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UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

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)DOCKET NO. CP16-22-000

COLUMBIA GULF)DOCKET NO. CP16-23-000

TRANSMISSION, LLC)DOCKET NO. CP16-24-000

)DOCKET NO. CP16-102-000

- - -

NEXUS GAS TRANSMISSION PROJECT and TEXAS EASTERN
APPALACHIAN LEASE PROJECT

- - -

Public Comment Meeting held at the
Elyria High School Performing Arts Center, 601
Middle Avenue, Elyria, Ohio, on Tuesday, the
16th day of August, 2016, beginning at 5:00 p.m.

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Court Reporter A

1 P R O C E E D I N G S
2 STATEMENT OF FREDERICK J. WOLF and
3 DIANE A. WOLF

4 I just don't want the oversized,
5 over-pressured pipeline coming within 120 feet
6 of my house. What more do I say? I mean, I
7 think it is very unsafe, I don't think there are
8 going to be any people that will profit from it
9 in this area.

10 I think the workers as we see and the
11 people I talk to are either from Texas or
12 Oklahoma. I am told -- and I don't know this
13 for a fact -- that the steel won't even come
14 from the United States, it is foreign bought
15 steel, and the pipe, I am told -- I am an
16 excavator, I have been in business 43 years.

17 I am told they are not going to dig any
18 deeper than 6 feet, because then you need ditch
19 trench boxes to be safe and to be legal, to
20 install the pipe. So we are putting a 36 inch
21 pipe, and you don't dig perfect, there has to be
22 some type of bedding. So I am assuming, by the
23 time they put the bedding down and 36 inches of
24 pipe, we will be lucky if there is 30 inches of
25 cover over the pipe, which I think is also very

1 unsafe.

2 I think if they are going by a
3 residential house or a place that people are
4 occupied, it should be deep enough in the
5 ground, so when it does get a leak, if it ever
6 does, you may have a chance that you don't die
7 immediately.

8 Probably 12 weeks ago, maybe 16 weeks
9 ago, there was an article, we got on the
10 website, in Pennsylvania, where a 30 inch
11 pipeline exploded and the people that lived
12 close to it were just engulfed in flames. We
13 saw a picture of a guy running out of the front
14 of his house burning. I did not go back onto
15 the website to see whether he lived or how bad
16 he was burnt. But I did see that. That was
17 enough to make me concerned.

18 We have lived at this property since my
19 family bought it, I think in 1954, and I built
20 my house, our house there in 1976, on the one
21 edge of the property line, and where the
22 pipeline is going past my house, I do not even
23 own the field.

24 And I am told, if you don't own the
25 property where the pipeline is going by, you

1 have little or no say to get reimbursed for
2 anything.

3 There is a section of our property that
4 it is crossing, which is 32 feet. A guy from,
5 what is the company, called me yesterday and
6 said "Do we have permission to come onto your
7 property to stake the route?"

8 I said, "I would just as soon you do
9 not." But the neighbors who -- we have sort of
10 decided together -- they own more land where it
11 is crossing, they would like to know exactly
12 where it is going, if it goes there. So that
13 they are installing new tile for drainage of
14 fields that they do not put it where it is going
15 to interfere with that.

16 So that they will be there, whoever,
17 what is the company name?

18 MRS. WOLF: NEXUS.

19 MR. WOLF: I don't think it is
20 NEXUS, it is a company out of Texas. Spectra,
21 Spectra, surveying tomorrow.

22 But I need to sort of stop for a minute
23 and regroup my thoughts on what I have already
24 said. I guess I just don't like the idea of it
25 being right by my house. I think there are

1 several places further south in the state that
2 is less populated. I hate to take my troubles
3 and push it on to someone else, but I know I am
4 not the only one.

5 Where we live, we live in Huron County.
6 Huron County has never even mentioned that this
7 pipeline is going through Huron County. I wish
8 what I read in the papers and such was correct.
9 But it is not. It is going through Huron
10 County, we live in Huron County. It is probably
11 only covering five miles.

12 But, nonetheless, so other counties and
13 such, like Medina, that people have got together
14 and tried to get things delayed and rerouted, I
15 looked at their proposed routes, and if they
16 accept one of them, it is still going to be
17 going through our property, even though the map
18 does not show it going through our property. It
19 does not show what we see in the papers going
20 through Huron County. It shows it going maybe a
21 half a mile north of us through Erie County. I
22 do not believe that is correct. Because I know
23 there are flags staked right beside my house.

24 I don't know. I think it is going to
25 devalue the price of our house extremely, if

1 this pipeline goes beside it. I would not buy a
2 house, if I was in the market to buy a house,
3 beside something like this, and it is not
4 something that is going to go away once it is
5 buried.

6 This is going to be here forever. It is
7 our homestead, we have children and
8 grandchildren that I am planning on living on
9 this property once we are old enough that we
10 leave or die or whatever. But I really have bad
11 feelings about passing this on to my children
12 and grandchildren.

13 I am told if this pipeline does go
14 through, that it is only the beginning. There
15 are already plans for another one, one or two
16 more to follow near this pipeline.

17 So we are told that we should not
18 negotiate things on our own with the NEXUS
19 people, and I have been to several meetings and
20 heard several attorneys speak that would like to
21 represent people. Mine is a very different
22 situation than like our next few neighbors.

23 The one neighbor, they are going one
24 mile across his property, approximately. If he
25 is paid X amount of dollars per foot, he is

1 going to make a considerable amount of money. I
2 do not -- he does not want it either.

