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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Empire Pipeline, Inc. Docket No. PF10-5-000

NOTICE OF INTENT TO PREPARE AN
ENVIRONMENTAL ASSESSMENT FOR THE PLANNED
TIOGA COUNTY EXTENSION PROJECT
REQUEST FOR COMMENTS ON ENVIRONMENTAL ISSUES

PUBLIC SCOPING MEETING

HELD ON: April 27th, 2010

HELD AT: Radisson Hotel

Corning, New York

Before: SHANNON CROSLY

Hearing Officer

AMY OSTERSTUCK

Hearing Reporter

1 MS. CROSLEY: Good evening. On
2 behalf of the Federal Energy Regulatory
3 Commission, I want to welcome all of you
4 here tonight. Let the record show that the
5 Tioga County Extension Project scoping
6 meeting in Corning, New York began at 7:03
7 on April 27th, 2010.

8 My name is Shannon Crosley and I'm
9 the environmental project manager with the
10 Federal Energy Regulatory Commission, it's
11 also known as FERC or Commission. Jessica
12 Harris, who you met at the sign-in table,
13 is also with FERC. The purpose of this
14 meeting is to give you the opportunity to
15 provide environmental comments specifically
16 on Empire Pipeline's planned project.
17 Empire entered into FERC's pre-filing
18 process on January 28, 2010, that began our
19 review of these facilities which we refer
20 to as the Tioga County Extension Project.
21 According to Empire, the planned project
22 would enable them to provide firm
23 transportation services requested by
24 producers connecting Marcellus shale
25 production along the proposed pipeline

1 corridor. Project facilities include
2 approximately 16 miles of 24-inch-diameter
3 pipeline from Tioga County, Pennsylvania to
4 Steuben County, New York and replacement of
5 approximately 1.3 miles of existing
6 24-inch-diameter pipeline in Victor,
7 New York.

8 In a little while, I'll ask the
9 representative from Empire to take the
10 floor to present a more detailed project
11 description. They will also be available
12 in the back of the room after the formal
13 part of the meeting concludes. They can
14 answer any questions you may have then and
15 you can look at the detailed maps, if you
16 haven't done so already.

17 Right now I'm going to talk a little
18 bit more about the FERC scoping process and
19 our public involvement. The main FERC
20 docket number for this project is
21 PF10-5-000 and that information is also in
22 the notice of intent that you either
23 received in the mail or you picked up a
24 copy at the table when you walked in. The
25 PF means that we are in pre-filing. There

1 is no formal application before FERC at
2 this time. When Empire files a formal
3 application to FERC, that docket prefix
4 will change to a CP number.

5 The National Environmental Policy Act
6 requires that the commission take into
7 consideration environmental impacts
8 associated with new natural gas projects.
9 Scoping is just a general term for
10 soliciting input from the public before our
11 environmental analysis is conducted. The
12 idea is to get information from the public
13 as well as agencies and other groups so
14 that we can incorporate your issues of
15 concern into our environmental analysis.

16 The scoping period started for this
17 project at the beginning of this month when
18 we issued our notice of intent, also known
19 as an NOI. The NOI described the
20 environmental review process, the steps
21 that FERC will take to prepare an
22 environmental assessment, which is also
23 known as an EA. We have set an ending date
24 of May 7th, 2010 for that scoping period.

25 An important step in the

1 environmental review process in the
2 preparation of the EA is to determine which
3 environmental resource issues are important
4 to you. Your comments and concerns, along
5 with those of other people and agencies
6 participating in this process, will be used
7 to focus our environmental analysis. Your
8 comments tonight, along with any written
9 comments you have submitted or will submit,
10 will be incorporated into our formal record
11 as part of the environmental proceeding.
12 We then take your comments and other
13 information and work on our independent
14 analysis of the project's potential
15 impacts. We publish those findings in the
16 EA, which will be placed in the public
17 record.

18 Depending on the comments we receive
19 during the scoping period, we may issue the
20 EA for public comment and then it would be
21 published and distributed to the public.
22 We consider all comments on the EA before
23 we make our recommendations to the
24 commission. If you notice in the NOI,
25 there was a return mailer in the back. If

1 you want to be removed from the mailing
2 list, you can check that box and return it
3 to us and we will take you off the mailing
4 list. If you received the copy of the NOI
5 and want to stay on our mailing list, you
6 don't have to do anything. The default for
7 receiving an EA, if it is published, is in
8 the format of a CD. So if you want to
9 receive a hard copy of the EA, you can also
10 check that box on the return mailer and
11 send it back to us.

12 Now, I'd like to differentiate
13 between the roles of the FERC commission
14 and the FERC environmental staff. The five
15 member commission is appointed by the
16 president and confirmed by the senate.
17 They're responsible for making the decision
18 whether to issue Empire a certificate of
19 public convenience and necessity. The EA,
20 which is prepared by the FERC environmental
21 staff, which I'm a part of, does not make
22 that decision. In general, an EA describes
23 the project facilities, describes the
24 associating environmental impact, describes
25 alternatives to the project, mitigation to

1 avoid or reduce that impact and our
2 conclusions and recommendations.

