. It got to be a definite law. Today we're
9 finding out that -- just in the for instance, have you
10 ever read a 10,000 page book? No. Could you write a
11 10,000 page book in a week? No. Well that tells you
12 that the Patriot Act was illegally ratified. And I don't
13 there's a trooper here in this building that's ever read
14 it. So we got so many laws with the other 40,000 laws
15 made the last two years and the other millions of laws
16 and all this stacks up of rules and regulations we have
17 common sense. We have a problem. Mr. -- I can't think of
18 his name.

19 MR. MOONEYHAN: 20 seconds, please.

20 MR. JOHN ALISHAUSKAS: Of the Catskill
21 farm, he says he's off the grid but his clothes are
22 built with fuel and truck with fuel. He drove here with
23 fuel. He's not telling the truth fully that he's not
24 living in our means. So is the law today -- if you're
25 in the waste treatment industry and have Class 364 permits

1 and whatnot, they have a new regulation now. It's no
2 longer, "Oh you follow the rule". It's like you have
3 a political game you play.

4 MR. MOONEYHAN: Please conclude your
5 comments, sir.

6 MR. JOHN ALISHAUSKAS: And you have to play
7 that political dance which is much harder, and again, it's
8 not truthful. So anyhow, I can go on for a long time.
9 There's a law, U.S. 50, Article 38, Section 1520. This
10 is the law that control the weather and poison us. Who's
11 really poisoning us?

12 MR. MOONEYHAN: Thank you. Robert Kerley?
13 Ellen Polk? Robert Kerley?

14 MR. ROBERT KERLEY: Robert Kerley,
15 K-E-R-L-E-Y, a resident of Schoharie County, New York.
16 I'm opposed to the Constitution pipeline. I think that
17 pretty much sums up my personal comments. I know
18 people in Schoharie County whose land this pipeline
19 is proposed to go through. They're very afraid of the
20 pipeline. They're opposed to it as well. I think in
21 terms of comments, obviously the greatest environmental
22 impact is if humans are killed from the pipeline if there's
23 ever an explosion. Again, as someone said before, that
24 cannot be mitigated. I think that the probably there
25 was a lot of comment tonight on jobs, on union job

1 creation, things like that. Ultimately this is not
2 a commerce department hearing or national labor relations
3 board hearing or anything else like that. This is an
4 Energy Department hearing. We're working on pipeline here,
5 and it's not the job of FERC or the Energy Department to
6 create jobs for union halls ultimately. Probably this area
7 is in something almost like a long wave economic cycle,
8 maybe something from 70 and 90 year cycle. As someone
9 else said, this is not Texas and ultimately these are
10 rural areas of the Northeast will probably rebound without
11 going into some type of quick turnaround energy clay,
12 fracking shale gas plate type of thing. I think in terms
13 of FERC itself and the Energy Department, that there's
14 something very power vested regulatorially and FERC
15 and I have spoken before about how probably their needs
16 to be an overhaul of the entire natural gas scheme in
17 this country as is federally regulated through your
18 Department, through the Energy Department. That hasn't
19 really happened yet. I think that ultimately there's
20 not a lot of good that can come out of this. This is
21 mostly seems to be probably some type of under the table,
22 off the books transnational political play between the U.S.
23 and Canada to try to build the last work of segmented
24 pipelines to try to form TransCanadian--

25 MR. MOONEYHAN: 40 seconds, please.

1 MR. ROBERT KERLEY: Okay. There's probably
2 some type of ultimate motive to form some type of
3 Transcontinental pipelines up to the Coast between
4 Boston and the maritime provinces to try to export all
5 the two liquid natural gas. It would actually go against
6 your regulatory scheme and make this entire thing
7 unnecessary and inconvenient.

8 MR. MOONEYHAN: Please conclude your
9 comments, sir.

10 MR. ROBERT KERLEY: Thank you.

11 MR. MOONEYHAN: Loddie Marsh?

12 MS. LODDIE MARSH: Hello. My name is Loddie
13 Marsh, M-A-R-S-H. I'm an affected landowner and
14 intervener. Is pipeline a step towards renewal? Far
15 from it. The pipeline and fracking are ongoing threats.
16 Fossil fuels have reached the point where they can only
17 be produced by using methods that are extreme, costly and
18 dangerous to our rural communities. Ironically, Cabot
19 Williams started off with the slick marketing to name
20 their pipeline Constitution. This profit driven
21 corporation behind the pipeline threatens to use
22 eminent domain to seize our private property in Delaware
23 and three other New York counties in order to ship fracked
24 gas to urban and foreign markets. For anyone who loves
25 their land, woods and water bodies and is lucky enough

