NJ DEP 8-17-11 hearing

NJ DEP 8-17-2011 public hearing

8/17/2011

Full-size Transcript

Prepared by:

RCI
Robert Cirillo, Inc.

Tuesday, September 13, 2011

Transcript of proceedings
NORTHEAST UPGRADE PROJECT
Montague Municipal Building
Montague, New Jersey

New Jersey Department of Environmental Protection
Public hearing on Proposed Conveyance of Property under
N.J.S.A. 13:1D-51 et seq.
Montague Township 8/17/2011
Northeast Upgrade Project:
Tennessee Gas Pipeline Company

Wednesday, August 17, 2011

BEFORE:

JUDETH PICCININI YEANY, ESQ., Chief Legal Services
& Stewardship, State of New Jersey DEP Green Acres
Program at DEP

CHRISTINE ROY, ESQ., Watson, Stevens, Rutter
& