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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION
U.S. COAST GUARD
U.S. ARMY CORPS OF ENGINEERS

- - - - - x Docket Nos.
AES Sparrows Point LNG, LLC and : CP07-62-000
Mid-Atlantic Express, LLC : CP07-63-000
: CP07-64-000
: CP07-65-000
- - - - - x

Draft Environmental Impact Statement
Sparrows Point Project

Joint Public Hearing

East Brandywine Fire Hall
2096 Bondsville Road
Downingtown, Pennsylvania

Wednesday, June 11, 2008

1 The scoping meeting, pursuant to notice, convened at
2 7:10 p.m., before a Panel:

3 JOANNE WACHHOLDER, Environmental Project Manager,

4

5 Federal Energy Regulatory

6 Commission

ALEX DANKANICH, US Department of

7 Transportation

8 JOSEPH DAVIA, US ARMY Corps of Engineers

9 MEG GAFFNEY-SMITH, US ARMY Corps of Engineers

10 RICHARD M. YUILL, Ph.D., AMEC Paragon

11 Other staff present:

12 MEDHA KOCHAR, FERC

13 LAURA TURNER, FERC

14 RANDY MATHURA, AMEC

15 BOB HONIG, AMEC

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1 Introduction

2 Joanne Wachholder, FERC 4

3 Meg Gaffney-Smith, US Army Corps of Engineers

4 Alex Dankanich, US DOT

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6 LIST OF SPEAKERS

7 Matthew Jones, LNG Opposition Team 15

8 Rupert Rossetti, Port Deposit, Maryland 21

9 James Bullitt, resident, Nottingham, Pennsylvania 25

10 Jeffrey Piper, resident, Downingtown, Pennsylvania 28

11 Russell Donnelly, LNG Opposition Team 32

12 Lisa Van Houten, resident, Downingtown, Pennsylvania 36

13 Joan Deen, resident, Lancaster County 40

14 Dan Shanor, resident, Lancaster County 44

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1 I N T R O D U C T I O N

2 MS. WACHHOLDER: Okay, we'd like to get started
3 now, please. Good evening. Thank you all for coming
4 tonight. My name is Joanne Wachholder, and I'm the
5 Environmental Project Manager for this project with the
6 Federal Energy Regulatory Commission, or FERC.

7 Seated with me tonight are Meg Gaffney-Smith and
8 Joseph Davia from the U.S. Army Corps of Engineers, Alex
9 Dankanich with the U.S. Department of Transportation, and
10 Richard Yuill from AMEC, a consultant working with FERC.

11 Also in the back today we have Laura Turner with
12 FERC, and Bob Honig and Randy Mathura with AMEC, working for
13 FERC.

14 In case you aren't aware, FERC is an independent
15 agency that regulates the interstate transmission of
16 electricity, natural gas, and oil. FERC is the lead federal
17 agency for the National Environmental Policy Act or NEPA,
18 review of the Sparrows Point Project and the lead agency for
19 preparation of the EIS.

20 NEPA requires FERC to analyze the environmental
21 impacts, consider alternatives, and provide appropriate
22 mitigation measures on proposed projects. Other federal and
23 state agencies have permitting and review responsibilities
24 associated with the project, and we are coordinating our
25 review with them.

1 Agencies include the U.S. Coast Guard, U.S. Army
2 Corps of Engineers, U.S. Environmental Protection Agency,
3 U.S. Department of Transportation. And they have been
4 participating as cooperating agencies in the preparation of
5 the Draft Environmental Impact Statement.

6 The purpose of tonight's meeting is to provide
7 each of you with an opportunity to give us your
8 environmental comments on the draft EIS for the proposed
9 project.

10 Tonight is a joint meeting hosted by the agencies
11 seated here. Our agencies have slightly different review
12 processes that this meeting will support, but tonight's
13 meeting is to provide each of you with the opportunity to
14 give us your comments on issues we should address in each of
15 our respective analyses of the Sparrows Point project.

16 It will help us the most if your comments are as
17 specific as possible regarding the proposed project and the
18 Draft EIS.

19 I will briefly describe the FERC process, and
20 then Meg Gaffney-Smith will explain the U.S. Army Corps
21 process, and Alex Dankanich will explain the DOT's role.

22 I would like to clarify that the Sparrows Point
23 proposal was not conceived by, and is not promoted by any of
24 these agencies.

25 During our review of the project, we assembled

1 information from a variety of sources, including the
2 applicants, other agencies, our own analysis and field work,
3 and information from you, the public. We analyzed that
4 information in the Draft Environmental Impact Statement that
5 was issued on April 25th.

6 We are in the midst of the 45-day comment period
7 on that document. The formal comment period will end on
8 Monday, June 16th. All written comments received during
9 this time period or verbally tonight will be addressed in
10 the final EIS. Comments received after that date will still
11 be included in our public record; however, we ask that you
12 provide comments as soon as possible so we have enough time
13 to analyze the issues that you raise.

14 At the end of the 45-day comment period we'll be
15 organizing the information that we've gathered from
16 everybody, and be preparing the final EIS. If you received
17 a copy of the Draft EIS, you will receive a copy of the
18 final, whether it was in paper or CD form. If you did not
19 get a copy and wish to get a copy of the final EIS, we have
20 a form at the front table, and you can go back and add your
21 address for that.

22 I'd like to stress that the EIS does not make a
23 final decision on the project. It is one tool that the
24 Commission uses to make its decision. It is prepared to
25 advise the Commission and to disclose to the public the

1 environmental impact of constructing and operating the
2 proposed project. When the EIS is finished, the
3 commissioners at FERC will consider the environmental
4 information from the EIS along with the non-environmental
5 issues such as engineering, markets and rates, and making
6 its decision to approve or deny the project.

7 If the Commission does vote to approve the
8 project, FERC environmental staff will monitor the project
9 through construction and restoration, performing onsite
10 inspections to ensure compliance with environmental
11 conditions in the order.

12 A speaker's list is located at the back table,
13 and we'll use that list to identify who is coming up, in
14 order.

15 In addition to verbal comments provided tonight,
16 we will also accept the written comments. If you have
17 comments but don't feel comfortable speaking, you can
18 provide the written comments on the forms at the back table
19 by Laura, or you can mail them at a later date. You can
20 also drop the comments off in the box in the back as well.

21 The Commission also encourages electronic filing
22 of written comments. The instructions are on the form at
23 the back. If you aren't comfortable with the Internet, it's
24 got the directions on how to do it. Or you can go to our
25 website, at www.FERC.gov.

1 I'm going to hand it off to Meg Gaffney-Smith
2 with the U.S. Army Corps of Engineers.

3 MS. GAFFNEY-SMITH: Good evening, ladies and
4 gentlemen. My name is Meg Gaffney-Smith, and I'm the Chief
5 of the Regulatory Branch in the Baltimore District, U.S.
6 Army Corps of Engineers. I want to welcome you to this
7 joint U.S. Army Corps of Engineers and Federal Energy
8 Regulatory Commission public hearing for the proposed AES
9 Sparrows Point LNG and Mid-Atlantic Express Pipeline
10 Project.

11 It is the responsibility of my office to evaluate
12 applications for Department of the Army permits for work in
13 waters of the United States, including jurisdictional
14 wetlands. Our authority comes from Section 10 of the Rivers
15 and Harbors Act of 1899, and Section 404 of the Clean Water
16 Act.

17 At this time, no decision has been reached
18 regarding whether or not a Department of the Army permit
19 will be issued for the proposed project.

20 You may provide comment into the record by
21 written statement or by oral statement. If you have a
22 written statement, you do not need to provide oral comments.
23 Because we are recording this meeting, those providing oral
24 comments will need to use the microphone. Please state your
25 name, address, and the interest you represent. We do not

1 permit cross-examination of the speakers, but you may pose
2 clarification questions as part of your statement.

3 The project is proposed by AES Sparrows Point LNG
4 and Mid-Atlantic Express Pipeline. They propose to
5 construct a liquefied natural gas, LNG import terminal in an
6 industrial port setting on Sparrows Point, Baltimore County,
7 Maryland, and approximately 88 miles of a 30-inch diameter
8 natural gas pipeline extending from Sparrows Point, Maryland
9 to Eagle, Pennsylvania.

10 The project would result in permanent and
11 temporary impacts to approximately 19.43 acres of wetlands,
12 including the permanent conversion of approximately 4.5
13 acres of forested wetlands to emergent or scrub shrub
14 wetlands, and approximately 14,002 linear feet, or 4.07
15 acres of streams.

16 In addition, the applicant is proposing to dredge
17 approximately 3.7 million cubic yards of sediment from an
18 approximate 118 acre area in the Patapsco River, to minus 45
19 feet below mean lower low water, and dispose of the dredge
20 material by innovative reuse or in a landfill.

21 Project impacts to waters of the U.S., including
22 jurisdictional wetlands, are located in Baltimore, Harford,
23 and Cecil Counties in Maryland, and Lancaster and Chester
24 Counties in Pennsylvania. The purpose of tonight's hearing
25 is to inform you of this proposed project and allow you the

1 opportunity to provide comments to be considered in the
2 Corps' public interest review of the proposed work. Your
3 comments will be included and addressed in the Environmental
4 Impact Statement for the project.

5 Your comments are important in the preparation of
6 this document and in our evaluation of the permit
7 application. The decision on whether or not to issue a
8 permit will be based on an evaluation of the probable
9 impacts including cumulative impacts of the proposed
10 activity on the public interest, and compliance with the
11 Clean Water Act, Section 404(b)(1) guidelines. That
12 decision will reflect the national concern for both
13 protection and utilization of important resources. The
14 benefits which may reasonably be expected to accrue from the
15 proposal will be balanced against its reasonably foreseeable
16 detriments.

17 All factors that may be relevant to the proposal
18 are considered. Among these are conservation, economics,
19 aesthetics, general environmental concerns, wetlands,
20 cultural values, fish and wildlife values, flood hazards,
21 flood plain values, land use, navigation, shoreline erosion
22 and accretion, recreation, water supply and conservation,
23 water and air quality, hazardous, toxic and radioactive
24 substances, threatened and endangered species, regional
25 geology, energy needs, food and fiber production, safety,

1 environmental justice, cumulative impacts, and the general
2 needs and welfare of the public.

3 In compliance with the National Environmental
4 Policy Act, the Corps is a cooperating agency in FERC's
5 preparation of an Environmental Impact Statement for the
6 proposed project. The Corps' comment period for this
7 hearing, and for public comment extends to June 26, 2008.
8 Comments received tonight and throughout the comment period
9 will be considered by the Corps as we reach a permit
10 decision. Thank you.

11 MS. WACHHOLDER: Next we'll hear from Alex
12 Dankanich with the U.S. Department of Transportation.

13 MR. DANKANICH: Thank you, Joanne.

14 Good evening. My name is Alex Dankanich, and I'm
15 a regional project manager for the Office of Pipeline
16 Safety, which is a branch of the U.S. Department of
17 Transportation, Pipeline and Hazardous Materials Safety
18 Administration.

19 If the applicant receives permission from the
20 Federal Energy Regulatory Commission to construct the
21 pipeline, the Office of Pipeline Safety, or OPS, will
22 maintain regulatory oversight over the safety of the
23 pipeline. This oversight includes inspections to ensure the
24 pipeline is constructed of suitable materials, welded in
25 accordance with industry standards by qualified welders, and

1 installed to the proper depth, protected from external
2 corrosion and properly pressure-tested before its use.

3 Beyond the construction process, we also conduct
4 periodic inspections of operation and maintenance
5 requirements that are listed in the Federal Code, 49 CFR
6 Part 192.

7 The operator must establish comprehensive written
8 procedures describing the types and frequencies of the
9 monitoring to ensure the continued safe operation of the
10 pipeline. The monitoring that an operator must perform
11 includes: the adequacy of the external corrosion preventive
12 systems, the operability of the pipeline valves and the
13 pressure control equipment, patrolling of the right-of-way,
14 and leak detection surveys.