1 to appreciate and enjoy their values, think about this,
2 nearly all the pipeline route would cross fragile and
3 difficult terrain including 36 miles of woods, 277 rivers,
4 ponds and streams. 35.1 miles of steep and side slopes
5 which will contribute to additional flooding. 45.4 miles
6 of shallowed bedrock which will require blasting in over
7 10.7 miles of wetlands, critical to ecological processes.
8 The proposed pipeline is slighted to travel through 555.3
9 acres of prime farmland and 33.4 miles in agricultural
10 districts. Other impacts to think about is the clear
11 cutting of hundreds of thousands of trees, the use of
12 herbicides to maintain the clear cut areas, the
13 restrictions to your land, the noise and structural
14 damage from blasting and jackhammers or town water and
15 personal wells being contaminated from the blasting,
16 the degradation of our water quality and the additional
17 pass this project will create for storm runoff.
18 According to New York Governor's office on 1-9-13,
19 there is 100 year flood every two years now. Think
20 of the increase and flooding should this project go
21 through. The invasion and destruction of Upstate
22 New York only profits big corporations and sold out
23 politicians who want to get the last dollar out of an
24 obsolete industry by desperate and dangerous efforts.
25 Cabot Williams purposefully picks union workers. They

1 bus them in. They buy them t-shirts. They give them hats.
2 Union workers against landowners by fabricating the
3 potential for jobs. According to the EIS, this pipeline
4 will only create seven permanent jobs.

5 MR. MOONEYHAN: 40 seconds, please.

6 MS. LODDIE MARSH: Cabot Williams lies by
7 omission. Ask about the missing compressor stations
8 purposefully omitted from the EIS. Think about what we
9 have to lose. The profit is not ours. The damage left
10 behind is ours.

11 MR. MOONEYHAN: Janice Cragolin?

12 MS. JANICE CRAGNOLIN: Good evening. My
13 name is Janice Cragolin. That's C-R-A-G-N-O-L-I-N. I'm
14 speaking on behalf of myself and my family, my mother, Dr.
15 Alicia Pagano, P-A-G-A-N-O who is an intervener for FERC.
16 I'm speaking off the cuff tonight. I didn't plan to speak,
17 but I feel it's really important because I've been reading
18 a lot of things that I feel are very disturbing. One of
19 the facts that I just read was the cost to the State of
20 Texas done by the oil industry, the rigs, the trucks, the
21 construction trucks that were on the road costs the state
22 \$4.3 billion. They were able to recover \$1.8 billion in
23 taxes. So that left a significant gap in the amount of
24 money that they -- that the industry cost the infrastructure
25 just so the highway, the interstate infrastructure that

1 was never recovered. That means the taxpayers have to
2 pick it up. Now what happens here in New York State when
3 the Constitution construction equipment comes through our
4 communities? We live on a county road, on a county
5 highway. Our house is about 30 feet from the road. And
6 what happens after truck after truck has rolled through
7 there and done the damage that 9,000 cars will do every
8 time one truck goes through? And they do that for eight
9 months. Who's going to pay for the damage for that? If
10 the pipeline goes through, there's a good possibility we
11 will leave because it will go through our neighbors
12 land, the one who just spoke. It goes through her land.
13 And it's hard to watch your neighbors live in -- with the
14 distress of not knowing what they're going to do. I don't
15 know what plan there is in the DEIS for how you compensate
16 people for their emotional angst for what they're
17 experiencing knowing this is happening in their lives.
18 We -- this is a four generation. This farm has been in
19 our family now for four generations, and we want to keep
20 it. I know the job issue is a shortage. There are a
21 shortage of jobs here in Upstate New York. I work in
22 Oster County and I live here. I live here in Delaware
23 county. And it's an issue that we have to find other
24 ways to deal with, and I know that's not your
25 responsibility. But it is part of the bigger picture.

1 I know if we have to sell, we will not be able to get --
2 somebody will not be able to get a mortgage for our
3 property. We are within that proximity to a gas
4 pipeline. And if we decide to stay because we can't
5 get a mortgage, we won't be able to get homeowner's
6 insurance because we're that close. These are things
7 that I would request that FERC look into, how this is
8 going to be handled in the long run. And I'll come back
9 to I think the thing that's most important--

10 MR. MOONEYHAN: 20 seconds.

11 MS. JANICE CRAGNOLIN: thank you -- is our
12 quality of life, how this is affecting the people who
13 actually live here, not the people who are shipped in
14 because they have the consequence of jobs. And yes, that's
15 important. The jobs are important. But I want to live
16 here for the rest of my life. I would like my daughter
17 to live here too. I would like her kids to be able to
18 live here. It's about these families that are here
19 forever that are going to have to deal with the impact
20 of a pipeline that comes through and the potential for
21 fracking that will probably come through. Thank you for
22 your consideration.