3 I am not interested in making money from
4 it, I just do not want it there. And I don't
5 know if I have missed anything. But -- for not
6 preparing anything --

7 MRS. WOLF: I guess the only thing I
8 would say is, I understand for the greater good
9 of the society that things like waterlines and
10 gas lines come across peoples' property. That
11 makes sense, if you are helping your community.
12 I wouldn't want to fight that.

13 This pipeline, however, though, to my
14 understanding, is not going to help anyone, not
15 in our community, not even in our state, not
16 even in our country, it is going to Canada. So
17 how is it the greater good of the people to let
18 them go next to our homes, across our properties
19 to benefit the Canadians, I guess.

20 I don't see the benefit. I think it is
21 to make huge profits for a private company and I
22 don't understand that. I guess I never will
23 understand that.

24 MR. WOLF: I wish they would put it
25 by their house and not ours. That is probably

1 enough. If this does go through and we cannot
2 stop this, I would like to see it at least put
3 in at a much deeper depth, where there is some
4 land on top of it, some cover that there might
5 be some sense of --

6 MRS. WOLF: Safety.

7 MR. WOLF: -- safety, I guess, yes.

8 So I guess that is it.

9 STATEMENT OF HENRY L. HEILMANN AND

10 ELIZABETH H. MCKERNAN

11 My sister and I -- I have notes here, I
12 probably better just stick with those, it will
13 go a lot faster. My sister and I own land on
14 the western side of the Vermilion River in Huron
15 County. Our Vermilion River crossing area is in
16 a wide valley with wetlands and steep valley
17 banks filled with trees.

18 This farm has been in our family for
19 about 63 years. We do have several, several
20 concerns. One category would be emergency
21 concerns. How could emergency responders and
22 necessary equipment quickly get to the site of
23 an emergency is one question we have. The west
24 valley side is steep and about 80 feet high.
25 The pipeline path is wooded, and as far as we

1 understand, will not be cleared.

2 There is no access road into the valley
3 at the point of the pipeline. There is a farm
4 lane into the valley to the north, but it is not
5 designed for more than a farm tractor, and there
6 is also a wetlands area between the lane and the
7 pipeline path, and the area is too wet to allow
8 access for much of the year. It is also too wet
9 much of the year to even use the road going into
10 the valley.

11 So we do have concerns there. And we
12 have some environmental concerns too. One is
13 our valley used to have year-round swampy areas.
14 In recent years, those areas have been drying
15 up. In the largest area, water drains through
16 natural means down a ditch and into a hole in
17 the ground. We have also found several other
18 drain holes in the valley.

19 A Soil and Water Conservation Service
20 employee told me we likely have an underground
21 aquifer. The swampy area is not far -- the
22 formerly swampy area is not far from the
23 pipeline route.

24 Last summer the pipeline surveyors did
25 not do a test bore in the valley. This was in

1 July 2015, because the area was too wet to allow
2 access for the needed equipment. We wonder what
3 the impact of a aquifer will be on the pipeline
4 deep boring operation, which the boring
5 operation goes under the Vermilion River, under
6 streams, under wetlands and under the farm road
7 that we have in that area.

8 Another concern is security and
9 terrorism. I am concerned about adequate
10 security to keep unwanted people away from the
11 pipeline route. In our wide valley wilderness,
12 with the steep, deep valley sides, and with the
13 river and creeks and wetlands, actual
14 on-the-ground monitoring would be most
15 difficult.

16 Also in remote rural areas like ours,
17 troublemakers could likely work undetected and
18 if detected, timely response to them would be
19 difficult, if not impossible.

20 This concern is health and emotional
21 concerns, primarily for me on this one. I have
22 heart disease, and have had quadruple heart
23 bypass and pacemaker defibrillator operations.
24 Health practitioners have advised me to avoid
25 sudden loud noises and stressful situations.

1 Our farm is where I spend a lot of busy,
2 but quiet and peaceful time. I think that would
3 be impossible with about 78 days of a 12-hour
4 work shifts scheduled in the construction
5 process.

6 Already there has been a great decrease
7 in unstressful living situations, just because
8 of all the stress of surveyors, I think we had
9 47 on one day on our property.

10 MS. MCKERNAN: On several days.

11 MR. HEILMANN: Yes. And constant
12 contact with the pipeline company.

13 MS. MCKERNAN: The agent.

14 MR. HEILMANN: For the most part,
15 the contact with the company has been pleasant
16 and informative as far as they could go, with
17 what they knew in their position. But we got
18 off to a really late start. We weren't even
19 paying attention to this, because it was not
20 even supposed to come within 12 miles of our
21 property.

22 And I think it was May of last year, we
23 got a letter from them wanting to survey our
24 property and it just blew us away, because we
25 hadn't been to any of the meetings that were

1 held earlier, because it didn't apply to us.

2 Then we got some kind of nasty written
3 communication saying "Why haven't you given us
4 permission to survey, because we gave you months
5 and months and months of notice," and it wasn't
6 true. We barely had two weeks, and then our
7 land agent evidently got fired, so we had nobody
8 to contact.

9 We were trying to contact them, but that
10 is the only really negative one that I can think
11 of. They were kind of nasty and for no reason,
12 and just didn't have their information correct
13 about us.

14 MS. McKERNAN: Once we got our new
15 land agent, he was very personable, and asked
16 for permission to do things, "Can we park on
17 your property," can we do this, can we do that.
18 And last year was a very, very wet summer. It
19 was a mess, and they did their best not to
20 create problems.