15 In addition to this routine monitoring PINZA,
16 regulations now require transmission pipeline operators to
17 implement integrity management programs. These types of
18 programs include periodic integrity assessments of
19 interstate transmission pipelines in highly populated areas.

20 These assessments provide a comprehensive
21 understanding of the pipeline conditions and the associated
22 risks. In-line inspection tools, frequently referred to as
23 'smart pigs' provide detailed information about the pipeline
24 condition. During an integrity inspection, sensors and
25 computers are sent through the pipeline internally. These

1 sensors and detectors can indicate pipe deformation and
2 changes in wall thickness of the pipeline.

3 By analyzing the accumulated data that's
4 collected during the in-line inspection run, operators can
5 locate and repair areas of pipeline that may have become
6 damaged or may have become deteriorated. Integrity
7 management programs require operators to detect and correct
8 damage to their pipelines in highly populated areas before
9 the damage could result in a leak.

10 A well-constructed and maintained pipeline must
11 also be properly operated. Operators must ensure that the
12 personnel performing operation, maintenance or emergency
13 response activities are qualified to perform these
14 functions.

15 Operators must also implement training and
16 testing programs for employees and contractors whose
17 performance is crucial to the maintaining of the safety of
18 the pipeline. The pipeline operators must also implement
19 public awareness programs to improve the awareness of the
20 pipeline within the community. Operators communicate
21 pipeline safety information to the public along the pipeline
22 right-of-way to emergency responders along the pipeline
23 right-of-way, to local public officials, and to excavators.

24

25 Public awareness programs emphasize the

1 importance of notifying a one-call system prior to
2 excavation that may occur close to the pipeline. These one-
3 call notifications allow all participating underground
4 utility owners, including pipeline operators, to mark the
5 location of their facilities and monitor any excavation
6 close to the pipeline to help ensure that the facilities are
7 not damaged.

8 Thank you, and I'll be around towards the end of
9 the meeting to answer any questions.

10 MS. WACHHOLDER: Thank you.

11 Before we start again I just want to make sure
12 you know the exits are at the rear, the bathrooms are also
13 at the rear. We intend to take a break around 9 o'clock-ish
14 for the court reporter to stretch his fingers a bit.

15 When you get up to speak, please speak directly
16 into the microphone. Since he is transcribing it -- he's
17 also recording it, it will be easier for him to get your
18 comments into the record accurately.

19 Also, if you have written copies of your speeches
20 that you want to leave in the back when you're done, there's
21 a box in the back for that.

22 We're going to recommend that you try to keep
23 your comments to around five minutes, just to make sure
24 everybody has a chance before the end of the evening.

25 We're going to go through the first three

1 speaker's names so you know what your order is.

2 The first speaker will be Matthew Jones, then
3 Rupert Rossetti, and then James Bullitt.

4 First, Matthew Jones.

5 MR. JONES: My name is Matthew Jones and I live
6 at 128 Creekview Court, Street, Maryland 21154. And in
7 case any of you don't know where that is, that's in northern
8 Harford County in Maryland. And I'm here because I'm
9 Sharon's nephew, and this is something that I have been
10 following since I was maybe 17-ish.

11 Sharon was one of the first people who started
12 the LNG Opposition Team down in the Maryland area, so this
13 is through her that most of this has started. And
14 unfortunately, she passed away about two weeks ago. So I'm
15 here sort of speaking on her behalf, although I could never
16 say exactly what she would do.

17 I don't know exactly what Pennsylvania's stand is
18 on this pipeline, and I don't know exactly how you feel
19 about it, although I'm guessing by the turnout most of you
20 are against it. However, I want to make this clear, that
21 these hearings are not an issue of whether the pipeline
22 should be located in a certain position or whether it should
23 be relocated to another area of Pennsylvania. This strictly
24 is an issue of whether the LNG terminal should exist or not.

25 If that terminal does not exist, none of you will

1 have to worry about the pipeline in the first place. So I
2 want to first start out by saying that my position on this
3 clearly is that I do not support the LNG plant in the first
4 place, much less do I support the pipeline.

5 Where I live is in Northern Harford County, as I
6 stated before. The pipeline would be coming up very close
7 to where I currently reside. However, in the first 21 years
8 of my life -- and I'm 22, by the way -- in the first 21
9 years of my life I lived in the area where the plant would
10 be built. So I can speak from both sides, from how you guys
11 feel with the pipeline coming up from your area, and then
12 also from it would be like to have the plant in my back
13 yard.

14 Most of you are probably worried about the fact
15 that you've had to put up with other pipelines, which I have
16 noticed that you all have pipelines throughout your area,
17 and I can understand how frustrating it must be to have a
18 few other ones added in.

19 So you probably are worried about the fact that
20 your kids won't be able to play out in the back yard at
21 certain points because they're tearing up your yard; you're
22 worried about how it's going to affect your crops for the
23 various science, you're worried about how it's going to
24 affect your property value, your insurance.

25 Well, as important as all those issues are, and

1 believe me I do feel that they are of the utmost importance,
2 the people in the Dundalk - Sparrows Point - Turner Station
3 and all the surrounding communities where the plant is to be
4 built, their worries aren't about whether their ground is
5 going to be torn up, their worry is about whether they're
6 going to wake up the next morning.

7 So I want you all just to keep that in
8 perspective as you're testifying today, because this is
9 where a lot of us are coming from.

10 The main way that they go about putting in these
11 pipelines is their concept of eminent domain. And I want to
12 make it very clear that in the government, eminent domain is
13 used for creating things such as highways or schools. These
14 are things that are beneficial to society. We may not
15 always agree about the fact that they're taking our house
16 away and instead replacing it with some other entity or
17 infrastructure; however, the ultimate plan is to benefit
18 society.

19 Now you being in Pennsylvania, you will be able
20 to benefit from some of this gas; however, through all the
21 people of Harford County, Maryland, which is where the
22 pipeline will be going through Maryland and also the people
23 in Baltimore County who are dealing with the plant and the
24 pipeline, none of us gets a benefit from any of this.

25 So I want to make that also very clear, that none

1 of us gets a benefit from any of this. So I don't see how
2 in the world this is supposed to be a positive thing for the
3 entire State of Maryland, much less a coming up to
4 Pennsylvania and benefiting the people who are also against
5 this project being constructed.

6 AES is also a for-profit, private company rather
7 than a governmental agency who is going in to create
8 something that would be beneficial. In case anyone wasn't
9 aware, we in the LNG Opposition Team have considered
10 alternatives and we have offered them to AES in the past.
11 In fact, we offered to help them construct this plant in a
12 different location that wouldn't affect Pennsylvania nearly
13 as much and that wouldn't affect Maryland.

14 So when we approached them, they flat down denied
15 it. I know that FERC, one of your responsibilities is to
16 look at alternatives, and we have offered that to them, and
17 they have denied it flat down. And when we asked for their
18 reasons why, they never said. This is something that we
19 find very concerning; it's something that we think is
20 unacceptable, and we just want to make sure that FERC is
21 aware that alternatives have been mentioned; and we do have
22 written-up plans but yet they've been denied.

23 This is something that we all should not even be
24 here for. I don't know how many of you attended the
25 previous hearings about two years ago, it was around the

1 same time of year. But for all of you who this is your
2 first time, this is not the first hearing held for this.
3 This is something that the entire community of Maryland has
4 been against; it's something that I know all of you in the
5 area of Pennsylvania have been against, and yet somehow we
6 end up coming back to this hearing.

7 I realize that everyone has different standpoints
8 on this; however, I find it hard to believe that -- all
9 these communities are against this project; every government
10 official, at least in Maryland is against this, including
11 the governor, all the county council representatives, the
12 congressmen, the state house representatives -- every
13 politician, whether it's local, state or national in our
14 area has been against it. I just find it hard to believe
15 that all those people can be against it, but yet this
16 project is still under consideration.

17 With all that in mind, PA has had to go under
18 some hardships, and I realize that Maryland and PA are
19 really hard to compare, and I really do feel for everyone
20 here. But I want to make it very clear that when I'm coming
21 up here, I'm not speaking as a Pennsylvania resident, I'm
22 speaking as a Maryland resident, and I have my concerns from
23 where I am. I have concerns for the Pennsylvania people.
24 Maryland has it a little bit worse just because we have the
25 plant.

1 And in case people thought September 11th was a
2 catastrophe, if this plant were to have something happen to
3 it, this will be the equivalent of September 11th being a
4 dent in a car versus a car being hit in a head-on collision
5 with a tractor trailer. September 11th will be a blip on
6 the radar.

7 This is not something that is acceptable for the
8 government to even consider. We always talk about how we
9 need to think about how to prevent future attacks, how to be
10 a safer society. Terrorism is something that we all live
11 with; now I don't think any of us can look at a plane in the
12 sky the same way ever again. It's a natural human reaction
13 after the events that we witnessed.

14 However, this is everyone's chance to be able to
15 prevent another catastrophe from occurring that would be a
16 lot worse. So I'm asking that FERC and all the other
17 agencies that are before me, to please deny this, to not
18 give it consideration. And I want to give Pennsylvania my
19 condolences, that you all have to even be putting up with
20 this. This is unacceptable on their part for you, this is
21 unacceptable for Marylanders, this is someone that no one
22 wants and it should never even be considered. And I thank
23 you for your time and I hope that the rest of the hearing
24 goes this way, where everyone's against it, because it's
25 something very near and dear to my heart; and I know if my

1 aunt were here, she would be saying the same thing, that
2 this is just an unacceptable thing.

3 So with that said, thank you very much and have a
4 good evening.

5 (Applause)

6 DR. YUILL: Rupert Rossetti, followed by James
7 Bullitt.

8 MR. ROSSETTI: Good evening. My name is Rupert
9 Rossetti. My address is 215 Dr. Jack Road, Port Deposit,
10 Maryland 21904. So I'm the next Marylander to speak.

11 I live in the southern portion of the Octoraro
12 Watershed, and I'm a gubernatorial appointee to the Maryland
13 Tributary Strategy Teams. As such, I've been volunteering
14 for the last seven years to help clean up the Bay.

15 We're making progress on some fronts but are
16 losing ground to the impact of development, as reported by
17 the Office of Inspector General of the EPA in their
18 September 2007 report entitled, "Development Growth
19 Outpacing Progress in Watershed Efforts to Restore the
20 Chesapeake Bay." The title says it all.

21 As a downstream resident and TribTeam volunteer,
22 I'm very concerned about the impact of this proposed
23 development, both the LNG facility and its turning basin,
24 and the Mid-Atlantic Express pipeline on our water quality.
25 Not just in the Octoraro, but in the Susquehanna and the Bay

1 itself.

2 Many Marylanders from the governor on down, and
3 Mr. Jones again just now, have already provided you with a
4 lot of comments, compelling comments regarding the terminal
5 and the pipeline, so I'll focus on the impacts to the
6 Octoraro, and by extension to the other freshwater streams
7 to be crossed by the proposed pipeline.

8 I've read the Draft Environmental Impact
9 Statement and have come up with the following observations
10 regarding the Octoraro: There will be 26 crossings of the
11 Octoraro and its tributaries over 16 miles of the proposed
12 pipeline. That's a little over 18 percent of the entire
13 length of the pipeline.

14 The Octoraro Creek is recognized as one of only
15 five watersheds impacted by the pipeline that supports
16 spawning by anadromous or migratory fish. You recognize
17 that the Octoraro is a Pennsylvania scenic river, and brand
18 it as pastoral. This is strictly true for the mainstem
19 crossing, but fails to take into consideration that fully
20 one-third of the reaches identified by Pennsylvania Senate
21 Bill 867 -- that's a 1983 bill that established the scenic
22 river, of the Octoraro -- designated as scenic rather than
23 pastoral. The pipeline not only crosses the mainstem, but
24 the other 25 tributaries, the confluence of some of which
25 are in the scenic reaches.