23 MR. MOONEYHAN: Clark Rhoades?

24 MR. CLARK RHOADES: My name is Clark
25 Rhoades, R-H-O-A-D-E-S. What I'm going to -- what you are

1 going to hear tonight are potential jobs and potential
2 economic benefits. But also weigh the potential downsides
3 of victims, both of those from explosions and anxiety of
4 anyone near the pipeline at any time. At the time of the
5 explosion at El Paso, a 30 inch pipeline that was operating
6 at 675 PSI, which would give you a potential impact radius
7 of 537 feet. You got 138 feet further away at 675 feet
8 there were 12 people camping, all died even though their
9 river was only 100 feet away. Six died so quickly that
10 some didn't even get out of their vehicles. And the
11 children were left in their playpens. The six that were
12 able to jump over the river were so badly burned that they
13 died horribly. The firemen who came to rescue the victims
14 were so traumatized by the degree of burns -- that the
15 victims looked like mummies in agony in the river were
16 able -- who were to die -- sued the El Paso pipeline for
17 psychological trauma. Statements from the firefighters
18 and victims where the responders heard the screams from
19 the direction of the river, three firefighters under the
20 command of Fire Chief Michael Shan, ran towards the
21 screams. And Miranda told the firefighters told them
22 she and Kirsten had been sleeping in the pickup when
23 her husband Terry woke her up and told her to run for
24 the river. She was already on fire when she jumped out
25 of the truck with Kirsten. Kelly Kicks, Lieutenant, was

1 already climbing out with five year old Kirsten in his
2 arms. Together the two got badly burned girl in the
3 ambulance and said "dad" inside the ambulance. Filled
4 with the smell of burned flesh and hair they worked to
5 support the child to the deathly trip to the carlsbad.
6 Both recall she was still conscious for much of the 30
7 mile trip crying and talking to them of her banging.

8 What can we conclude from comparing the El Paso pipeline
9 to the Constitutional pipeline? The difference between
10 the pressure at the time the El Paso explosion, had the
11 Constitution pipeline which is 219 percent higher. That
12 means that the minimum kill zone of the Constitutional
13 pipeline are the same conditions of the El Paso
14 pipeline explosion would have been 4,435 feet. The
15 approximate crater resulting from a rupture of the
16 Constitution pipeline would be 212 feet wide and 248 feet
17 long. Death from the pipeline explosion is good. It's
18 quick but bad if it takes a while. I am an intervener
19 of the Constitution pipeline.

20 MR. MOONEYHAN: 40 second's

21 MR. CLARK RHOADES: And believe that the
22 project should be stopped as the potential impact radius
23 is unrealistic at a public relations document of the gas
24 industry and needs to be changed to reflect reality and
25 not the gas industries greed. Thank you.

1 MR. MOONEYHAN: Epifanio Bevilacqua?

2 Marc Wishengrad?

3 MR. EPIFANIO BEVILAIQUA: I'm Epifanio
4 Bevilacqua from Franklin New York. I'm also a union member.

5 MR. MOONEYHAN: Can you spell that, please?

6 MR. EPIFANIO BEVILACQUA: E-P-I-F-A-N-I-O,
7 Epifanio Bevilacqua, B-E-V-I-L-A-C-Q-U-A. I'm also a
8 union of Local 79. And I see what they need but I would
9 look at us. I drove up and down anyway to go to work. I
10 went to the city. I'm 17 years. So I wouldn't want
11 bloodshed on my hands from my neighbors and my community.
12 And I wouldn't do it. And I had a lease and I got rid
13 of them. Don't want them nowhere in New York. I want a
14 ban. I want a Constitution pipeline, both pipelines
15 stopped and none at all being made. We should go to
16 renewable energy, solar panels and other amenities. Thank
17 you.

18 MR. MOONEYHAN: Marc Wishengrad?

19 MR. MARC WISHENGRAD: Hello. Marc, M-A-R-C
20 Wishengrad, W-I-S-H-E-N-G-R-A-D. I spoke yesterday, so
21 I'd like to add something that I missed about how political
22 this thing, this pipeline seems to be. There is something
23 that is trying to be pushed through Congress by the
24 President and with marketing groups to try to promote it.
25 It's called the TPP, Trans Pacific Partnership, which means