21 MR. HEILMANN: Right.

22 MS. McKERNAN: And did correct a
23 problem that they made with excess water.

24 The security issues and safety issues
25 that Hank was talking about, I don't know what

1 kind of steel they are using, but I hope it is
2 really wonderful, because it is going to be like
3 140 feet below the road level. And if that were
4 ever to rupture and start burning down in that
5 valley, how would you ever contain it? How
6 would you ever stop it? Because there is no way
7 in. They need the big planes like they are
8 using in California right now. And all that is
9 scary to me.

10 And it wouldn't be just our property, it
11 would be the whole valley and who pays for the
12 damages, who cleans up after something like
13 that? That would be a very major concern for us
14 and for our neighbors.

15 And I certainly concur with Hank's ideas
16 about health. This property has been my
17 serenity spot as well, and it wasn't serene last
18 summer, and I don't think it will be serene next
19 summer, when they are working out there, no
20 matter how nice the people try to be to us.

21 Also, in addition to the farm that he
22 and I co-own, I own a small property like 3
23 acres that has a house on it and a barn and a
24 big empty lot, which I had foreseen either as a
25 building lot for someone else or for me. But

1 the pipeline is going right down the middle of
2 it. So that is no longer an option in my life.

3 I have thought, as I get older, I will
4 build a little house there, put in a septic
5 system and have a caregiver family live in the
6 house to take care of me. I have to change that
7 plan.

8 In addition to what -- and then, of
9 course, I live in Oberlin, and the pipeline is
10 going to be going within a mile of my home in
11 Oberlin. That is where I am currently living.
12 And I have real concerns about the safety of the
13 pipeline and its location in Oberlin. It is
14 very, very close to our fire station. The fire
15 station would be in the explosion zone, the
16 blast zone.

17 It is not very far from our vocational
18 school, joint vocational school. There are a
19 lot of kids there. We have a large nursing
20 home, that is right across the street from the
21 fire department. We have a recreational complex
22 and the pipeline is going right down the middle
23 in between the vocational school and our little
24 community.

25 So I do have real strong concerns about

1 my safety there as well and the value of my
2 property. I don't know if that is -- how that
3 is going to be impacted.

4 MR. HEILMANN: It is not going to
5 be an advantage.

6 MS. MCKERNAN: Right. It is not a
7 selling feature.

8 MR. HEILMANN: No.

9 MS. MCKERNAN: There is also a
10 really big development of nice new homes that it
11 is cutting off from the world. That is
12 basically it.

13 STATEMENT OF ROGER F. McVETTA and

14 CYNTHIA A. McVETTA.

15 We got a letter from you folks a week or
16 so back, tried to study it, tried to learn what
17 impact this has on us. We find that we can't
18 possibly do that due to the abysmal absence of
19 information provided. No map. We don't know
20 what you are doing or where you are wanting to
21 do it.

22 We are not in favor of it anywhere on
23 our property. Ours is a residential lot. There
24 is a cluster of residences in a farming
25 community, we have got big farm fields all

1 around us. I do not understand why anyone would
2 even think of going through residential property
3 when there is farmland available.

4 MRS. McVETTA: And we have
5 geothermal heat.

6 MR. McVETTA: We also have
7 geothermal heat which is buried in the ground.
8 I don't know if you want to dig it up or not,
9 but we don't want you to. And neighbors on the
10 both side have the same. Anything else?

11 MRS. McVETTA: I would like any
12 future meetings close to our house where this is
13 happening, not here in Elyria, which is 25
14 minutes away. Elyria has nothing to do with us.

15 MR. McVETTA: We are in the
16 country.

17 MRS. McVETTA: It has nothing to do
18 with us. I don't even see it coming near
19 Elyria, if I am not mistaken. So I don't
20 understand why it is here. Anything else?

21 MR. McVETTA: No.

22 MRS. McVETTA: Short and sweet. We
23 don't have any information, so how can we even
24 talk about anything, until we get information?
25 I actually think that they ought to mail us

1 updated maps, not us have to look for it on the
2 website. They should be mailing us where it is
3 going through our property, not some little
4 dinky thing like they gave us, they gave us when
5 we talked to them. Where is this. That. That
6 came from NEXUS. How in the heck can you tell
7 where it is at on our property.

8 I mean, we need a map that shows exactly
9 where it is at on our property, or close to it.
10 I mean, it is not going to be exact. I want to
11 know where it is at. Now are we done?

12 MR. McVETTA: Done.

13 STATEMENT OF JOHN M. PATTON

14 My major concern is that with the
15 pipeline that blew up in Pennsylvania, my
16 property is identical to the property that blew
17 up in Pennsylvania, and it is just that they
18 cannot tell me now that it is safe for the
19 pipeline to go through, especially I have been
20 reading with respect to the company that does
21 NEXUS, their track record and then their, let's
22 see, the employees that left the company, pretty
23 much stating that some of the wells weren't even
24 looked at. So that is just a big concern.

25 Other than that, I am going to fight

1 this all the way to the court. I have already
2 got the attorneys, and my life is a little bit
3 more than \$15,000, you know. So that is pretty
4 much it.

5 I am just very concerned about safety,
6 now that we have seen one blow up with the same
7 company, they can't tell me it is safe anymore.
8 Short and sweet. All right.

9 STATEMENT OF DENNIS E. STILES

10 What I wanted to talk about was, as I
11 stated yesterday, I am from Colorado, and I have
12 farm ground myself. And I have -- I grow
13 alfalfa. There is a main corridor, pipeline
14 corridor that goes through my property. I have
15 six pipelines that cross my farm ground. And I
16 wanted to speak on behalf of this environmental
17 issue, and I know there is controversy of the
18 impact.