1 A few little bullet points here. You sanction
2 the proposal to dam and pump dry, open cut the mainstem.
3 You're not clear on your position on how the stream
4 crossings will be accomplished. You should require that at
5 a minimum, the same constraints that are placed upon
6 applicants for other stream crossings are placed on these,
7 with no waivers. I've got all these page-indexed, and I'll
8 give you the references in the back of the room.

9 You acknowledge that fishing and boating will be
10 temporarily impacted during construction because of the
11 damming of the mainstem. Why do you not recommend an
12 evaluation of the Octoraro and Deer Creek crossings for
13 horizontal directional drilling as you do for the
14 Susquehanna, the Gunpowder, and I think the Back River? Why
15 does Mid-Atlantic Express devalue these Maryland and
16 Pennsylvania scenic rivers, and why do you permit them to do
17 so?

18 It's not enough to recommend that Mid-Atlantic
19 Express consult with the U.S. Fish & Wildlife Service and
20 the National Marine Fisheries Service, they should be
21 required to consult with them, not be recommended to.

22 You recommend that Mid-Atlantic Express should
23 consult with the Octoraro Watershed Association about the
24 crossing of the mainstem. You should require Mid-Atlantic
25 Express to consult the Octoraro Watershed Association not

1 only about the crossing of the mainstem at milepoint 56.31,
2 but also the other 25 crossings of the Octoraro Watershed,
3 starting at milepoint 49.5 and ending at milepoint 62.92.

4 All of these crossings can adversely affect the
5 water quality in the mainstem. I'm quoting some speakers
6 from Maryland at the 2006 Maryland stream symposium. Fresh
7 water streams are the key to saving the Bay. Water runs
8 downhill, and the Bay is at the bottom; and that was one
9 quote from Maryland DNR.

10 The next quote is: The quality of our streams
11 begins at the ridge tops. Dr. Robert Hillebrand of the
12 University of Maryland Appalachian Lab.

13 You recognize threats to the water supply in the
14 Octoraro Reservoir from construction of crossings on Tweed
15 Creek, within 2000 feet, and Leaked Run within 4,000 feet.

16 You'll note a negative impact on the watershed
17 from the creek by widening the existing right-of-way.

18 These are a lot of issues in just 18 percent of
19 the pipeline length that crosses the Octoraro Watershed.
20 The entire project impacts 177 water bodies, 9 tidal
21 wetlands, 6 sections of Maryland's Critical Areas, 13
22 Maryland DNR-registered and protected sensitive species
23 areas, 50 historical sites, 4 agricultural easements and
24 1700 privately owned properties in Maryland and
25 Pennsylvania. Not to mention the impact on the communities

1 of Turner Station, Edgemere and Dundalk.

2 And yet you conclude that the proposed project
3 will overall have no adverse environmental impact. How can
4 this be? As John Olszewski, Jr., Delegate from Maryland
5 District 6 stated in Dundalk on Monday evening, "The truth
6 cannot be further from the report."

7 Because of its likely adverse impacts on water
8 quality of the Bay, and on us the residents, I oppose this
9 project in this location, and I ask you to do the same.

10 Thank you.

11 (Applause)

12 MS. WACHHOLDER: I just want to clarify one
13 thing. You had said that it's not enough that we just
14 recommend that they consult with things; it's worded as
15 recommendations in this document because it's not a
16 decision-making document. It's our recommendation to our
17 Commission, and then if the Commission decides to go
18 forward, they make it a requirement.

19 So everything that's bolded that's a
20 recommendation in here, the Commission would look at and
21 they'd say "Yes, you would have to do this if you want to
22 build." So it would be required.

23 Next is James Bullitt, then Jeff Piper, and then
24 Russell Donnelly.

25 MR. BULLITT: Let's see what I can do here. I

1 have to second what the other two have said, especially the
2 stream crossings of the last one. Reynolds run is crossed
3 about five times; it's a high quality water tributary of the
4 Octoraro.

5 It is not conceivable that a project of this
6 magnitude will not degrade the environment and aesthetic
7 values of communities impacted, as well as the citizens' use
8 and enjoyment of their property. No matter how Mid-Atlantic
9 mitigates the damages, the area will never be the same.
10 That's really my conclusion; but I'm speaking also on my
11 property, which is 231 Brabson Road in Nottingham,
12 Pennsylvania. It's in Lancaster County, Little Britain
13 Township, and it's in the Kirks Mill Historic District,
14 which is a big portion of my objection, other than we
15 shouldn't have the project at all.

16 The property is in an historic district, and the
17 proposed pipeline comes between two of the 18th Century
18 houses. It also goes through the Old Mill Pond, comes very
19 close to the Old Mill abutment, and up steep slopes on both
20 sides. Though not listed as a wetland, I can't conceive
21 that the Old Mill Pond is not a wetland.

22 All of the above are potential historic
23 archaeological sites. I don't believe there have been too
24 many investigations, but I'm sure the archaeologists and
25 students would have a grand time working on an old mill site

1 and mill race which is not even listed anymore.

2 The pipeline transverses 5500 feet, according to
3 the study, of the historic district.

4 There is a need to define the pipeline within
5 this district, where it will go; we have never received good
6 information or a good map. Tonight is the first time I
7 could actually see the detail of where this pipeline goes.

8 In addition to that, our property on Brabson Road
9 is in Clean and Green, which is Act 319 in Pennsylvania,
10 which saves us on taxes, but is to preserve the farmland;
11 and we use it as a wood lot, trying to develop hardwood
12 stands of walnut, oak and poplar; and you don't cut down a
13 50-year old walnut and replace it. And you cannot plant a
14 new one on the pipeline right-of-way.

15 Objections to Mid-Atlantic; we have asked them to
16 contact us prior to coming on our property, they have not
17 done so. They claim to know wetlands. It is very boggy
18 down there when I walk through some of my property.

19 Lack of communication certainly does not bode
20 well for the feeling that they do a good job. I'm opposed
21 to the pipeline totally.

22 (Applause)

23 MS. WACHHOLDER: Thank you.

24 Back to one of your comments. If people are
25 coming on your property without your permission, you have

1 the right to -- you can call the company to say "Look, your
2 people are coming on, I don't know what they're doing" or
3 you can call the sheriffs; that's trespassing.

4 MR. BULLITT: Well, if I knew they were coming on
5 -- I will let them come on the property; some people want to
6 object to that, but --

7 MS. WACHHOLDER: You wanted prior notice.

8 MR. BULLITT: I want to be there.

9 MS. WACHHOLDER: Yes, you want to be there.

10 MRS. BULLITT: I want to be there.

11 MS. WACHHOLDER: Okay, thank you.

12 MR. BULLITT: And we did make that request at one
13 of the initial conferences, when they asked for it.

14 MS. WACHHOLDER: Okay, thank you.

15 MR. PIPER: My name is Jeffrey Piper. I live at
16 14 23 Glenside Road. I'm here for my parents; they live at
17 1209 Romansville Road in Coatesville.

18 I agree with everything the previous three people
19 done -- they're going to cross, I believe it's Broad Run
20 Crik, which is actually I believe federally and state-
21 locally recognized as a pristine environmental crik. And,
22 you know, it's ridiculous. Just like he said, my parents
23 asked for simple courtesy for the gas company to supply a
24 liability insurance, they want to survey the property, and a
25 waiver that if somebody from the gas company got hurt on my

1 parents' property, you know, that my parents -- they refused
2 to do it. They acted as if they were the high and mighty,
3 they were going to give the rules, we were just supposed to
4 sit there and take it.

5 It's that simple, it's ridiculous. You have the
6 gentleman down there from Maryland; they're concerned with -
7 - it revolves around the fisheries in the Chesapeake and the
8 things and the crabs, the oysters; up here it revolves
9 around, as he said, the hardwoods, the wood stands. My
10 parents have a small farm, we raise and sell the hay, we
11 have hay for our own horses. They plan on putting right
12 through the middle of my parents' hay field. They're going
13 to probably destroy at least one well on the property.
14 These are wells that are being used; this is water that's
15 being consumed. Both of my parents' wells are very shallow
16 wells. They destroy one, they destroy the other because
17 they're in a line. What are my parents supposed to do for
18 water?

19 They feed the springhouse which feeds Broad Run
20 Crik. What do we do when that one goes dry because of these
21 people and they look at us and they raise their hands and
22 go, "What do you want us to do about it?" And that's what
23 they'll do. They're just simply big business, they're used
24 to running roughshod over the people in this country.

25 And it's up to you as the people of the

1 government, and you answer to us, because the Constitution
2 says "we the people" it doesn't say 'we, the big business';
3 we would appreciate it if you would stand up for us and say
4 "You know what? This is not a good idea. You don't have
5 permission." It's that simple. That's what you're supposed
6 to be doing. You take information from us and then you
7 routinely ignore it. I mean, I've seen it happen before
8 with the government.

9 There's the impact, what if my parents at the
10 farm, if at some point in time they were to sell the farm
11 for development, that impacts them as far as monetary value
12 of the property goes, and there's already one pipeline
13 running through the farm. We have a Federal Aviation
14 commission radar station right-of-way on the farm. When is
15 enough? That's the question. When is enough on one
16 property? That's what I'd like to know, from them.

17 Again, my parents are in the Act 319, you know --
18 when I asked here at the last meeting, you know, "How are
19 you going to justify destroying my parents' possible income
20 at the farm?" And the guy said "Well, we'll pay just rate."
21 What's just rate? What they decide? What somebody they've
22 got in the court decides? Or is it an independent agency
23 that comes in and says 'ground in West Bradford Township is
24 \$125,000 an acre. You've destroyed that potential. That's
25 what you have to pay.'

1 They're going to go through at least two acres of
2 property. There's a quarter million dollars that my parents
3 are going to lose out on, potential, because of that.

4 I'm a builder, I have my own trees that I put up
5 for anything I build; if I had to plant trees for one
6 reason, I sell them to other people that need and want them.
7 They tear those trees up, I lose income. That affects me,
8 it affects my family, too; and more than just my parents.

9 The ground, the wildlife is going to be
10 disturbed. Again, my parents lose the hay -- any farmer in
11 here will tell you that's not something that grows back like
12 that; that's a two, three, four month process to get a good
13 cutting of hay, and maybe in the next year you can get two
14 or three.

15 Again, I go along with everybody else, the liquid
16 gas pipeline is a bad idea, the liquid gas plant is a bad
17 idea. They said at the last meeting they were bringing the
18 liquid gas out from, I believe somewhere in Indonesia --
19 Okay, those people over there are primarily Muslims, they
20 hate us, it goes back to the 9/11 thing; why not let them
21 bring the bottom right in to the Port of Baltimore?

22 So it's not only an environmental concern for me,
23 it's a safety concern. That's all I have to say about it.

24 (Applause)

25 MS. WACHHOLDER: Next Russell Donnelly, then Lisa

1 Van Hochten, and then Joan Deen.

2 MR. DONNELLY: Good evening, honored FERC panel
3 and assisting, and the Army Corps of Engineers and the
4 Department of Transportation, honored residents of
5 Pennsylvania. My name is Russell Donnelly, and I am the at-
6 large representative of the LNG Opposition Team. My
7 official title is environmental coordinator for that group.

8 One thing I want to address at this hearing --
9 well, several things; but first, when you look at the FERC
10 process in this EIS, it is largely open-ended. There are no
11 conclusions drawn to any of the aspects of the project.

12 Now as we understood from the original meetings
13 and the first hearing that at the of completion of this,
14 everything was supposed to be answered to before permit was
15 issued. Now I don't see that in this EIS. What it looks
16 like is that what will result from this is a general permit
17 and fill-in-the-blanks afterwards on specific items. As
18 far as we can tell, that doesn't adhere to the FERC process
19 as stated.

20 Next, when was it acquired or understood that a
21 private industry is endowed or afforded U.S. Government
22 authoritative power? Which in this case they would be. Now
23 if that's the case, any private business should have the
24 same rights as AES has requested. I haven't seen this
25 before; it's not a general practice.