1 that it would be that we would not be able to sue a
2 organization to protect their shareholders, a company,
3 that is actually, you know, polluting our drinking water
4 or doing something that could affect our lives. So if it
5 would affect the stockholders, then we wouldn't be allowed
6 to hurt a company. That's like almost saying that
7 someone could be allowed to murder somebody, but we
8 wouldn't be able to prosecute them. Now why are
9 corporations allowed to take our lives and our livelihoods
10 and potential for me personally to have an organic farm
11 on my property which would be 200 feet from a pipeline?
12 And which if it ruptures or if there's an explosion, you
13 know, not to mention dying, it could devastate. Let me say
14 something else that I'm concerned about. The -- this is
15 compressed gas that other people are talking about
16 pipelines in Alaska which was oil and things that are
17 not under so much pressure with these welding seals.
18 And once it's underground this oxygen is depleted from
19 the soil and that is what is the beginning of life.
20 And there is so many streams and wetlands around my
21 neighborhood and throughout the 150 feet of the
22 proposed pipeline that would be effected by this
23 pressurized gas going through these lines that I can't
24 imagine how they can protect that leakage into the
25 atmosphere, into the ground atmosphere. And there is

1 also something called -- a geologist who I think has
2 submitted comments has spoke about which is migration,
3 which means near the pipeline, yeah you think that's the
4 only thing that's going to be effected? No, it can go
5 seven miles, probably more, you know, through geothermal,
6 geological underground streams. This is -- then we have
7 the compressor station which of course has you know bad
8 bad air quality for us. And you know I just I came up
9 here to really enjoy this beautiful land, and I know that
10 people--

11 MR. MOONEYHAN: 20 seconds, please.

12 MR. MARC WISHENGRAD: Thank you. I know
13 that the people who are in FERC are individuals and humans
14 and can understand that we are people too, and we all
15 need to find a way to have energy in our lives so we can
16 survive but I don't think that this gas line with the high
17 pressure is the way to provide -- you know, fossil fuels
18 should be on the way out. And that's about what I have
19 to say. I just wish you guys to consider that there are
20 other alternatives that could also create jobs. Thank you.

21 MR. MOONEYHAN: Ray Lewis? Colleen McKinney?

22 MR. RAY LEWIS: Ray, L-E-W-I-S. What really
23 got my attention tonight and stuck out like a sore thumb
24 is that about 95 percent of those people supporting this
25 pipeline were bussed in union members. And they supported

1 this project solely for the supposed jobs. In fact, the
2 back of their shirts sum it up. Our jobs depend on the
3 line. Now correct me if I'm wrong. The purpose of FERC
4 in regards to this project is not to create union jobs.
5 The purpose of FERC in regards to this project is to
6 determine a need so great to a national interest that it
7 necessitates taking people's land. Again, FERC, a Federal
8 Agency has nothing to do with creating local union jobs.
9 Local -- the creation of jobs rests with a number of
10 different local agencies, but it does not rest with
11 FERC. Thank you.

12 MR. MOONEYHAN: Colleen McKinney? Barbara
13 Loeffler?

14 MS. COLLEEN MCKINNEY: Hi. My name is
15 Colleen McKinney, M-C-K-I-N-N-E-Y. I'm a landowner in
16 Sydney. I have 48 acres, and the original proposed
17 pipeline route ran across my property. Not it runs
18 adjacent. But I don't think it should run through
19 anyone's property. For the past eight years my
20 husband and I have invested all of our savings in our
21 land and house. We have planted fruit trees, nut trees,
22 built an organic garden. WE keep several beehives and
23 have plans to expand our organic honey operation. We
24 love this land. Many of our neighbors have similar
25 financial commitments and emotional ties to their land.

1 Like us, they have worked and saved to afford what they
2 have, land that they hope to preserve and enjoy their
3 whole lives and for future generations. This is
4 regarding the impact the pipeline would have on
5 property insurance and homeland values -- home and land
6 values. The DEIS claimed the impacts were unclear and
7 recommended a wait and see approach. This is vague,
8 inadequate and unfair to the hundreds of landowners
9 along an adjacent to the pipeline route. I called my
10 insurance company, which is called USAA, two weeks ago.
11 In case you're not familiar with it, USAA is available
12 to all members of the U.S. Military, both active and
13 retired and their children. The representative I spoke
14 to said we would be reassessed if a pipeline is built.
15 She said, "You don't want this on your property. Liability
16 would be a problem." In an attempt to ease my worries,
17 she said, "But if the pipeline were changed again and did
18 cross our property, by law USAA cannot cancel our policy."
19 However, she said our premium would likely increase
20 possible by a lot. She also suggested, trying to be
21 helpful, splitting the property into two parcels and
22 selling the pipeline portion to Constitution. As we
23 all know, however, Constitution has no interest in
24 purchasing land outright, only using it for their
25 economic gain and letting landowners deal with the

1 adverse financial and environmental consequences.
2 The DEIS should clearly state how or if Constitution
3 would compensate landowners who face skyrocketing
4 premiums as a result of this pipeline. Regarding
5 property values, the following three points come from
6 the forensic appraisal group based in Oshkosh, Wisconsin.
7 The company's president has complete, quote, 18 studies
8 on the impact of natural gas transmission pipelines on
9 property value. One, the effect of a pipeline running
10 across your property could diminish its value by, "as
11 little as 50 percent of the easement land value--

12 MR. MOONEYHAN: 40 seconds, please.

13 MS. COLLEEN MCKINNEY: --were up to 30 or
14 more percent of the whole property value. The short of it
15 is, a pipeline will decrease the value of your property.
16 And I'll go onto number three, he says, "There is not
17 upside to having a pipeline easement on a property.
18 Thank you.