19 And what I wanted to state for the
20 record, is that from my own experience -- and I
21 have operated that ground for about 25 years --
22 the amount of environmental impact has been
23 minimal.

24 As long as the pipelines are put in
25 correctly, there is very little -- what little

1 problems we have seen, you know, the ground
2 settles, there might be a little runoff, a
3 little erosion, if you will. But every time I
4 have contacted the gas company, they have sent
5 people out there to fix it.

6 As far as the pipeline, there have been
7 absolutely no issues whatsoever, in the 25 years
8 I have been out there with any of these six
9 pipelines that go through the property.

10 So that being said, as I stated
11 yesterday, I am all for the NEXUS line, as long
12 as it is put in correctly; and myself being a
13 member of Pipeliners Local Union 798, I know how
14 we build pipelines, and they are built
15 correctly. And the amount of impact would be
16 minimal, if any. And not to mention, it would
17 be safe, safe and environmentally friendly. And
18 that is what I have to say about that.

19 STATEMENT OF CHERYL A. LEVI

20 I am with Pipeliners Local 798, I am a
21 welders' helper. I have been working on
22 pipelines for over ten years. And one of the
23 things on the job that I have always noticed is
24 the environmental always comes first. They are
25 always out there, they are watching us like

1 hawks. We have quality craftsmen that do the
2 job on the pipelines. They are very
3 conscientious of every environmental issue.

4 We have actually on our property in
5 Colorado, we have over seven pipelines on our
6 property. And we have never had any kind of
7 environmental problems. The gas companies are
8 always out there checking on it, making sure
9 there are no problems after the pipeline has
10 been made or laid.

11 So I don't know. That is about it.
12 Okay.

13 STATEMENT OF CHARLES E. YATES

14 Now, from last night, I just wanted to
15 add, you know, I didn't speak on the
16 environmental a whole lot. What I do know from
17 working for 35 years in this industry, is that
18 these contractors, these pipeline contractors,
19 they leave environmental crews long after these
20 pipelines are built, just in case, you know,
21 they have some kind of erosion problem, there
22 are people right there on the ground that they
23 can fix it right away. Just anything that
24 goes -- creek crossings, silt fencing, anything
25 that goes wrong there, them crews are there to

1 take care of that.

2 Then the gas company, I do know they
3 have maintained these right-of-ways for as long
4 as they have them there. I mean, they are there
5 to maintain them. So that is pretty much what I
6 just wanted to add from last night.

7 STATEMENT OF DANIEL R. SQUIRES

8 Well, I would like to say that I am just
9 for the pipeline project, I know it is going to
10 create a lot of jobs, a lot of good jobs, good
11 paying jobs; and I have worked on these kind of
12 jobs before, and I live in the area, I live in
13 Erie County, which is close to where part of it
14 is going to be going through.

15 And my parents, my family, I grew up and
16 live in Lorain County, and I mean, I am pro
17 union, because, you know, I have been working
18 the trade for 28 years, and I worked on a lot of
19 different jobs and I know it will be done right
20 if it is done union.

21 And they will be as environmentally safe
22 as they can be, being union. I have seen the
23 other side, I have worked on projects like Trans
24 Canada, up in Maine, around the waterways and
25 stuff, and I have seen some of the nonunion

1 pipelines, they are always trying to cheat in
2 certain things; and the union, we are always
3 doing things by the book. You know, and it
4 is -- I always felt good about everything that
5 we did out there, you know, and especially the
6 welding, and just the way everything is put
7 together. It is first class.

8 I have no worries about that pipeline
9 going through close to my family or, you know,
10 anyone I know. It will be built right, if it is
11 built union. And that is what I wanted to
12 really say.

13 I am trying to think. I guess that is
14 about it.

15 STATEMENT OF RICHARD L. BILLMAN

16 I live on Bates Road, and that is West
17 Salem, Ohio, it is Wayne County. And I have
18 always lived in this neighborhood, not always at
19 that address, but always in this neighborhood.

20 And I have witnessed a lot of things in
21 my short lifetime. But anyway, Bates Road is
22 running north and south, and it is only about a
23 five to six mile long road, and there is a lot
24 of drainage tile on all farms. Well, I own 270
25 acres, I have the parcel numbers here, if you do

1 need them.

2 If this pipeline would go across me at a
3 diagonal on either farm, it will -- it is very
4 possible you will have to be fixing between 35
5 and 50 tile lines, drainage tile. And the old
6 home farm, which I don't have possession of
7 anymore, it has got lots of -- back in the '80s,
8 they did a lot of oil well, that shale one
9 called Clinton, there are lots of those kind of
10 gas lines running everywhere in this
11 neighborhood, and, hey, I am not against it. I
12 am not against it, I am not for it.

13 But I just want you to take this all
14 into consideration and do, please, contact me
15 whenever they go and do these surveys or
16 whatever.

17 And we weren't notified too much ahead
18 of time, and they made it sound like this is the
19 only time you get to talk. So I decided to
20 come. I guess that is it. If you have any
21 questions, you can ask questions.

22 STATEMENT OF JOHN E. PAIS

23 I would like to reiterate I am opposing
24 the format of this public meeting that FERC has
25 chosen, because I believe it does violate Ohio

1 Sunshine laws and Open Meetings Act.

2 I feel that the press is not able to
3 access and cover the testimony that is being
4 given here. I feel that the public should have
5 the opportunity to hear these comments, and I
6 feel that this is impeding that process.