1 Third, what is not mentioned in this EIS is, they
2 mention the 500 year flood plain, there was no reference or
3 specifics on the 100 year flood plain, which this project
4 will sit squarely in the middle of, and I'm speaking of the
5 terminal.

6 Adverse environmental impacts, the critical
7 areas, wetlands, woodlands, historical and archaeological
8 sites and private properties cannot logically be determined
9 minimal when specific comprehensive consideration is focused
10 on the cumulative scope and the overall number of areas of
11 environmental impact which will result from the
12 implementation of this AES project if permitted and allowed
13 by FERC.

14 FERC's determination does not guarantee minimal
15 environmental impacts. FERC merely assumes there will be no
16 significant impacts based on AES's data.

17 Once again, there is a gross lack of specificity
18 defining and clarifying the terms 'minimal' and
19 'significant.'

20 Environmental impacts to the Chesapeake Bay
21 Watershed resulting from this AES project would greatly
22 exceed the regulatory intent and limitations of the Coastal
23 Zone Management Act, the Chesapeake Bay Program, and
24 Critical Areas laws, regulations, and guidelines. Further,
25 this AES project will severely impact an estuary ecosystem

1 of national significance, being the Chesapeake Bay, listed
2 as one of the United States of America's 40 national
3 treasures.

4 This region of the Chesapeake Bay is already
5 registered as a severely impaired water body. Permitting an
6 allowance of this AES LNG project will acutely and
7 chronically compound the degradation of this environment,
8 rather than minimize damage or improve environmental quality
9 throughout Maryland, Virginia and Pennsylvania.

10 Nine areas of the proposed AES Mid-Atlantic
11 Express pipeline will require blasting. This is a direct
12 reference out of FERC. This is an issue which was only
13 revealed in this FERC Draft Environmental Impact Statement.
14 For two and a half years, neither FERC nor AES ever
15 mentioned blasting. This seems to be an issue concerning
16 right to know. AES promises to mitigate for damages to
17 wells, septic systems and structures; however, they do not
18 specifically state the limit of their liability in these
19 matters.

20 The AES dredge project will devastate a project
21 of national interest, which is NOAA Project 64. NOAA
22 Project 64 is a \$100 million federal phase funded project at
23 Fort Carroll for the restoration of Maryland's native
24 oyster. This NOAA project was initiated in 1995, and is
25 fully active. The AES dredging project will be conducted

1 less than 1500 feet from NOAA Project 64. The danger to the
2 continuing existence of this project is that should 2 inches
3 or more of sediment be deposited over this three and a half
4 acre oyster farm, the oysters will suffocate. Compounding
5 this danger is the fact that the sediment is toxic.

6 Based on this issue alone, the AES dredge project
7 at Sparrows Point should be prohibited. The resuspension of
8 the massive volume of toxic pollutants into the water
9 column, of the open waters of the State of Maryland is an
10 imminent hazard and can be classified as a criminal offense
11 under several areas of federal, state and local law.

12 Finally, AES is a private industry which is not
13 permitted or registered in Baltimore City pursuant to
14 Maryland Annotated Code, environmental sections 5-1103 and
15 16-202. AES cannot dredge at Sparrows Point even if FERC
16 grants the proposed site permit.

17 To attempt to execute this project would be in
18 direct violation of Maryland state law.

19 And finally, I wish to register -- there is an
20 error about the registered water bird colonies near Sparrows
21 Point. They are not 1.5 miles away from the site. Fort
22 Carroll is approximately six tenths of a mile from Sparrows
23 Point; the bird colony off the southwest tip of Sparrows
24 Point Shipyard is only 500 yards from the proposed AES
25 project site. Effectively both colonies are in peril at

1 their present location if the AES project is permitted.

2 Thank you.

3 (Applause)

4 MS. VAN HOUTEN: Good evening. My name is Lisa
5 Van Houten, I live at 1608 Renee Lane, Downington,
6 Pennsylvania, and I represent the homeowner's association of
7 Victoria Crossing, and as a private citizen.

8 Mr. Donnelly had a lot of points to make, and I'd
9 like to add to them, especially with the errors in this
10 document, and they are numerous. First off, I'd like to
11 start off with, as a homeowner's association representative,
12 this pipeline will be going directly through our
13 neighborhood. We currently maintain this area. I would
14 like to have written documentation and site specific
15 consultation as to how this pipeline is proposed and given
16 to the homeowner's association.

17 In addition, the current proposal implies six
18 crossovers of the existing Columbia line within the Victoria
19 subdivision. This is a disaster waiting to happen in a
20 highly populated area.

21 It also raises the issue of degradation of either
22 pipeline and the associated testing and maintenance. What
23 if any documentation exists with regard to the degradation,
24 installation of multiple crossovers, and a high population
25 density? It should be included in the EIS.

1 Another point here is, utilization of the current
2 lines, and there are two Columbia lines that go through our
3 subdivision, I understand, are not at full capacity. Why?

4 If some of the LNG can be transported through
5 these current lines in the proposed size, or even having the
6 point of having the pipeline at all could be eliminated.
7 This would address safety and environment.

8 If the current gas lines are not used, why? If
9 there is a chemical incompatibility of the LNG with the
10 current lines, what will it take to treat the LNG so it is
11 compatible with the current lines, or retrofit the current
12 lines? This will address efficiency, safety and
13 environment, and should also be presented in the EIS.

14 In this EIS, FERC makes all sorts of
15 recommendations. You had indicated these are simply
16 recommendations, and the final draft will state. I think
17 there should be an additional public hearing because prior
18 to the end of the DEIS comment period leaves us no time to
19 make as public comments with changes and alterations.

20 In the past there's been a survey. One of the
21 issues that bother me about this booklet is if the survey
22 can identify every single home associated with the gas line,
23 why are those homes not also identified? I'm specifically
24 talking about Table F, where it's stating: residents
25 northwest of pipeline or northeast of pipeline. If you've

1 identified the home, you can identify it in the EIS.

2 In the past I have submitted documents using
3 Google maps, satellite imagery. Very deceptive, very vague
4 in this document that says, Gee, you've eliminated the
5 telephone wires with the topographical maps in here. If I
6 can make digital imagery, so can EIS, so can this EIS
7 support that. The technology is available.

8 Also in the past, we have presented an
9 alternative gas line. The only thing the EIS talks about is
10 the Maryland portion of an alternative route. The route
11 that was proposed by our homeowner's association, I believe
12 puts it all the way out to the Transco line. There is no
13 detail on an alternate route in substantial quantity or
14 verbiage that would make anybody think you looked at an
15 alternative route.

16 I have 23 other arguments that I would present,
17 but in lieu of time and appreciation of everybody being
18 here, I will limit it to just one more.

19 In trying to read this document and the tables
20 associated with it, the footnotes are everything, because
21 the tables are just a table. I don't know how you count,
22 but in my counting it starts with 1. In Table I it starts
23 with 2. The English is incomplete so I cannot interpret
24 this table, Appendix I. Attainment, status of the remaining
25 designated uses is unknown because data are insufficient to

1 -- to what? To whom? To how?

2 States may place these waters in the following
3 three subcategories: 4A and 4C. Is there a 4D, E, B?

4 Category 5 includes waters shown to be impaired
5 as a result of biological assessments used how? Why?
6 Where? When? Incomplete sentences, poor English, poor
7 grammar makes this table impossible to interpret.

8 Finally, I don't think it should be recommended
9 in your statements, but it should be stipulated and
10 mandated. You use recommendations a lot. I think you need
11 to be much more affirmative in how you go about protecting
12 or even considering this environmental impact. Thank you
13 very much.

14 (Applause)

15 DR. YUILL: One clarification for the record,
16 when you talk about compatibility of the gases, are you
17 talking about the LNG pipeline? Again, this pipeline would
18 be natural gas pipeline. It's the same kind of natural gas
19 that would be in any of those adjacent.

20 So there's no -- it can be a difference in
21 composition of gas, but it is a natural gas pipeline; it's
22 not an LNG pipeline. The LNG is only at Sparrows Point,
23 then it's turned into gas, and from that point on it's
24 natural gas.

25 MS. VAN HOUTEN: Then why can't we utilize the

1 current pipeline to its fullest potential?

2 DR. YUILL: Good question. We'll look into the
3 possibilities of those other capacities.

4 Joan Deen, and Dan Shanor is next. And then Ann
5 Solway.

6 MS. DEEN: Good evening. My name is Joan Deen, I
7 live in Little Britain Township, Lancaster County,
8 Pennsylvania, at 350 Brown Road. Our address is Nottingham,
9 19362 but we really are in Lancaster County.

10 I am here this evening because I am interested in
11 having alternative access to energy, but at what cost, is
12 the question. The mission of the Sparrows Point LNG
13 terminal and pipeline project is to provide additional
14 access to LNG throughout the Mid-Atlantic corridor.

15 In your Table 3.2-1, titled, Existing Authorized
16 Proposed and Planned LNG Terminals, you mention the Crown
17 Landing LNG Project as having been approved by FERC, and the
18 coastal zone permit as having been denied by the State of
19 Delaware.

20 In your text on page 3-7 you then state that the
21 Crown Landing LNG Project appears to satisfy the Sparrows
22 Point LNG Project objectives with less environmental impact
23 than the currently-proposed Sparrows Point LNG. This
24 project went to the U.S. Supreme Court, and was decided in
25 March of this year. The State of Delaware's objections to

1 the project and denial of the coastal zone permit was upheld
2 by the Supreme Court. I hope the State of Maryland is as
3 lucky.

4 (Applause)

5 If a project that in your own estimation -- thank
6 you -- had less environmental impact than the currently-
7 proposed Sparrows Point LNG, and it could not gain approval,
8 perhaps LNG terminals and pipelines that transport natural
9 gas are not the answer to the heavily-developed Mid-Atlantic
10 corridor.

11 In reading the Draft Environmental Impact
12 Statement, there are so many compelling reasons to be
13 concerned about this project from the very general to the
14 very specific. From building an infrastructure that
15 furthers our dependence on foreign energy sources, to the
16 trip up the Chesapeake Bay by the tankers transporting the
17 LNG and the subsequent disruption of the many uses of the
18 Bay, to the dredging of toxic waste that is going to destroy
19 the federally-funded native oyster restoration project --
20 which is located less than 1500 feet from the dredge site,
21 to the potential for harm to the many residents living in
22 close proximity to the terminal site and the pipeline
23 routes, it seems unconscionable that these items are not
24 enough of an adverse effect on the environment to derail
25 this project.

1 However, there are a few more specific items that
2 I wanted to mention: The Kirk Mills Historic District,
3 which is a National Registry District; it has been mentioned
4 this evening by the gentleman, is located in Little Britain
5 Township. It consists of 12 structures largely Quaker
6 built, from the early 18th Century to the end of the 19th
7 Century. It will be crossed, as the gentleman mentioned,
8 for a length of 5,500 feet.

9 Your text states that additional consultation
10 with the PA State Historic Preservation Office and other
11 concerned parties would be required to ascertain if the
12 pipeline would be compatible with District uses. Shouldn't
13 this information be included in this Environmental Impact
14 Statement? There are also three archeological, historic or
15 prehistoric sites identified listed in Lancaster County.
16 Under Section 4.10.4, you wrote that: the Mid-Atlantic
17 Express has not yet completed its cultural resources survey.
18 FERC's recommendations are that Mid-Atlantic Express defer
19 construction of the pipeline facilities until --underlined,
20 it is underlined-- and I'll read from your text:

21 A. Mid-Atlantic Express files with the Secretary
22 the results of the historic architecture field investigation
23 along the proposed pipeline route, and the comments of the
24 appropriate SHPO -- State Historic Preservation Office --
25 for review and written approval by the director of OEP prior

1 to construction.

2 That is underlined.

3 B. Mid-Atlantic Express completes the
4 outstanding cultural resources surveys of the pipeline
5 corridor and ancillary use areas.