19 MR. MOONEYHAN: Barbara Loeffler?

20 MS. BARBARA LOEFFLER: Barbara Loeffler,
21 B-A-R-B-A-R-A L-O-E-F-F-L-E-R. I just would like to say
22 that, for the most part, most of us believe that the only
23 necessity for this pipeline is for Cabot Williams to be
24 able to come into New York and frack us. There's no reason
25 for the pipeline to exist except to -- because they can't

1 come here and frack first, otherwise they'll have to build
2 another whole pipeline if this one's already full, which
3 is not the truth because it's an open access pipeline. So
4 when they build the pipeline, they will have a field day
5 with the fracking because they've already got a delivery
6 system, which they absolutely have to have in order to
7 frack New York. All the wells that they're drilling in
8 Pennsylvania, they're all going to peter out over the
9 next 10 years. Maybe some of them go after two years. So
10 they have to keep moving further and further down the
11 line and keep this going. I'm a person that believes in
12 renewable energy which is the sun, the wind and water. I
13 have a 5K solar system that cost me a lot of money to
14 put in, and I'm not one of the rich people or famous
15 either. Maybe notorious but not famous. I would also
16 like to make a comment about Amphenol and some of these
17 corporations that, to me, they seem to appear to have some
18 kind of insider knowledge that this big pipeline was
19 going to come. Why else would they make that part of
20 their deal to stay in Sydney? And I also question what
21 are they doing about flooding? Like we're not having
22 anymore floods? And they're still where they are? So
23 what are their flood mitigation? If they are getting all
24 the cheap gas and they get flooded out again, does that
25 mean they're going to leave? And the thousand jobs that

1 they keep taunting us with, what about the thousands of
2 people that are going to lose the value of their
3 property? Things that they saved money -- I worked 30
4 years driving a school bus so I could come here and
5 retire and enjoy my retirement. And instead I'm fighting
6 some kind of a battle that I was told is a losing battle.
7 When I went to those prior, whatever you want to call them,
8 whatever. A man with a laptop told me, "Well you know even
9 though they're not on your land anymore, they probably
10 could come back there if they really have to. And the
11 ironic thing is they did move it off my land only because
12 my husband is actually--

13 MR. MOONEYHAN: Please finish your comments,
14 ma'am.

15 MS. BARBARA LOEFFLER: okay. I'm finishing up.
16 And ironically where they moved it to is now closer to my
17 house than it was before when it was on my property. Thank
18 you.

19 MR. MOONEYHAN: Tom Tudy? William Huston?

20 MR. WILLIAM HUSTON: I heard the end last
21 night when I got cut off. I was just describing that the
22 Constitution pipeline is going to require 110 new gas
23 wells initially and 80 new gas wells per year after that
24 to keep it filled. That's 650,000 dekatherms per day.
25 Cabot is already drilling 100 new wells additionally per

1 year anyways. So the Constitution Pipeline is
2 approximately going to double Cabot's activity in
3 Northeast Pennsylvania which is both upwind and upstream
4 from me. So I'm very concerned about those impacts,
5 which, by the way, are not in the DEIS because FERC uses
6 the incorrect argument that because FERC doesn't permit to
7 gas well drilling that FERC has no jurisdiction over gas
8 well impacts. However, you are lead agency implementing
9 the National Environmental Policy Act. And you have the
10 absolute legal duty to examine all of the impacts of this
11 pipeline which the DEIS does not do. There's also
12 another problem. The other problem is this was just
13 published today on a Website called Seeking Alpha. It's
14 an investment advice Website. It's called Marsalis Shale
15 Through a Glass Darkly, by Mosha Ben Rueben, a very
16 technical document but the upside is -- or the downside
17 is very simple. It's this chart right at the end, and it
18 shows basically that the Marsalis shale peaks in 2017.
19 And by 2019 it's done. So wait a minute here. Williams
20 is going to spend \$.7 billion or \$700 million to build
21 120 month -- one mile pipeline, a high pressure pipeline
22 that's going to have devastating impacts all along this
23 I81 corridor for five years worth of gas? That seems a
24 little nutty to me. Okay. So let's see. The applicant
25 is -- the application is defective and fraudulent and

1 incomplete. The applicant has lied to the Government,
2 which is a crime under the United States Code Title 18.
3 The applicant--

4 MR. MOONEYHAN: 20 seconds, please.

5 MR. WILLIAM HUSTON: --is unfit for a
6 certificate for all the many reasons that people have cited
7 here. They use bribery, bullying and fraud to get their
8 way, and FERC is not implementing NEPA as is your duty.
9 You must withdrawal this highly defective DEIS and start
10 over. Thank you.

11 MR. MOONEYHAN: Craig Stevens?

12 MR. CRAIG STEVENS: Good evening. Good to
13 see you again. I'd like to read something from a 223 year
14 old doc, one that I carry around in my pocket. "We hold
15 these truths to be self evident that all men are created
16 equal, that they are endowed by their Creator with certain
17 unalienable rights, that one these are life, liberty and
18 the pursuit of happiness." So tonight I want to talk about
19 bad actors. And I'm not talking about William Shatner.
20 I'm talking about April 14, 2012, Lather compressor
21 stations, Springville, Susquehanna, PA. The guys earlier
22 were talking about the gas boom. I'm calling it the
23 kaboom. That was the first explosion in our area of the
24 compressor station owned by, yeah, Williams, the bad actor,
25 if whoever is sitting back there still from Williams. July

1 23, 2012, Windsor Compressor station, Brume county New
2 York, kaboom. May 15, 2013, Williams Central compressor
3 station, Brooklyn township, Susquehanna County, PA, kaboom.
4 May 30, 2013, Branchburg, New Jersey, 13 injured, kaboom.
5 That's 12 months and four explosions and fires by the
6 company you're going to give this permit to. Are you guys
7 completely insane? That's a bad actor right there. You
8 know what? Don't issue them anything until they can go
9 at least a year without something exploding and lighting
10 on fire. Let's talk about -- here's the independent. DEP,
11 no fines or incident. Imagine that. The explosion had,
12 in that of itself was not a violation the EP spokeswoman,
13 Colleen Connelly said. "Williams also restarted engines
14 at the Springville Township station prior to receiving the
15 EP approval. But because the Department did not issue an
16 official order, Tall Operations, a company, will not be
17 fined for disregarding regulator's requests? Williams said
18 it did not understand that the DEPS did not resume
19 operations until regulators could conduct a thorough
20 inspection of the site four days later", according to the
21 report. "We maintain we made it very clear", Connelly
22 said, "However, it was not an official order by DEP to
23 stand down, so that's not considered a violation. The
24 blast was caused by human error." And that's right out
25 of the paper, folks. Now, you know the gift that keeps

1 on giving is what you get when you get these guys room
2 to run with. Now we're talking about the -- this is the
3 Branchburg. The injured workers are employed by
4 Pennsylvania based pipeline contractor, Hinkle's and
5 McCoy whose safety model is nobody gets hurt." And
6 by the way, 13 injuries.

7 MR. MOONEYHAN: 20 second, please.

8 MR. CRAIG STEVENS: Williams fines ordered
9 23,000 were -- of Parachute, Colorado. Williams has
10 declared that it is signing a new settlement as a way to
11 avoid spending more money and resource and continue
12 investigation and to get on with the business of drilling
13 and extracting natural gas. I'm going to finish with this.
14 Eminent domain or imminent danger, that's what you're
15 putting us in when you let these guys do it. Legal
16 obligation to protect the citizens of the United States--

17 MR. MOONEYHAN: Finish your comments, sir.

18 MR. CRAIG STEVENS: --mitigation -- hang on
19 just a second. I'll see you later at Denny's again,
20 probably. Mitigation mitigate Williams and stop this
21 madness and, FERC, fire everyone and restore the
22 Constitution. Thank you very much.

23 MR. MOONEYHAN: Okay, so that's everyone
24 that we had signed up to speak. If I can have some of

25

1 you raise our hands if they'd like to speak.

2 MS. LAURA MALLOY: I was signed up to
3 speak, and I've never spoken to FERC before.

4 MR. MOONEYHAN: Okay, please come on.
5 Sorry we missed you.

6 MS. LAURA MALLOY: My name is Laura Malloy,
7 M-A-L-L-O-Y. And I'm registered as an intervener, and I
8 live full time in Mount Vision, New York. I'll tell you a
9 little bit about my credentials. I earned a PhD in
10 Physiology from the University of Virginia School of
11 Medicine and did a fellowship in Pharmacology at the
12 University of Vermont College of Medicine. My work has
13 been support by the American Heart Association, the
14 National Institutes of Health and the National Science
15 Foundation. My dad was a farmer, and part of my education
16 was paid for by the Union of Operating Engineers. My dad
17 would never support this, by the way. I'm here to speak
18 against the pipeline because the frequency with which we
19 are confronted by major episodes of environmental
20 contamination is growing. Since 2010, Deep Water Horizon,
21 Fukushima, Hurricane Sandy chemical waste release, tar sands
22 pipeline leak in Arkansas, Weld County, Colorado flooding
23 induced fracking chemical and oil spill. Okay and just
24 this year in the last three months, January Elk River
25 chemical spill in West Virginia, February Dan River

1 coal/ash spill in North Carolina, two weeks ago Gulf
2 Coast -- less than two weeks ago Gulf Coast oil spill.
3 What do these have to do with the pipeline? Like the
4 pipeline, all of these are in one way or another
5 products of frenetic attempts to obtain unsustainable
6 and unsafe forms of energy. The Constitution pipeline
7 will eventually leak. They all do. The Constitution
8 pipeline will carry fracked gas. And as Suzy Winkler
9 and others said earlier today, it was likely designed
10 to carry New York fracked gas. The compressor stations
11 at either end of the pipeline are even more likely to
12 leak. And the materials used to extract the gas or the
13 radiation and other materials collected with it under-
14 ground will not be completely absent from the gas when
15 it is released. When hydrocarbons, siliceous volatile
16 organic materials and endocrine disruptors and other
17 toxicants associated with fossil fuel extraction are
18 release into the air, they do not necessarily cause
19 harm right away. At exceedingly low levels, Petra
20 chemical contaminants can cause not just acute illness,
21 not just cancer, but birth defects and stunted brain
22 development. Just two weeks ago a review titled "The
23 Neurobehavioral Effects of Developmental Toxicology"
24 was published in the prestigious journal "Lancet
25 Neurology". And I have the full citation for you if you

1 need it. It outlined how industrial chemicals that injure
2 the developing brain are among the known causes for the
3 rise in the prevalence of disabilities like autism, ADHD,
4 dyslexia--

5 MR. MOONEYHAN: 20 seconds, please.

6 MS. LAURA MALLOY: --and other cognitive
7 emotional impairments. Most certainly this effects the
8 most vulnerable among us; fetuses, infants and people
9 who are ill. The human and economic cost of the
10 environmental health impacts of extreme natural gas
11 extraction extend beyond the well pad and extend
12 beyond the few hundred feet on either side of the
13 Constitution pipeline. The narrow focus of the procedure
14 for pipeline approval--

15 MR. MOONEYHAN: Please finish your comments,
16 ma'am.

17 MS. LAURA MALLOY: --lessons. The narrow
18 focus of the procedure for pipeline approval tragically
19 ignores this.

20 MR. MOONEYHAN: Were there any more than
21 these two hands? That's three. Okay, so you three can
22 come up and sit on the front row and we'll go right
23 through you guys.

24 MR. MICHAEL STOLZER: My name is
25 Michael Stolzer, S-T-O-L-Z-E-R. And I just want to

1 expand on this perhaps tomorrow night, but a couple of
2 things that annoy the heck out of me, primarily the
3 repeated statement that gas is clean energy. This is
4 something that we've been flooded with in our homes with
5 deceptive ads from gas industry. It's been repeated in our
6 local papers. Obama has said it in his State of the Union
7 Address, and it's stated in the DEIS. The best science
8 on this science is in and it says that gas is as dirty
9 as coal and oil, and it's corroborated by the National
10 Oceanic and Atmospheric Administration. That it's in
11 the DEIS is profoundly disturbing to me. Is it that the
12 FERC is just not informed? If that's the case, please
13 step down. And the worst case scenario is that they are
14 informed and that they're part of this program to convince
15 people that somehow what they'd prefer to believe is the
16 truth. It would be great if it was clean. It would be
17 great if everything was wonderful. I would love it. But
18 the truth is that it's not. And I think it was Gerbil's
19 who said tell the people the same lie over and over enough
20 and they'll believe it. This whole thing really scares
21 the crap out of me.