7 As well, in Executive Summary pages ES4
8 and ES5, titled "Groundwater, Surface Water Use
9 and Wetlands," FERC states that the project
10 could result in increased turbidity and
11 alteration of flow in shallow aquifers.

12 You identify 475 water bodies, 208
13 perennial, 156 intermittent, 90 ephemeral, one
14 reservoir, and five ponds that will be crossed.
15 It is troubling that 245 wells and six springs
16 were identified within 150 feet of the project.

17 NEXUS will also cross 16 wellhead
18 protection areas, 12 surface water protection
19 areas and five water bodies that have public
20 water intakes within three miles downstream.

21 Nonetheless, FERC concludes that, quote,
22 "No long-term effects of surface waters would
23 result from construction and operation of the
24 project."

25 We have to ask, how can you be so sure?

1 Who developed this data to support the
2 conclusion? Please provide facts and evidence
3 that support this conclusion.

4 Personally, I have been following this
5 NEXUS pipeline project from the beginning, I
6 have witnessed the disinformation campaign and
7 intimidation of affected property owners by
8 NEXUS' hired people.

9 I have walked affected properties and
10 seen impending devastation to fertile, tiled
11 farmland, old growth trees, streams, rivers and
12 parklands.

13 A few weeks ago, a friend of mine whose
14 property borders the pipeline route in Erie
15 County showed me a white oak tree on his farm
16 that is wider than three people across. Right
17 within 5 feet of that was a marker that
18 indicated where the NEXUS pipeline was to go.

19 No one can say with certainty what the
20 long-term effects of damage below the surface to
21 wells and aquifers. The accumulated evidence of
22 toxic pollution to our air and water from
23 compressor stations and especially fracking
24 itself, is overwhelming.

25 This entire process leads increasing

1 number of citizens to distrust their Government.

2 Thank you.

3

4 (Thereupon, the proceedings were

5 concluded at 9:30 o'clock p.m.)

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1 C E R T I F I C A T E

2 STATE OF OHIO,)

3 MEDINA COUNTY,) SS:

4 I, Binnie Purser Martino, a Registered Diplomat
5 Reporter, Certified Realtime Reporter and Notary Public
6 within and for the State of Ohio, duly commissioned and
7 qualified, do hereby certify that these proceedings were
8 taken by me and reduced to Stenotypy, afterwards prepared
9 and produced by means of Computer-Aided Transcription and
10 that the foregoing is a true and correct transcription of
11 the proceedings so taken as aforesaid.

12 I do further certify that these proceedings were
13 taken at the time and place in the foregoing caption
14 specified. I do further certify that I am not a
15 relative, employee of or attorney for any party
16 or counsel, or otherwise financially interested
17 in this action.

18 I do further certify that I am not, nor is
19 the court reporting firm with which I am affiliated, under a
20 contract as defined in Civil Rule 28(D).

21 IN WITNESS WHEREOF, I have hereunto set
22 my hand and affixed my seal of office at Akron,
23 Ohio on this 17th day of August, 2016.

24 Binnie Purser Martino, RDR, CRR

25 My commission expires June 25, 2019.

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UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

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)DOCKET NO. CP16-22-000

COLUMBIA GULF)DOCKET NO. CP16-23-000

TRANSMISSION, LLC)DOCKET NO. CP16-24-000

)DOCKET NO. CP16-102-000

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NEXUS GAS TRANSMISSION PROJECT and TEXAS EASTERN
APPALACHIAN LEASE PROJECT

- - -

Public Comment Meeting held at the
Elyria High School Performing Arts Center, 601
Middle Avenue, Elyria, Ohio, on Tuesday, the
16th day of August, 2016, beginning at 5:00 p.m.

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Court Reporter B

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

2 MR. HANMER: Robert Hanmer, Fire Chief, City of
3 Oberlin. H-a-n-m-e-r. We've been affected by the
4 alternative route that goes through Oberlin. Originally the
5 plan had showed that it was going to go just north of a
6 subdivision called the Reserve Avenue. And this is what we
7 feel is in a high-consequence area.

8 It is going to impact our fire station which is
9 located roughly 1,800 feet away from this area and also a
10 nursing home that is roughly 1,685 feet away from the
11 proposed pipeline. When they made that proposed change
12 further north it pushed it closer to our fire station and a
13 lot closer to the nursing home.

14 We thought that it might be better if the line
15 could be moved south of the sub-division on the Reserve
16 Avenue and we are looking at this -- we are looking at if
17 there was an incident the hazard area radius for a 36 inch
18 diameter pipeline is 916 feet and on radiant heat if it were
19 to catch on fire it is approximately 2,600 feet of affected
20 area and that would put the fire department and the nursing
21 home in the direct impact of the hazard.

22 We also have a community complex that has a
23 splash zone, community ballparks, soccer fields and
24 recreational areas in this area all of which would be
25 impacted by the gas line if there were an emergency on that.

1 We just wanted you guys to be aware that this is a high
2 impact area or what we considered a high-consequence area
3 and to consider re-routing the pipeline around that area.

4 MR. BERTOLONE: Michael Bertolone,
5 B-e-r-t-o-l-o-n-e. I'm with the IUOE Local 18. I am a
6 Special Representative for them our address is 3515 Prospect
7 Avenue, Cleveland, Ohio 44115. I'm here regarding the
8 Nexus Pipeline Project, Docket Number CP16-22. On behalf of
9 the 15,000 active and retired members I am here tonight to
10 let the Board know we fully support the Nexus Pipeline
11 Project.