6 C. Mid-Atlantic Express files with the Secretary
7 all additional required cultural resources survey reports,
8 and any treatment plans, and the Maryland SHPO's and
9 Pennsylvania SHPO's comments on all reports, and plans
10 including comments regarding the pipeline crossing of the
11 Does Run and Kirks Mills Historic Districts to identify any
12 appropriate mitigation measures that would protect the
13 Districts from pipeline installation and operation.

14 D. The director of OEP reviews and approves all
15 cultural resources reports and plans, and notifies Mid-
16 Atlantic Express in writing that it may proceed with
17 treatment measures or construction.

18 Shouldn't these items be completed before any
19 permit is even considered?

20 As an architect, I'm usually on the applicant
21 side of the permitting processes. If I do not present all
22 the applicable information with the applications, I would be
23 told to come back when I have provided the permitting
24 authority with what they really need to know to make a
25 determination.

1 Why is this not the case here? This will be well
2 after the public comment phase has closed. It is ironic
3 that in the Quaker culture you need to have 100 percent
4 cooperation, no dissent. If any changes to the physical
5 plant are to be made, that is why the Quaker communities
6 have often survived as stellar examples of architecture.
7 There is plenty of dissent concerning the proposed Sparrows
8 Point LNG terminal and pipeline.

9 Please recommend to deny permitting this
10 application. Thank you very much.

11 (Applause)

12 MR. SHANOR: My name is Dan Shanor, I live at 27
13 Kingpin Road, Little Britain Township, also Nottingham --
14 which is Chester County, but I live in Lancaster County.

15 Most of these people from Lancaster County are my
16 neighbors; some of them have a gas line running through
17 previous to the relocation, but they're still here.

18 First of all, I'd like to say that this is about
19 money. The short and long of it is it's about money. As
20 far as communication goes, we people of Southern Lancaster
21 County get the short end of the stick. The newspapers,
22 everything stops at Willow Street, which is about three
23 miles south of Lancaster. Anything below that, unless a
24 bridge blows up or 14 children get run over, it's not heard
25 of in the newspaper. that puts us at a disadvantage.

1 Another disadvantage I got from the EIS, which I
2 read, it isn't exactly a Vonnegut, but I got through it --
3 was that we are at the low end of the per capita income of
4 the whole line from the beginning to the end, which is a
5 little frightening; but we're not all that uneducated, as my
6 neighbor Joan Deen just notified you.

7 I've tried to talk to both my state
8 representative and our illustrious congressman, Mr. Pitts
9 who, when I stood before this last hearing two years ago,
10 his comment was: "I will not comment on this project until
11 after the election."

12 Well, this is two years after that period of
13 time; I went into his office and talked to his office
14 person, who was somewhat abreast with this project until I
15 told him that Mikulski was jumping up and down about this,
16 and he said "Oh, is he upset?"

17 (Laughter)

18 And I said "Well, he is a she, and that she's a
19 Senator of the State of Maryland." And now I think Pitt's
20 statement now is he is keeping moment to moment abreast of
21 the process of this permit, which means he's not doing
22 anything. And he's going to be reelected this time if you
23 don't get out and vote against him.

24 I have a couple of questions for FERC. Number
25 one, do you have any psychologists that work for you people?

1 Probably not. You look at me quizzical, but you can bet
2 that AES has a whole building full of psychologists, having
3 them work through procedurally each section of this
4 population, although from the beginning to end, because we
5 all have to be handled differently. That's just a fact.

6 The reason I say that is the EIS is concerned
7 about the environment, but it's not concerned about the
8 human psyche which is an environment also. These people who
9 worked their lifetimes, like Mr. Bullitt, to put a property
10 on the ground -- he raises dogs, he has woodlands, he has
11 streams, he has an historical area right beside him. All of
12 a sudden, somebody's going to come through and cut 200 feet
13 of his property away and then basically own 75 foot of it
14 for the rest of his existence? That affects you
15 psychologically, it has to.

16 That's one really weak point on that EIS; it has
17 no personal human impact attributed to it at all, throughout
18 it.

19 Another comment I would like to make to FERC is I
20 think, if at all possible, if you people could address your
21 energies to redirecting your money to research for
22 alternative energies rather than cow-towing to big business.
23 It takes energy to grow trees and grasses and rivers to run
24 and tides to flow. That's monumentally more than we use in
25 a day or a week or a month, even. But it's virtually

1 ignored in any of this; LNG is especially.

2 Now May 29th, The New York Times, in the business
3 section, had an article. a very interesting article: Global
4 Demand Squeezing Natural Gas Supply. Are you familiar with
5 this article at all?

6 Obviously not. Well, it goes on, I can't even
7 pronounce it, this energy company that put a terminal down
8 in Cameron Parish, Louisiana, for millions of dollars. The
9 rising cost of LNG gas has eliminated its ability to get LNG
10 gas at all. It is empty. There's a picture on the front,
11 of a tanker sitting at the dock, virtually empty with no
12 place to go. They cannot import any LNG gas.

13 The second page of this article has a graph, and
14 it shows -- well, this is just simple economics, supply and
15 demand. When prices go up to an unbearable area, the demand
16 goes down. It's about a little under, I can't figure if
17 it's a billion cubic or whatever -- a little under 2 for the
18 importation of LNG gas at the moment. The storage capacity
19 in the U.S. right now is up around 11, so that's over five
20 times the storage capacity at this country now that's being
21 used. We're only importing less than 2. We're just going
22 to use whole numbers; 2 versus 11. It goes up to 12 in
23 2009, and in 2010, the storage capacity reaches 14 billion
24 cubic feet a day.

25 If you were to put another terminal down at

1 Sparrows Point, that is tantamount to putting another pro
2 football stadium on South Broad Street; it won't be used.
3 Maybe they've got a long term contract with somebody in
4 Indonesia that will supply them with gas for a particular
5 period of time, I don't know; but this is spot market stuff,
6 and if somebody's going to give those people another six
7 bucks a cubic, those people aren't going to give it to AES;
8 they're going to sell it on the spot market for a higher
9 price. That's just simple economics.

10 And that's what's happening today. There is no
11 extra gas to come into this country.

12 Very enlightening article, you ought to read it.
13 It has nothing bad to say about LNG gas. The CEO says in
14 here somewhere, "Well, I can't tell you exactly when we're
15 going to make money on this facility, but sometime in the
16 future we will make money." This is coming a bit later.

17 For four years I played in the community band in
18 Maryland, and sitting beside me was a Lieutenant Commander
19 in the Coast Guard. Very nice person, and if I was younger
20 than he -- I'm older than he is -- I'd want him to be my
21 father. His kids are in the newspaper all the time; they
22 ought to have a press agent, they are in that much for their
23 accomplishments.

24 I saw his wife at a paint store, and he had been
25 transferred from Philadelphia, he's now stationed in

1 Washington. He's getting close to retirement so I really
2 don't want to use his name -- I don't think he'll get in
3 trouble. He is a one stand-up human being. There should be
4 more like him.

5 I asked his wife if the Lieutenant Commander had
6 ever worked on LNG gas. He called me one night and we
7 talked for about an hour and a half; and he said Yes, he
8 had. In fact, he had worked on it his entire career. He
9 was a Coast Guard Academy graduate. I think he started in
10 Texas and was somewhat responsible for granting the permit
11 for the BP terminal on the Delaware River.

12 Originally they wanted that terminal to be put
13 closer to Philadelphia. The Coast Guard denied that permit
14 because it would require those ships to run underneath the
15 four bridges that cross the Delaware. Those things, if
16 there was an accident, burn with such intensity it would
17 compromise the structural integrity of those bridges, so the
18 Coast Guard said 'no way.'

19 I asked the Lieutenant Commander if there was
20 ever an accident, was the public at danger. He said where
21 they put that terminal in the Delaware River, it would
22 affect no public people -- I don't know, it was like 1500
23 foot away from the closest resident. And I said "Are you
24 telling me that there would be no deaths?" He said "No, I'm
25 not telling you that. If there is an LNG accident, there

1 will be deaths, period. There is no compromise on that."

2 He informed me that they don't go up like 40
3 atomic bombs at once, they just burn with such intense heat
4 that you can't get anywhere close to them.

5 And then I asked him about the terminal itself.
6 At that particular time, two years ago -- I might be wrong
7 about this -- but the Coast Guard was responsible for that
8 LNG gas from the time it hits territorial U.S. waters until
9 the time it hits the pipeline. They were responsible for
10 the safety of the terminal itself.

11 What I understand recently, it's been changed
12 from U.S. coastal waters until after those ships are hooked
13 up to the pipeline, to the terminal. I believe that's
14 correct because it was in the EIS.

15 He went over how, in his history LNG has been
16 very safe. One scary thing he told me was that LNG gas is
17 nowhere near the most dangerous thing that comes up our
18 waterways. He would not tell me what; I didn't inquire what
19 because I didn't want to press the issue. And even the lady
20 at FERC is shaking her head "no" so she knows that there's
21 much more dangerous things that come up our waterways than
22 LNG gas.

23 He went through the safety procedures, the berm
24 after berm after berm -- after redundant, for safety after
25 redundant safety after redundant safety -- those terminals

1 are committed and required to do. I don't know if that's
2 accurate now, because you've changed the rules a little bit.

3 The last comment -- I felt a little bit more at
4 ease after I talked to him about the terminal itself. The
5 last comment he's told me was, "One thing I would never do,
6 Dan, is I would never buy property with a gas line that ran
7 through it, period."

8 I also asked him: If they put another LNG
9 terminal -- I told him where it was in Sparrows Point, and
10 he said "Well, I'm a little surprised that they're putting
11 one in Sparrows Point, because there's one down at Cove
12 Point, and it's been enlarged to I think double capacity"
13 and he goes, "It's very unusual for them to place another
14 LNG terminal so close to one that's already existing."

15 A case in point for FERC to realize, when you're
16 thinking about granting this permit. The thing I read in
17 the EIS is they really haven't qualified for the Coast
18 Guard's permit so far; they Coast Guard wanted them to do
19 much more. And what I understand from an article that the
20 Chester County Press put in, that AES has stated that
21 they've applied to that. And they also stated that their
22 pipeline route is not tattooed on somebody's neck yet. It
23 can be changed at any time. I don't think you can grant a
24 permit unless you have a solid idea of where the pipeline's
25 going to go.

1 And in that article also, in the Chester County
2 Press, it said that they would not rule out putting another
3 pipeline in their right-of-way. Instead of one, two, in the
4 future.

5 Now I'm going to go back to something I said in
6 our community meeting we had in Little Britain. There was a
7 man who was -- I wish he was my mentor, but he was one of my
8 heroes -- his name was Buckminster Fuller. When I saw him
9 speak, he was in his Eighties. He was the inventor, if
10 that's the proper word, of the geodesic dome. He was an
11 architect that did, at that time the airport in India. Very
12 humanitarian. He wrote that book, Operation Manual for
13 Spaceship Earth.

14 He stated that there are no real externalities to
15 any construction or manufacture of articles, that there are
16 just things that haven't been put to use yet, that they
17 haven't found a use for. If you people could change your
18 energies from granting money-making facilities to making use
19 of what we already have, I think the United States would be
20 much better off.

21 (Applause)

22 MS. WACHHOLDER: Thank you very much.

23 One of your points about, if the pipeline could
24 change, just to be clear on this. The applicants submit
25 their proposed line. So if they have pinned down what their

1 proposed line is, we in our document, we're reviewing it and
2 saying 'Well, can we tweak it a little bit here to avoid
3 that subdivision? Can you go to the edge of that property
4 so you're not cutting through their field?" Stuff like
5 that.

6 So what you said is accurate, that it could
7 change; but what they have proposed is set, so that's what
8 we were reviewing. If that helps any.