22 MS. KATHY SHIMBERG: Thank you for letting
23 me finish my remarks since you had to call out a timeout
24 before.

25 MR. MOONEYHAN: Can you spell your name?

1 MS. KATHY SHIMBERG: Oh yeah. I'm Kathy,
2 K-A-T-H-Y Shimberg, S-H-I-M-B-E-R-G. I live in Otsego
3 County. What I wanted to address was mitigation. I have
4 been talking to Mr. Bowman before about this. Mitigation
5 in generic terms is what seems to be in the DEIS and my
6 point is if a forest was destroyed, a wetland is destroyed,
7 somebody's water is destroyed, to mitigate it by creating
8 another wetland and other forest in however many years,
9 another aquifer tapping somewhere else does not mitigate
10 what happened on that person's land or in that village or
11 the environment. And I also wanted to say this is the
12 general morgue in my statement. I would also mention the
13 serious larger environmental issue of pipelines and
14 continuing increasing fossil fuel development causing
15 what's now widely recognized as disastrous time
16 alterations that are likely to make many areas of our
17 plant uncomfortable to live in at best and totally
18 uninhabitable at worst. We are shortsightedly killing
19 ourselves and everything else with it and everything
20 worth living for. FERC, the U.S. Department of
21 Energy and various other agencies and governmental
22 entities may not want to pay attention to this right
23 now. But ignoring the reality doesn't change what's
24 now being observed as actually happening. Thank you.

25 MS. ANNE MARIE GARTI: So my name is Anne

1 Marie Garti, G-A-R-T-I, and I just want to finish what I
2 was trying to say. I was trying to tell you a little
3 story about the uplifting of the Catskills and the wetlands
4 on the top of the Catskills and talk about how land use
5 is a comment. The land has been used on these hilltops
6 as basically forested areas from the very beginning, first
7 with the Native Americans, then when the colonists came in
8 the 18th Century. The 19th Century there was a period where
9 a lot of the forests were diluted for tanning but other
10 than that, they have always been used as a place of fuel
11 for -- because these were homestead -- people homesteaded
12 on the farms up here. And the forests were left alone.
13 And they would have been left alone basically since the
14 middle of the 19th Century. And so this pattern of
15 people and the environment has something important to
16 teach you. This is a very special stop on the top of this
17 ridge which has a clay underbase and forested wetlands.
18 It's very -- it's really quite something up there. And
19 there are a lot of free services that the state gets
20 out of this, ecological services. And because this
21 land is in private hands, the state doesn't pay for
22 and of this. This is basically our reserves, our
23 park lands in Delaware County. In this part of
24 Delaware County there are no parks. There are social
25 relationships that allow people to use each other's

1 land on this hilltop. I know this land intimately.
2 It is special. It is fragile. And it will not
3 survive the kind of gashing that you want to allow
4 here. And so there are things that you should not
5 allow this to happen. And one of it is that this
6 is, from my perspective, this is not the law. But
7 from my perspective, this is a federal intrusion on
8 local land use because there is an established
9 pattern, a socio etiological pattern of use of
10 these hilltops forests and bogs, and you are
11 intending to come in -- and with the arrogance of
12 the Federal Government and totally ignore how
13 people have related to this land for centuries, for
14 generation after generation without any concern for
15 that. I covered how there was a lot of wetlands up
16 there. And the other thing that goes on because of
17 the angulations of the Catskills and how it's been
18 eroded is you have a lot of micro climates and a lot of
19 little micro soil conditions. And you have to look at
20 that. It's not uniform. This whole pipeline has a lot
21 of irregularity and variety and special little qualities.
22 And so to sum it up is you have to look at each parcel of
23 land as a site specific EIS, not generic, and you have
24 to do that before this DEIS is deemed complete. Thank you
25 for letting me clarify.

1 MR. RHOES: Could I have 20 seconds?

2 MR. MOONEYHAN: Sure.

3 MR. RHOES: Thank you. I want to thank the
4 people on this stage.

5 MR. MOONEYHAN: Please state your name.

6 MR. RHOES: Oh, Rhoes, R-H-O-E-S. I want
7 to thank the people on the stage for allowing the three
8 people to come up and speak. I think that was very
9 generous of you. And I recognize that you are not the
10 people who wrote the DEIS, FERC DEIS, which is an
11 obscene document. And if you feel our anger, it is not
12 our anger towards you. But it's our anger towards the
13 process, and it's our anger towards the document which
14 doesn't do the job that it was supposed to do. Thank you
15 very much.

16 MR. BOWMAN: Thank you, everyone, who stayed
17 out here for four and a half hours. I appreciate everyone
18 hanging out that long. So with that, the full part of this
19 meeting will close. I've got to say that if you want
20 additional information on the project, our Website at
21 ferc.gov. There's a link called eLibrary and you can
22 enter in the docket numbers for this projects, the
23 Constitution and Iroquois projects at CT13-499 and
24 CT13-502. You can find everything, every document that
25 is related to these two cabinets. Also, if you want to

1 get a copy of the transcript, you can make that arrangement
2 with the court reporter. So with that, myself and on
3 behalf of the Federal Energy Regulatory Commission and
4 the U.S. Corp of Engineers, really thank you all for
5 coming here tonight. And let the record show that the
6 meeting closed at 11:20 pm.

7 (Whereupon at 11:20 p.m., the meeting adjourned.)

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