12 Local 18 does not support the decision to utilize
13 M.G. Dice a contractor from Bassfield, Mississippi. We know
14 that portions of the Nexus Project that the members of the
15 IUOE will be on will be done safe, on time and done right
16 the first time. The Nexus Project will contribute thousands
17 of dollars to all of our fringe benefit programs as well as
18 our training fund. It will also provide the safest method
19 of transporting gas to the various markets.

20 Projects like the Nexus are a necessity to
21 continuing the Utica and Marcellus shale exploration. We
22 urge the FERC Board to stress the importance of utilizing a
23 local work force on the Nexus Project if it is approved.
24 Ultimately we thank the FERC Board for all of their time and
25 efforts thus far on the project and please join us in

1 supporting the Nexus Pipeline Project and approve the
2 project to help create jobs for the IUOE.

3 MR. WHEELER: My name is Robert Wheeler I live at
4 2213 East Mason Road, Milan, Ohio also known as 2213 Mason
5 Road, Huron, Ohio. I live on a historical farm. By the way
6 first of all I object to the format of this I don't -- I'm
7 sorry. This I think should be held as a public meeting and
8 I object to this format and I think it is a violation of
9 Ohio's Sunshine Laws and the Open Meeting Act.

10 Our aquifer that supplied our farm with water for
11 almost 190 years it's an impacted historic location built on
12 the fire lands, it frees ship block yards to build the
13 largest ships on the Great Lakes at that time. The
14 archeology study was done a few weeks ago and I think they
15 are looking for Indian artifacts is flawed -- when they are
16 digging in the fields I see them digging 12 inch by 12 inch
17 by 12 inch and I say, "What are you looking for," and they
18 say, "Arrowhead".

19 I say, "We've got at least 2 feet of topsoil on
20 those fields in the past -- since Indians were here in the
21 past 200 years," and they are not going to find anything
22 looking for it. The shipyard and everything is under a lot
23 of soil from all the flooding. There are arrowheads and
24 such there, I used to find them in the yard, a lot of people
25 did in our off land fields above the flood plains.

1 I am concerned that the trees that are a visual
2 barrier and they are going to remove about 50 feet. I
3 understand that even though they may put the pipeline deep
4 underneath the ground and I don't understand why the trees
5 need to be removed except that's the way it is. I'm
6 concerned about our aquifer and people don't know what is
7 underground. We have sinkholes and I have aquifers and
8 this implies karst geology even though it may be glacial
9 tilt no one knows what's under there.

10 And I was told they can go really deep and I am
11 just really concerned with the ground water and this whole
12 process sucks. That a private company for profit can take
13 private land, sorry. In the executive summaries pages ES-4
14 and ES-5 titled "Ground Water, Surface Water, Water Use and
15 Wetland," FERC states the project could result in increased
16 turbidity and alteration of flow in shallow aquifers.

17 I identified 475 different water bodies and more
18 than 245 wells and six springs are identified within 150
19 feet of the project. Nexus will cross 16 well head
20 protection areas, 12 surface water protection areas and 5
21 water bodies that have public water intact within three
22 miles downstream. But it is concluded that "no long-term
23 effects on the surface waters would result from
24 construction operation." I'm concerned about the -- not the
25 surface waters, the underground water.

1 If I have polluted water I can't grow food, I
2 can't feed my animals, I can't run my house. How can FERC
3 be so sure that there are no long-term effects? Who
4 developed the study to support this conclusion? I am
5 interested in what kind of facts and evidence supports this
6 conclusion. I am opposed to this project every bit of the
7 way from taking again private property that we have
8 maintained.

9 Some people consider preserving history to be the
10 patriotic thing, not the destroying the history. Thank you.

11 MS. BUCKEY: Rae R-a-e Buckey B-u-c-k-e-y.
12 Another Nexus "Get the Facts" oversized propaganda postcard
13 was received with the facts serving Ohio markets. As of
14 March, 2016 Nexus had signed 13 connection agreements with
15 the various Ohio markets along the proposed route. These
16 connections include local distribution companies, industrial
17 parks and power plants in your community. Along with the
18 text the postcard included a map of connections and the
19 names of facility owners.

20 Of note is NRG Power shown predominantly on the
21 map as a connection. At the time when NRG filed for its own
22 pipeline there was no mention of Nexus. The project has
23 been stopped because NRG found other ways for their power
24 plant to continue to burn coal and still comply with the
25 necessary standards leading sound minds to conclude that the

1 NRG listing on the postcard is a fabrication, especially
2 when Nexus implies the connections are firm contracts but
3 instead they are 13 T-tap sites.

4 On page 42 of the July, 2016 FERC draft for Nexus
5 EIS "we consider the 6 definitive receipt and delivery
6 points on the NGT Project to be essential to the project's
7 objective whereas we do not consider the 13 T-tap sites to
8 be essential. T-taps typically are underground fittings
9 installed on a pipeline to facilitate potential future
10 connections." Page 63 (not a contract connection).

11 A total of 475 bodies of water are in the path of
12 the Nexus Pipeline. The United States Army Corp of
13 Engineers, USACE will evaluate each crossing individually
14 thus lessening the total environmental impact. The USACE
15 use of their nationwide permit review policy of segmenting
16 pipeline evaluations and water crossings does not reflect
17 the totality of the environmental impact. -- This is just
18 another divide and conquer technique to mitigate the
19 environmental damages.

20 In a recent Madina County court case it was noted
21 that FERC requested Nexus to undertake 3 different
22 Environmental Impact Studies, historical artifacts and
23 wetlands. According to a Nexus attorney these surveys have
24 to be completed in order for FERC to evaluate the impacts on
25 the environment and to continue to review the pipeline

1 project.

2 Burke Donaldson an employee of Spectra Energy,
3 Nexus's corporate partner said the surveys have to be
4 completed before the construction can begin on the Nexus
5 Pipeline. The time to conduct the bat survey has expired
6 for 2016 and the survey will have to wait until 2017 which
7 is correct -- the Nexus attorney or Mr. Donaldson? How will
8 these delays affect the FERC review process?

9 The city of Oberlin prohibits the construction of
10 fracked gas infrastructure. Why won't either Nexus or FERC
11 acknowledge the City of Oberlin ban on this or any other
12 fracked gas pipeline, thank you.

13 MR. PICKWORTH: I'm Ronald Pickworth,
14 P-i-c-k-w-o-r-t-h.

15 COURT REPORTER HAWKINS: And your wife's name?

16 MS. PICKWORTH: Judy Pickworth.

17 MR. PICKWORTH: We live in Legrains Township, we
18 are on Whitehead Road. The pipeline is -- while we have had
19 -- I have had three different maps in the past the original
20 route paralleled the old Columbia lines which you know if it
21 has to go through that, like I said, that soil has already
22 been disrupted and as far as I am concerned damaged.

23 Then somewhere along the line they came up with a
24 route that dog-legged around. A guy that owns a lot here
25 and maybe he has more political pull than I do or something

1 but it dog-legged around it and then all of a sudden it goes
2 clear out wandering through this field across a creek and
3 out by our house.

4 I have never had an explanation of why. I have
5 asked multiple people and nobody has ever said anything.
6 And 100% preference like I say I preferred the original
7 plan. This plan you know if you could see the rest of the
8 map, I swear it takes the pipeline at least a mile or more
9 out of the way from the original.

10 I understand that they said well over in here
11 there's a wooden area, there's wetlands or could be. I know
12 they could bore under it, I know these lines already went
13 through it so I don't understand why they have chosen to do
14 this. This will be within 200 feet of our house as it is
15 proposed. I have had them out, and put the survey stakes in
16 so we could do some measurement.

17 The farm is well third generation.

18 MS. PICKWORTH: Yes.

19 MR. PICKWORTH: Like I say this whole route is
20 all virgin soils in terms of that kinds of stuff.

21 MS. PICKWORTH: It's probably been at least 100
22 years owned by someone in his family.

23 MR. PICKWORTH: One of the things I see like I
24 said earlier before we started was the compaction of the
25 soils here from these old Columbia lines still exists. And

1 Ohio has a clay soil with the idea that the pipeline comes
2 back and compacts everything back in the same hole that soil
3 100 years from now is still going to be a brick.

4 So I think they need to -- there needs to be a
5 better mitigation plan and in running through it with the
6 deep ripper and stuff is not going to bring it back to its
7 current potential. I have gotten mitigation plans from
8 Nexus on the tile. I have got it on stream banks, you know
9 I have several of the plans but I don't have a good one on
10 the actual -- I'm going to call it private soils.

11 And I know that bits and pieces, well the
12 gentleman out here showed me and the encyclopedia you have
13 -- a little bit here, a little bit there -- I would like to
14 see it in one place where yeah I could actually sit down and
15 read that point. I would say you know these soils if --
16 they put in this year as dry as it was it probably wouldn't
17 do much damage.

18 If they come through next spring when they are
19 talking and things are wet it will do a lot more damage. So
20 I'd like to see that plan. I'd like to see them really more
21 considerate of the soils. I don't think they truly
22 understand what we have here and in northern Ohio has great
23 varieties of types of soil. I know mine, I don't know you
24 know if I were to get over to you know, Erie County, it's
25 all different. The clay, sand, all the kind of -- I you

1 know, like I say one of my real concerns is the compaction
2 of the soil.

3 My wife's biggest concern I think is having that
4 line by our house. Considering the other route took it --
5 right now like I said the guy owns that lot but there is no
6 house there. If it went through there he would have choice
7 building that house next to that house but otherwise this
8 just drops it in my side yard.

9 MS. PICKWORTH: And you know where we already
10 have lines here, up here on the Parsons Road we have what
11 would you say three Buckeye Pipelines going through.

12 MR. PICKWORTH: And we have two Columbia's here.

13 MS. PICKWORTH: This would be coming here and the
14 pipelines up there at the corner, we've lost housing lots if
15 we ever decided to sell. We are not planning on it, we
16 would like to see our children farm this farm because like I
17 said it has been in the family for -- we have to research it
18 but we know at least 98 years because his mother was born on
19 the farm and died on the farm so we know it has been that
20 long.

21 MR. PICKWORTH: I feel that no matter what route
22 it takes the soil compaction still needs to be monitored. I
23 think there has to be comprehensive testing beforehand.
24 Sometimes it's like, "Oh well that's good now" after they
25 have gone through the property but you know some

1 comprehensive testing of the soils and I'm you know I could
2 see you know, for compaction for fertility and that and
3 then you keep following up and I don't care if it takes 10
4 years until it gets back to that level but Nexus or whoever
5 is responsible to rebuild that soil.

6 MS. PICKWORTH: On this route you know, was the
7 least impact to our property. You start coming this way you
8 are cutting through this field, this field, through a
9 pasture that we just put brand new fencing up, through a
10 small field behind our house and then north of our house.

11 MR. PICKWORTH: It really traps us up. (Drawing
12 on Exhibit).

13 JOHN: I'll make sure this gets on the docket.

14 MS. PICKWORTH: And these were measurements that
15 we did.

16 MR. PICKWORTH: That was some of my -- after I
17 plowed the survey stakes over which I told them I was going
18 to do but --

19 MS. PICKWORTH: Do you need an address on there?

20 MR. PICKWORTH: Yeah the impact I think is going
21 to be -- and you know to again our soils we have kind of
22 poor drainage around here and to be able to get that
23 drainage back to --

24 MS. PICKWORTH: You have the mile map don't you?
25 This shows all the different piles that they are going to

1 disrupt going through the property.

2 MR. PICKWORTH: You were right and then that kind
3 of like whitish line there is the Columbia line. It drives
4 different than the rest of them. But you know we are
5 concerned -- we have to have, as far as I am concerned we
6 need to have at least 5 foot cover because I am going to
7 have to even at my age wanting to put in more tile.

8 I know they -- I've seen in some of their things
9 it's like 6 inches below the present tile which I don't know
10 what that means. There is tile in there older than I am, I
11 have no idea how deep they are, they were put in on machines
12 there, something that was dug in with a spade you know 18
13 inches deep and they are in there 30 - 36 so that's some of
14 the things.

15 This process is new to us.

16 MS. PICKWORTH: Well like you said the biggest
17 thing is that close to my house with the heavy equipment
18 there will be foundation damage, you know, loss of lots, if
19 you ever had to sell it's scary.

20 MR. WOODRUM: My name is Jim Woodrum,
21 W-o-o-d-r-u-m. I'm representing James and Marian Woodrum
22 and Woodrum Farms, LLC of 16490 Gifford, G-i-f-f-o-r-d Road,
23 Oberlin, Ohio. We have three generations operating our
24 family grain and livestock farm with the fourth generation
25 coming on quickly. We are active in our rural community,

1 serving as Township Trustees past and present, the township
2 volunteer fire department and our local church.

3 The proposed City of Green route alternative as
4 it is concerning in a couple of areas -- the first being in
5 our soil conditions. We constructed a USDA approved manure
6 lagoon for our livestock in which we hit blue quicksand at
7 approximately 4 to 5 feet deep, burying a dozer in that
8 process.

9 We are concerned they will hit more pockets of
10 the same kind of soil which may not sustain a large diameter
11 pipe. Secondly, we currently have a pipeline on our
12 property which is over 40 years old, we can still see
13 through aerial photos and prove with harvest data, the
14 negative impact it has had on our crop production.

15 At this time we are involved with Spectra Energy
16 for the original pipeline plan which only covers 25 acres of
17 our land with 90% of the pipeline cutting through the edges
18 of the fields. The city of Green route alternative would
19 span 6 parcels of land and would affect approximately 210
20 acres, cutting through systematically tiled ground which
21 means there is a field drain tile every 30 to 50 feet apart
22 depending on which parcel.

23 While Spectra Energy will pay for the damages to
24 the tile they don't cover the damages to the future crop
25 production which would be detrimental to this family farm

1 operation.

2 If the FERC Board decides to go with the City of Green route
3 alternative we would like to be involved with the decision
4 of the placement on our farm to help minimize the
5 environmental and monetary damages.

6 We appreciate this opportunity to share our
7 concerns, thank you, Woodrum Farms, simple and to the point
8 if that is alright.

9 MR. MILLER: Alright my name is Stephen Miller
10 and we live over here, S-t-e-p-h-e-n, yes. We are property
11 owners in Erie County, Ohio. I work in the natural gas and
12 oil industry. As far as the way this pipeline is going to
13 impact the environment I am confident if it is done by a
14 reliable contractor it will be done, you know, with the
15 least amount of environmental impact and it would be nice if
16 they would follow existing right-of-ways, you know, to the
17 fullest advantage without impacting new properties.

18 But it is necessary for all of us to have you
19 know energy and local energy is good energy in my opinion so
20 I believe this pipeline would be good for the state of Ohio
21 and I am for it, thank you guys.

22 MR. KLIER: I'm James R. Klier, Jim Klier,
23 K-l-i-e-r. I just wanted to say that I'm not at all
24 opposed to the gas line going somewhere across northern
25 Ohio. I see the need for natural gas and I think it is --

1 it's a sensible fuel for our future and I hadn't thought
2 about it at all as far as where it was going to be going or
3 the possibility that it would be going on our property
4 until I got the letter, the July 19th letter.

5 And apparently we are considered as part of the
6 City of Green route alternative and again I am not opposed
7 to that and also a thought that in my 59 years of being on
8 this property I never had this thought but it actually makes
9 sense if a gas company -- I'm in the construction business
10 as well as farming -- ours would be a sensible route to go
11 from southeast to northwest. I never considered that a perk
12 to the ownership of our property or anything.

13 Anyway so I am just stating that that it makes
14 sense and I think we need a gas pipeline or if there is a
15 need for gas and so in an environmentally responsible way I
16 am assuming it's in an environmental responsible way. I am
17 in favor of the project.

18 (Whereupon, the meeting was adjourned.)

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1 CERTIFICATE OF OFFICIAL REPORTER

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3 This is to certify that the attached proceeding

4 before the FEDERAL ENERGY REGULATORY COMMISSION in the

5 Matter of:

6 Name of Proceeding: Nexus Gas Transmission, LLC

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14 Docket No.: CP16-22-000

15 Place: Elyria, Ohio

16 Date: Tuesday, August 16, 2016

17 were held as herein appears, and that this is the original

18 transcript thereof for the file of the Federal Energy

19 Regulatory Commission, and is a full correct transcription

20 of the proceedings.

21

22

23 Daniel Hawkins

24 Official Reporter

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