9 Next up is Ann Solway, then Liam O'Rourke --

10 AUDIENCE: I don't wish to speak at this time.

11 MS. WACHHOLDER: Okay, thank you.

12 Then next will be Liam O'Rourke, then David
13 Sweeney, and then George Supplee.

14 AUDIENCE: I believe Mr. O'Rourke has left.

15 I'm Mr. Sweeney.

16 MR. SWEENEY: Good evening. My name is David
17 Sweeney. I live at 315 Rock Raymond Road in Downingtown.

18 Now we've had a pipeline come through our
19 property approximately five years ago, and it's a very
20 devastating experience. I have a few things here.

21 I'd like to know, what is the proposed depth of
22 this pipeline going through the properties, and is there one
23 depth through the whole line?

24 Another thing, about the Maryland dredge, where
25 is this dredging material going to be deposited? And has it

1 been determined, is this a toxic material or not?

2 Now myself, I will not have any access to this
3 alternative fuels, and I'm very opposed to this project. We
4 already have enough reliance on foreign fuels, and this will
5 just be another screw in our back that the alternative,
6 eventually, as the oil has been turned on us right now; and
7 we're paying top dollar for that. I mean, that's ridiculous.
8 Do we really need to have this issue again put on top of us?
9 I would like to say again that everybody that spoke this
10 evening is completely positive on the impact that it will
11 have on everybody's lives here.

12 Nobody wants to have this in here, and the man
13 said that it's all about money, of course it's about money.
14 They're going to step on the small people and then just shoo
15 us away when we have any opposition.

16 I just wanted to go on the record that I
17 vehemently deny this proposed project to go through. Thank
18 you very much.

19 (Applause)

20 MR. BULLITT: May I say one more thing?

21 MS. WACHHOLDER: Can you wait until we get
22 through the list, and then we'll start -- if anyone has any
23 other comments, you can come back again. I want everyone to
24 have a chance, first.

25 Next was George Supplee?

1 AUDIENCE: I pass.

2 MS. WACHHOLDER: Then Teri Dignazio, and then
3 Eric Newman, and then we an go again.

4 MS. DIGNAZIO: My name is Teri Dignazio. Our
5 farm is located between mile marker 56.99 and 57.77. Right
6 from the getgo I had a really hard time determining our mile
7 marker. When I go the FERC disk, the CD-ROM, I can only use
8 the topography map to determine it might be near 57. So I
9 went to my local library, the Oxford library, and the map
10 that folds out with the satellite pictures is missing.

11 So not until tonight, where I can see these maps,
12 could I figure out what my mile markers were. Why it's kind
13 of important to me is because I'm trying to determine on
14 this land use affected by additional temporary work spaces
15 for the Sparrows Point project what my property was. And
16 I'm also having a hard time determining even now seeing my
17 mile markers, understanding why I'm getting work space
18 through forest.

19 It's a bottleneck on our property; the driveway,
20 the Columbia gas line, the old fiber optic line, steep
21 slope, my in-laws porch will be four feet from the pipeline
22 if it goes to the east. At the original meeting in Oxford,
23 the pipeline was going east. Now maybe it's going west.
24 But I don't see us listed in this list that says: Projects
25 within 50 feet, which I don't even get, because even if it

1 went west, so we might be 51 to the corner of the porch?
2 It's in our bottleneck, but yet it's listing forest and it's
3 being used as a work space. Whoa, boy, good luck. I want
4 to see that.

5 I saw Columbia Gas go through. So I don't
6 understand; no one is explaining it to me. When the team
7 originally came through, I got a knock on the door out of
8 the blue in 2006, and this man was trying to explain this
9 project to me; I did go to all the meetings in Oxford. I'm
10 sort of surprised, it's Virginia, a worldwide corporation,
11 billions, a hundred thousand employees, but I've got
12 somebody from Texas that's knocking on my door?

13 So excuse me? What does Texas have to do with
14 this? So it looks to me like it's a much bigger agenda on a
15 wider, national level. So I'm nervous about the whole
16 proposal, based on the political climate that we're in
17 today. We're just -- you know, there, and obviously going
18 through.

19 My heart is with the Marylanders; I've been
20 trying to read their documentation on the Internet.

21 A huge concern to me is the timber cutting. I
22 think it was 600 and some acres of timber is going to be
23 cut, and the mitigation, it will be from 5 to 150 years.
24 Good one! Can't wait.

25 So I'm really upset to lose a 36-inch

1 circumference tree. They say they're going to mitigate.
2 Well, what am I getting? A 2-inch sapling? When do these
3 people show up to start negotiating this right-of-way?
4 Because I want every tree replaced by circumference. A 2-
5 inch diameter, whatever they are, bought locally; and then
6 as a landowner, I would like to have them placed on our land
7 or donated to watershed or whatever organizations need
8 trees. I want every single inch of wood, because that's not
9 what happened when Columbia Gas came through so many years
10 ago. And I will go to every neighbor in Lancaster County
11 and knock on every door to see that they also request the
12 same thing.

13 Tweed Run, there are large trees along the edge.
14 I'm sure they will all be cut down, and I'm alarmed at the
15 impact of the canopy over near the stream.

16 And last question, for Mr. Dankanich. You stated
17 that these smart pigs would be used in densely populated
18 areas. I did go to the Oxford meeting so they explained the
19 whole, what a smart pig is, how it goes back and forth, and
20 they have these staging systems.

21 What is the definition of 'densely populated' and
22 why would this technology not be used over the entire
23 pipeline? And I would be in a zero population area where
24 it's crossing through our farmland. I didn't know if you
25 had an answer to that.

1 MR. DANKANICH: I can answer that afterwards.

2 (Pause)

3 I think it is appropriate to have all of the
4 speakers come forward first, and then we can address the
5 questions.

6 MS. DIGNAZIO: And I just think there's been,
7 except for the meeting in Oxford, we have not received
8 anything. I felt really lucky that somehow I must have
9 signed a list that I got the disk in the mail; I do
10 appreciate that. But then going to the library, I was
11 really disappointed to see that the aerial maps were
12 missing.

13 (Applause)

14 MS. WACHHOLDER: Next up is Eric Newman, then
15 Rick Guarini.

16 AUDIENCE: We'll pass.

17 MS. WACHHOLDER: Okay, and then John Goodall.

18 MR. NEWMAN: My name is Eric Newman, I live at
19 316 Lyndon Drive, that's Upper Uwchlan, Chester County.

20 Actually just received notification of this
21 pipeline on Sunday and its potential impact to my property.
22 It's not as grand or as impactful as everybody else, but for
23 my 1.1 acre, it's pretty significant.

24 As I review the map and look at the line of the
25 pipeline crosses through my living room and exits out my

1 garage. So it's a significant concern for me, and I would
2 like that actually looked at. And given that my property is
3 an older neighborhood, it is on septic and well. So
4 displacing the pipe 20-30 feet either direction will impact
5 all of the basic services to my property.

6 So as you're reviewing that, I would especially
7 like you to take that into consideration. Additionally,
8 next my property, as I'm sure -- you know, Haiken (ph) has
9 pointed out I adjut his property. There is a wastewater
10 runoff basin, and if that was damaged it would significantly
11 put my property at risk a well as the creeks and the
12 wetlands that are adjoining my property as well.

13 So I'd very much like you to look at that. And
14 finally, the last point is the community services, which
15 also are at the corner of my property, which are electric,
16 cable and public water, are all located right there as well;
17 and so there would be an impact running the pipeline
18 anywhere across my property that would impact those
19 services. So thank you.

20 MS. WACHHOLDER: What was the corner again?

21 MR. NEWMAN: It would be the northeast corner.
22 It's a triangular lot, so.

23 MS. WACHHOLDER: What's the street name, then?

24 MR. NEWMAN: It is Lyndon Drive, L-y-n-d-o-n.

25 And it's Option 12A, so it may not even get to that point if

1 you don't consider the option.

2 MS. WACHHOLDER: Thank you.

3 Rick Guarini and then John Goodall.

4 AUDIENCE: Rick Guarini was --

5 MS. WACHHOLDER: Oh, he was with that group.

6 Sorry.

7 Okay. Go ahead.

8 MR. GOODALL: Good evening. I'm John Goodall,
9 I'm with the Brandywine Conservancy. We're a land trust in
10 the area; we have over 40,000 acres in conservation
11 easements, and we oppose this pipeline.

12 I have a written statement here that just gives a
13 background of what impact it will have to our conservation
14 easements; and as a bit of a background, a conservation
15 easement is a deed restriction that's a covenant between the
16 landowner, the land, and the land trust. We're that land
17 trust.

18 Mid-Atlantic Express proposes to construct
19 approximately 87.6 miles of pipeline through Maryland and
20 Pennsylvania. Roughly 7 linear miles, or approximately 8
21 percent of the proposed pipeline would cross through 250
22 acres of the property protected by these conservation
23 easements granted by individuals to the Brandywine
24 Conservancy. This is also contiguous to approximately
25 20,000 additional acres of easements.

1 The purpose of these easements is to permanently
2 protect the agricultural, natural and scenic resources of
3 these lands. The landowners have given up the value in
4 order to ensure that these rural lands are preserved and the
5 resources protected. Local zoning in that area also
6 supports the agriculture uses and land and maintaining it in
7 its undeveloped state. This area has also been newly
8 designated by Audubon as an important bird habitat area.

9 The proposed construction right-of-way is 100
10 feet in agricultural areas and 75 feet in non-agricultural
11 areas; see Draft EIS Section 2.2.2. Almost 90 acres of
12 conservancy ease land would be affected by the construction
13 of this proposed pipeline, or approximately 5.5 percent of
14 the 1,603.4 acres of total disturbance for the construction
15 of the pipeline, and the above-ground pipeline related
16 facilities.

17 As stated in the Draft EIS and other documents,
18 the proposed new Mid-Atlantic pipeline would parallel the
19 existing Columbia Gas pipeline right-of-way. The existing
20 right-of-way is 30 to 50 feet. The proposed additional 30
21 to 50 foot temporary and permanent right-of-way would double
22 or triple the size of the existing gas pipeline right-of-
23 way. This impact is not consistent with the terms of our
24 easements.

25 In the Draft EIS, Mid-Atlantic expresses that it

1 would consult with the Brandywine Conservancy management
2 center to determine if the proposed activities related to
3 the construction of the pipeline would be needed to be
4 reviewed for consistencies with the term of the easements
5 held. See page 4-159.

6 In accordance with our stewardship duties to
7 ensure the protection of the lands' perpetuity, proposed
8 activities would indeed need to be reviewed for consistency
9 with the easement purposes. The environmental resources
10 that will be effected on the Conservancy's eased land
11 include agricultural soils, wetlands, streams, ground water,
12 forested and woodlands as well as wildlife.

13 The potential impacts to soils, wetlands and
14 streams are discussed in some detail in the EIS. We are
15 particularly concerned about the impact to the wetland and
16 the streams. The draft states that Mid-Atlantic will
17 consult with the Brandywine Conservancy regarding the
18 crossing of the Brandywine creek system. See page 4-159.

19 The report is inconsistent regarding the
20 anticipated number of these crossings, which is certainly
21 greater than four. We assume and would expect to be
22 consulted regarding all stream crossings in the Brandywine
23 River system, specifically including the approximate 11
24 stream crossings on conservancy eased land.

25 We supported the use of the environmental

1 inspector referred to on page 2-34 to ensure environmental
2 compliance on behalf of the AES. We also support the
3 Commission implementing the managing and independent third
4 party environmental compliance and monitoring reporting
5 program.

6 In addition, we encourage and support
7 Pennsylvania and Chester County agencies review and
8 oversight of various, numerous environmental impacts of this
9 project.

10 In conclusion, and generally we believe that the
11 federal government should enact policies and encourage
12 reducing consumption of fossil fuels-derived energy,
13 encourage the development of alternative source energies,
14 such as solar and wind, and should support similar state and
15 local initiatives. We also believe that the existing
16 Columbia Gas pipeline should be utilized near capacity
17 before this project is approved.

18 Building additional pipelines or creating larger
19 right-of-ways through permanently protected lands should be
20 used as a last resort to address true energy needs.