3 So the EA advises our commissioners
4 and discloses to the public the
5 environmental impact of constructing and
6 operating the proposed project. The
7 commission considers those environmental
8 impacts, the information that's in the EA,
9 any public comments as well as
10 non-environmental issues such as
11 engineering, markets, rates, tariffs and
12 then they make an informed decision of
13 whether or not to approve the proposed
14 project.

15 Are there any questions in regard to
16 the scoping process or the FERC procedures?
17 Okay. That's my overview on the FERC role
18 and next I will turn the floor over to Ron
19 Kraemer with Empire to give a project
20 overview.

21 MR. KRAEMER: I've only got a few
22 comments. First of all, thanks to the FERC
23 staff for organizing this and thanks to all
24 of you for showing up. Some of you I know
25 or have seen over the course of this

1 project as we've worked on it since about
2 last September or October, so we appreciate
3 you working along with us during that time.
4 Shannon described the facilities for the
5 project real briefly, I won't spend much
6 more time on that. For those of you who
7 have been here before, we've gone through
8 in pretty good detail on a powerpoint all
9 of the facilities but generally speaking,
10 the project's purpose is to collect
11 principally, at least initially, Marcellus
12 production.

13 Two producers are involved in
14 bringing their gas supply to the beginning
15 or the southern end of this pipeline and
16 it's our role then to move that gas through
17 this new 16 mile pipeline, that would
18 interconnect it with our existing system up
19 here in Corning that we built a couple
20 years ago and that system then
21 interconnects that gas with the interstate
22 pipeline grid. So the purpose is to
23 provide an outlet or a market for the gas
24 supply being drilled currently in
25 Pennsylvania, I guess the presumption is

1 someday it will be up here in New York as
2 well.

3 So that's the purpose of the project,
4 as Shannon mentioned, that's another one of
5 the issues that FERC tackles is the
6 determination for need of the projects.
7 It's not the point of this meeting tonight,
8 this is environmental issues, but that is
9 part of the FERC 7(c) process. FERC is the
10 certificating energy here, it's the Federal
11 Energy Regulatory Commission, the process
12 is a 7(c) filing, that will be our next
13 major step in the process. We're in the
14 pre-filing process at this point but the
15 next step is the actual filing and the
16 filing of the 7(c), as Shannon mentioned,
17 that's when the certificate or the docket
18 number will change to a CP docket for
19 certificate of proceeding.

20 In addition to the 16 miles, we have
21 -- there's a section of 1.3 miles that's
22 further up in New York State, up near
23 Rochester. It's a replacement of an
24 existing pipeline that doesn't have a high
25 enough pressure rating on it that would

1 match the pressure rating of the new pipe
2 that we're installing, that would be
3 replaced and then a fairly large
4 interconnection with a major interstate
5 pipeline called Tennessee Gas Pipeline and
6 that would be in Canandaigua area.

7 As I mentioned, we've been involved
8 with the community, with the landowners and
9 a number of agencies, DEC and others since
10 about last fall. We held two public
11 meetings down here already. This was our
12 introduction of the project to you, one was
13 back on October 19th. The second was just
14 a little while ago in February, one here on
15 the 17th and one up in Victor on the 18th
16 and we introduced the project to introduce
17 the fact that we were going to be out there
18 starting our environmental studies and
19 routing studies, requesting survey
20 permission and that sort of thing.

21 We do appreciate all of the feedback
22 and all of the effort we've had. We have a
23 number of our contractors that have been
24 involved in the survey and environmental
25 work with us here tonight, they appreciate

1 the effort that you've given them to, we
2 hope, do the best we can to route a
3 pipeline route through your property that
4 least affects you.

5 Again, that's the purpose of the
6 pre-filing process is to try and get as
7 many of these activities and as much of the
8 issues out on the table so that when we
9 file the certificate application we've
10 addressed hopefully all of your issues and
11 if not all of them, certainly all of the
12 major issues. We'll do our best to meet
13 that.

14 This is FERC's meeting and I'll
15 pass it back to them. We're certainly here
16 to answer questions if it's appropriate and
17 I think Shannon is going to run the rest of
18 the meeting and direct any questions to us.

19 MS. CROSLY: Thank you. And like I
20 said before, after the formal part of the
21 meeting concludes, you have representatives
22 from Empire available to answer your
23 questions. I'm available to answer your
24 questions, Jessica is available to answer
25 questions. So feel free to ask anyone

1 questions afterwards.

2 Now we move into the part of the
3 meeting where we hear your comments. If
4 you would rather not speak, you can hand in
5 written comments tonight or you can send in
6 written comments or you can file them
7 electronically. All of those instructions
8 are in the notice of intent, we also have a
9 sheet at the sign-in table where you can
10 write out your comments.

11 This meeting is being recorded by a
12 court reporter so all your comments are
13 transcribed and put into the public record.
14 To help the court reporter produce an
15 accurate record, I would ask that anyone
16 that wishes to speak come up to the podium,
17 state your name and then spell your name.
18 Identify any group or agency you're
19 representing and define any acronyms you
20 may use.

21 Now, at this point no one has signed
22 up to speak but I would like to open it up
23 to anyone who may have changed their mind
24 and wants to speak or have any comments or
25 questions. All right. Like I said, we're

1 all available afterwards to answer any
2 questions you may have. And without any
3 comments, the formal part of the meeting
4 will conclude.

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