21 We'll submit a larger draft at the end of the
22 week. Thank you very much.

23 (Applause)

24 MS. WACHHOLDER: That's the last person that's on
25 our list to speak, so if other people would like to speak,

1 please raise your hand and you can come on up.

2 MR. SHANOR: Dan Shanor, 27 Kingpin Road, Little
3 Britain Township.

4 The one thing I asked the Lieutenant Commander
5 specifically was, "If they put another tanker in the
6 Chesapeake Bay, aren't you Coast Guardians stretched a little
7 thin now to carry on more protection?" There was a period
8 of silence. And he said "Yes, we are stretched very thin
9 right now" with exclamation points at the end of that. So
10 that's another thing that you might want to take under
11 consideration.

12 MS. WACHHOLDER: At the meeting on Monday,
13 Commander Penoyer was asked that same question; aren't you
14 stretched thin? How can you do that? And he had -- I'm not
15 as eloquent as him, and he's the 'coastie' so he knows all
16 that,

17 He said that no ship would be allowed to come up
18 the Chesapeake Bay, Patapsco River, until they have the
19 proper resources to do that. So that might be -- you know,
20 if that can never happen, then maybe the project can never
21 happen. But they are very, very safety and security
22 orientated and they would not let something happen if they
23 did not feel that it met their safety and security
24 standards.

25 MR. SHANOR: But he did not say yes or no. He

1 said it won't happen unless it's safe.

2 MS. WACHHOLDER: Yes, he didn't say at this
3 point; he said it would not happen until, or if or until
4 that could be made into their standards. Like I said, he
5 said it pretty well, I --.

6 Okay, Russell, you wanted to go next?

7 MR. DONNELLY: Once again, Russell Donnelly. My
8 address is 2114 Oak Road, Sparrows Point, Maryland, 21219.

9 On top of that, we wish to commend the citizens
10 of Pennsylvania from the LNG Opposition Team of which you
11 are a part. This also, the opposition stretches not only
12 through Pennsylvania and Maryland, but the third almost non-
13 mentioned stakeholder, which is the 42 miles of Virginia
14 waterway owned by the State of Virginia. So it goes from
15 Cape Henry to Eagle, Pennsylvania; we're all in this boat
16 together.

17 For the record, we are in opposition. Please,
18 FERC, deny. Army Corps of Engineers, please emphatically
19 deny this permit in this process for AES.

20 (Applause)

21 One last thing. In regard to the Chesapeake Bay,
22 the impact to uses of the Maryland-Virginia waterways will
23 be permanent, as long as LNG vessels transit the Chesapeake
24 Bay and tributaries. If permitted and allowed, this AES
25 project, LNG project, will cause major disruption of

1 standard maritime commerce, commercial and recreational
2 water uses. FERC once again seems to be giving AES a power
3 of authority reserved for federal and state agencies.

4 AES is nothing more or less than a private
5 industry, and should be treated no differently than any
6 other business. But this will take away from, every time,
7 every minute a ship has to heave to and stand by with Port
8 business or cruise ships, that's money, that's big money.
9 And for waiting on a ship, you can't guarantee it's going to
10 be every second by the clock. I can see conflicts if it
11 would be approved, and it might drive away -- we're just
12 getting the Carnival Cruise Line in Baltimore, that's the
13 third one coming to the Baltimore Port. And all of our
14 supercargo container ships; they just opened it up for the
15 large ones, they had it publicized not two months ago.

16 They won't wait around. And if there are impacts
17 on scheduling and their time to and from, they're going to
18 go somewhere else; and the Port can lose. Thank you.

19 (Applause)

20 MS. WACHHOLDER: Another comment?

21 MS. BULLITT: My name is Sue Bullitt, I'm on 231
22 Brabson Road, Nottingham, Little Britain. And I had a
23 couple of comments.

24 We were not notified when and if they came
25 through and did their environmental and archaeological

1 surveys. We have never seen any results. We don't know if
2 they actually did note the mill abutments. We don't know
3 how much of the land they looked at for their Maryland gold
4 master, which they weren't really looking for because we're
5 in Pennsylvania. Why would a Maryland Astor be in
6 Pennsylvania?

7 That's exactly what they said to me. And they
8 didn't mention half the other species that I do know are on
9 our land, at least some varieties therefore. I do know we
10 have some Blue Eyed Grass. I don't know if it's the
11 specific Eastern variety that's on a list, but I do know
12 there's some Blue Eyed Grass there. I do know bald eagles
13 fly over our property constantly -- well, not constantly,
14 but frequently enough to make it -- oh, a moment.

15 I don't have any record anywhere, and I didn't
16 see it in the Environmental Impact Statement, of how much
17 they looked at. Did they look at the 75 yards, or did they
18 look at the 200 yards that they were saying in places might
19 be disturbed during construction.

20 That's my comment. I'd like to know what they
21 saw and record it on my property. Thank you.

22 (Applause)

23 MS. WACHHOLDER: Thank you. Do we have anyone
24 else that would like to speak?

25 MS. VAN HOUTEN: Lisa Van Houten, 1608 Renee

1 Lane.

2 I just wanted to refer to a couple more points --
3 to allow others to speak. On page 5-3, talk about water
4 resources on milepost 177.6, states: A commercial well.
5 You do not identify who owns that commercial well. That is
6 right in the middle of our residential neighborhood.

7 On page 5-15 the EIS talks about cumulative
8 impacts. I think there's a word missing there; I think it
9 should be cumulative negative contribution. One of the
10 bullet points, bullet point 5 talks about benefit on
11 personal income. There's no justification for personal
12 income on such a project as this. It also talks about
13 contribution to a local tax basis. There will be no
14 contribution to a local tax basis. If there is, how will
15 this corresponding projection for decrease in homeowner tax
16 burden be accomplished?

17 On page 5-19, number 5, item number 5. To date
18 is there any documentation of landowner approval? And if
19 yes, why is it not included in this document?

20 I got very confused on Table F-1, page F-7
21 specifically where mileposts 77.03 through 77.76 propose
22 mitigation, see site-specific plan. There is no plan. And
23 it should include temporary work space. I'm confused with
24 the definition "adjacent." Does that mean less than 10 feet
25 from the centerline? Or is that on top of the gas line?

1 Just where is that. And does it include the temporary work
2 space.

3 Proposed mitigation, a combination of one or
4 more. One or more what? And I believe it should also
5 include, with the consultation of the landowners and the
6 associations, since it will be on common area. And I think
7 it needs to be stipulated in every one of these issues that
8 associations be included.

9 And then on Table I, approximate linear impact is
10 actually 50 feet. This is Table I, milepost 77.19 to 77.49.
11 This is a small stream that crosses through and it's a
12 running stream, but it might only be like right now, 2 feet
13 wide, but in a downpour it can be 50 feet wide, because it
14 is a flood plain. It is not addressed in this document.

15 Thank you very much.

16 (Applause)

17 MS. WACHHOLDER: Thank you. I really especially
18 want to thank you. I could tell you read it. It's so nice
19 to know that somebody actually reads the things. You can
20 find all the typos, and let me know, that's awesome. Thank
21 you.

22 MS. COYNE: I'm not going to fool with that; my
23 voice carries wherever I go.

24 My name is Paula Latta Coyne. I live at 3111
25 Darun Church Road, East Fallowfield, PA 19320-4459.

1 I have one question. After listening to this and
2 reading this material, why is there such a short period for
3 the public comment? People's lives, their properties are
4 going to be adversely affected, and you're giving them what,
5 five days to write there comment on a 700-page document?
6 And then how many hours of testimony tonight?

7 To me, that is just so unreasonable.

8 MS. WACHHOLDER: It's actually a 45-day comment
9 period.

10 MS. COYNE: We were told the comment had to be in
11 by the 16th.

12 MS. WACHHOLDER: But the document was issued
13 April 25th. It's been out for a long time.

14 MS. COYNE: 700 pages, it's been out for 45 days.
15 Please, that's not really reasonable.

16 I don't the rush, and I'm just making a comment.
17 It seems to me that you're in a big hurry for something with
18 such a great impact; and why is there only one meeting in
19 Pennsylvania when there's what, 80 miles of pipe, proposed
20 pipeline in Pennsylvania? Two meetings in Maryland, one in
21 Pennsylvania. It does not make sense, and that's my
22 question or comment. Thank you.

23 (Applause) (Name spelling.)

24 MS. WACHHOLDER: Also another point, I realize
25 that it is a large document and it is hard to get through;

1 it's not the most thrilling reading. At FERC we accept
2 comments until we get to the point that the Commission
3 decides to vote on it. It's most useful for us to receive
4 the comments earlier so we can fix things that people are
5 saying, "Oh, wait, you missed this, you missed this, we need
6 to know about this."

7 So the sooner we can get it, the better. But we
8 do -- comments are taken until the docket is closed, and
9 it's on the record and everyone can see it, just so you
10 know.

11 Do we have anyone else that would like to speak?

12 MR. CIVIS: I have one question.

13 MS. WACHHOLDER: Okay, come on up.

14 MR. CIVIS: My name is Joe Civis, C-i-v-i-s, at
15 1022 Wilshires Way, Downingtown, 19335-4432.

16 The pipeline goes right behind my house; however,
17 I didn't know about this meeting until some friend of mine
18 in Baltimore called my family and asked me if I was aware of
19 the meeting tonight.

20 The reason why I'm not aware of it is because
21 I've never been on the mailing list. I've never gotten a
22 book or anything. Is there a possibility of getting the
23 study so I can read it?

24 MS. WACHHOLDER: Do you have a computer? Because
25 I have some extra disks.

1 MR. CIVIS: Yes, I have a computer.

2 MS. WACHHOLDER: Okay, here, you can have this
3 one.

4 And I apologize for you not getting on the list.
5 We got the original mailing lists of the land line --

6 MR. CIVIS: Well, I've been living there 19
7 years.

8 MS. WACHHOLDER: So it's not like you just moved
9 in.

10 MR. CIVIS: Now does this cover everything that's
11 in the book?

12 MS. WACHHOLDER: This is this entire document,
13 but on the computer.

14 For the mailing list, it's kind of tricky. And
15 you got added now, for the final document, right?

16 MR. CIVIS: Right. Thank you very much.

17 MR. SHANOR: Dan Shanor, 27 Kingpin Road, Little
18 Britain Township.

19 A couple more questions. As far as communication
20 goes, originally I think it said in the EIS that they are
21 supposed to notify everybody within a half a mile of that
22 pipeline. Is that accurate? I believe it's in there.

23 Russell, is that correct?

24 They didn't notify people across the street from
25 this. Right from the beginning, this company has been doing

1 this smoke and mirrors. They have not been informing,
2 people should be informed.

3 Was there any public notification of this
4 meeting? I called the people that --

5 VOICES: No.

6 MR. SHANOR: Who do we turn to for that? Is that
7 your responsibility to inform?

8 MS. WACHHOLDER: We issued our notice on our
9 website and in the public notice, but like that other
10 gentleman said, if you're not on the mailing list you didn't
11 get a copy of the notice. The local newspapers were aware,
12 but like you said before, they don't always --

13 MR. SHANOR: They don't respond unless somebody
14 calls them and talks to somebody who either does the
15 environmental or local community type of deal. Then they'll
16 start to jump.

17 And is this process going to be done before say
18 January 21st?

19 MS. WACHHOLDER: I don't know when it will be
20 finished.

21 MR. SHANOR: Hopefully after.

22 DR. YUILL: I was just going to respond to the
23 question on the public notice. The Army Corps of Engineers
24 regulations do require when the Corps has a hearing, that we
25 do put public notices in the newspaper. There was a public

1 notice placed in the Baltimore Sun, the Aegis in Harford
2 County, and there's a Chester County paper that we had a
3 public notice published in; I don't recall the name of the
4 paper.

5 AUDIENCE: The Daily Local.

6 DR. YUILL: It may have been the Daily Local
7 News. There was a public notice. But I'm just responding
8 to your question.

9 AUDIENCE: What about Lancaster County?

10 DR. YUILL: You're correct, we did not put it in
11 a Lancaster County paper.

12 MR. BULLITT: And I know there were a number of
13 people not notified in the first two or three mailings that
14 came out. They just did not get any notice, and they were
15 adjacent to the pipeline.

16 AUDIENCE: AES used an outdated landowner list.
17 They had people who had bought the land adjacent to us, and
18 sold it three years before, were still listed as the
19 landowner.

20 MS. WACHHOLDER: Let's see, who else?

21 MS. VAN HOUTEN: Lisa Van Houten. Just a
22 suggestion again -- I'm going to come back to this survey
23 map where all the houses had been identified with addresses;
24 and to the best of my knowledge every house within 300 feet
25 of the centerline was supposed to be notified.

1 If AES Mid-Atlantic has that information, then
2 every one of these should have also gotten a notification as
3 a result.

4 Is that possible? Is that doable? That puts
5 this whole thing to rest. And I just also want to say to
6 the people who came up from Maryland, thank you very much.
7 I appreciate you taking the time, spending the gas, and
8 participating.

9 MS. WACHHOLDER: As far as the mailing list,
10 originally when we first got the project at FERC, about two
11 and a half years ago, we sent out a notice to everybody that
12 was on the list that we had received from the applicant in
13 that document, and we had a form that says: If you would
14 like to remain on the mailing list, return this form -- so
15 that we're not spending \$20 to mail each one of these books
16 to people that don't want one.

17 So the list that we sent this document to are
18 people that returned that mailer and requested to be kept on
19 the mailing list. So that should answer your question.

20 I think one more comment, and then we can just
21 look at the maps or talk.

22 AUDIENCE: The only comment I wanted to make was
23 that newspapers have declined in circulation, so a lot of
24 people are not getting those papers anymore. Not like years
25 ago when I was a young boy, everybody read the paper. But

1 it's a little different now.

2 MS. WACHHOLDER: Okay, Alex is going to address
3 the question that he got before that he said he would
4 address.

5 MR. DANKANICH: Two questions that were I believe
6 directed at my shop, Pipeline Safety shop.

7 Depth of pipeline. The code, and this code that
8 I'm talking about is the Federal Code of Regulations that
9 covers pipelines, whether they be gas pipelines, natural gas
10 pipelines like we're talking about here.

11 Natural gas is the stuff you cook in your stove
12 and heat your furnaces, that's natural gas. This is not a
13 liquid pipeline, this is a gas pipeline.

14 LNG -- gas is cooled to minus 260. When it's
15 cooled to minus 260 it turns into a liquid, and the reason
16 they turn it into a liquid is there's an 800-to-1 ratio.
17 One unit of liquid at minus 260, you can get 800 units of
18 gas vapor when you heat it back up.

19 So that's what makes it economical to transport
20 from the countries that have natural gas reserves. Our
21 natural gas reserves are being depleted and our energy
22 demands are going up. So it's kind of -- we have to get
23 natural gas from somewhere. We're not building nuclear
24 power plants anymore. Coal is not looked on as favorable
25 as it used to be to burn to produce electricity, so we're

1 looking at natural gas.

2 When you ship LNG over, it's economical to do it
3 as a liquid, then vaporize it back into a gas, put it in a
4 pipeline for the end users.

5 Depth of the pipeline. Three feet of cover on a
6 transmission line is minimum three feet of cover. Usually
7 it's more under streams, rivers, usually it's about -- at
8 least a minimum of five under streams and rivers, and
9 usually even more than that. Five feet under highways --
10 usually more than that, but minimum five feet under
11 highways.

12 But again it depends on what the Pennsylvania
13 highway code says. But the federal code says, it's coming
14 through just regular property, not a stream or a highway,
15 three feet of cover.

16 High consequence areas I think was somebody's
17 question. What is a high consequence area? What that the
18 question?

19 AUDIENCE: It was actually a high population
20 area. A densely populated area.

21 AUDIENCE: High density area.

22 MR. DANKANICH: Okay. Oh, and the smart pig.
23 The internal inspection device.

24 The code, all pipelines, regardless of whether
25 they're out in the middle of Kansas or whether they're on

1 the East Coast somewhere, have to have a minimum level of
2 inspection. So there's an operations plan/procedure and a
3 plan to assess your pipeline, regardless of where the
4 pipeline is, regardless of what the diameter and the
5 pressure is. All pipelines have to be assessed for
6 corrosion and for damage prevention and things like that.
7 For leakage, they survey it, they walk the line -- you
8 probably see people, if you're living where distribution
9 pipelines are you probably see people walking over the line
10 with a survey instrument, to check for leaks.

11 The higher pressure pipelines, the larger
12 pipelines which are called transmission lines, that go
13 through densely populated areas have to have a higher level
14 of maintenance. We just call it maintenance for easy terms.
15 So the higher density, the places where there is more
16 housing, there's a higher level of maintenance that needs to
17 be done; and those checks can be -- in 2003 a rule came out
18 called Integrity Management, pipeline integrity management.
19 And that rule listed three methods that the operator can
20 choose to use to assess the integrity of this pipeline in
21 highly populated areas.

22 The operator can use what we call 'direct
23 assessment' which is an electrical survey. He can use a
24 pressure test, which he takes his line up beyond the normal
25 pressure to some safety factor beyond the normal pressure --

1 I think it's 1.2, it may be 1.3 or something like that --
2 for a period of time and holds it there to make sure the
3 line can stand the higher pressure. Usually they don't like
4 to do that, though. That's not the way you want to test
5 your line. Or they can use the internal inspection device,
6 which is done most of the time. And that's sending that
7 instrumentation through that sends sound waves into the
8 pipe, bounces back, it's collected on a data recorder, then
9 they read the data recorder to determine if there's any
10 anomalies in the wall of the pipe.

11 So that's done in highly populated areas. And
12 was your next question, what's a highly populated area?
13 They actually count houses, 660 feet on both sides of the
14 pipeline. And if there are so many houses within that 660
15 feet, 660 feet wide and I believe it's -- I'm not sure of
16 the length. I'd have to look back in my Code to see what
17 linear length of the pipeline, but I think it's also 660
18 feet. And if there's a certain amount of houses then it's a
19 high consequence area.

20 Then they have to use one of those three methods,
21 above and beyond the normal methods to assess the integrity
22 of their line on a regular basis. A regular basis being I
23 think five to seven year intervals.

24 Electrical survey, pressure test, or internal
25 inspection device in the high consequence areas. Does that

1 make sense?

2 AUDIENCE: So for instance the Brandywine
3 Conservancy Area would not be considered high consequence.
4 High density.

5 MR. DANKANICH: I'm not familiar enough.
6 You can answer that? Great.

7 DR. YUILL: I can answer a little bit of that. I
8 don't know all of the definitions anymore. I've had them in
9 some projects in the past.

10 When they use an internal inspection to pull like
11 a smart pig, you can only put it in and take it out certain
12 places; and in this pipeline you can put it in in the
13 beginning and you can take it out at the end.

14 So if they run an internal pig, they pig the
15 whole line from mile zero to the end, to 87.7. So if
16 they're interested in a high density area that's in the
17 middle, they still pig the whole line. So that's one
18 answer.

19 Second is, there are other high consequence areas
20 that are based on biological assets and environmental
21 assets. I can't give you all of those, but some of the
22 things that they look at are important watersheds or sole
23 source aquifers, things like that. So there are other
24 things that can tick that on the DOT's list, and they -- as
25 well as high population areas, can require more frequent

1 surveying with those other tools.

2 MS. WACHHOLDER: Well, I don't want to really get
3 into a whole question and answer thing, because we don't
4 have all of the answers; we're supposed to be getting
5 comments on things. So if there's any other comments that
6 you'd like to make, we could let our nice court reporter go
7 home and we can look at maps, or if there's something you
8 want that way.

9 Do you have any other specific comments?

10 AUDIENCE: I just want to thank you very much for
11 having the meeting, anyway.

12 MS. WACHHOLDER: Thank you for coming. I really
13 appreciate the comments.

14 MR. DANKANICH: I'll stay afterwards if anybody
15 wants to come up and ask me specific questions.

16 MS. WACHHOLDER: Any other specific environmental
17 comments? Lisa?

18 MS. VAN HOUTEN: Page 4-259, if you want to know
19 some more about pipeline safety.

20 In terms of the pipeline safety --

21 MS. WACHHOLDER: Can you get to the mic?

22 MS. VAN HOUTEN: In terms of the pipeline safety
23 with regard to crossover, is there a minimum distance
24 between one pipeline crossing over another, and what is it?
25 Because I didn't find that in the pipeline safety.

1 MR. DANKANICH: There is, but it's only a foot in
2 the Code. Usually, though, the code only requires one foot
3 of distance. However, the Code does say that you have to
4 maintain distance so that if you needed to excavate and
5 maintain your line, you know, if you had -- if somebody hit
6 your line with a backhoe, you had a dent in it, you had to
7 maintain it.

8 So normally operators maintain a couple of feet
9 between pipelines; between parallel pipelines or between
10 crossovers. One foot general, you know, isn't enough. But
11 the Code says one foot at the minimum. Does that answer
12 your question?

13 MS. VAN HOUTEN: It does, but it raises a safety
14 issue in a high population density, again, as well as the
15 fact that this is a 36-inch pipeline that has to a minimum
16 of 30 inches underground.

17 MR. DANKANICH: Three feet underground.

18 MS. VAN HOUTEN: Well, if the current pipeline is
19 already three feet underground, then you're going to have a
20 pipeline right on the ground.

21 MR. DANKANICH: They have to go under it. They
22 have to go under it.

23 MS. VAN HOUTEN: By 2 feet, therefore making the
24 original pipeline sag.

25 MR. DANKANICH: Yes. Pipelines can be -- the

1 steel that they use is really a high grade steel these days.

2

3 MS. VAN HOUTEN: But we're talking about the
4 Columbia line, which is 40 years old, which is not high
5 grade.

6 MR. DANKANICH: No, they wouldn't touch -- the
7 new pipeline would go under the existing pipeline. If they
8 couldn't maintain the separation distance and they couldn't
9 maintain the depth of cover of three feet.

10 MS. VAN HOUTEN: This is a disaster waiting to
11 happen.

12 MR. DANKANICH: Well, the whole East Coast is
13 highly -- this area is no different than New York, New
14 Jersey, Maryland, Virginia -- the whole East Coast is this
15 way. I see it all the time. But what are you going to do?
16 We need natural gas, so we've got to build pipelines.

17 AUDIENCE: Do we?

18 MR. DANKANICH: Well --.

19 MS. WACHHOLDER: All right, we need to shut down
20 here. Do you have a question or a comment, Russell?

21 MR. DONNELLY: A comment. One line.

22 MS. WACHHOLDER: One comment, Russell.

23 MR. DONNELLY: Russell Donnelly, 2114 Oak Road.
24 Last comment.

25 We offered, and it is registered in the FERC

1 documentation, our comment is: Alternative site. Put this
2 facility 15 nautical miles in the Atlantic Ocean, run one
3 pipeline to shore. Better on defenses, Navy and the Coast
4 Guard can monitor it. Army can monitor it from the
5 satellites, or Air Force. It's not around anything and it
6 doesn't cut across any of the impacted areas as mentioned in
7 the Draft EIS.

8 Therefore it would alleviate a lot of problems,
9 might cost a little more, but it still supplies without
10 hindrance to much-need LNG. And we want to state for the
11 record, too, LNG Opposition Team is not against LNG as
12 product or energy need. We are opposed to the siting of
13 this particular project because of the proximity to the area
14 and the impact it would involve. Thank you.

15 (Applause)

16 MS. WACHHOLDER: With that, I'd like to thank you
17 all so much for coming, and your comments will be included
18 in the record. Thank you. Good evening.

19 (Whereupon, at 9:15 p.m., the scoping meeting
20 concluded.)

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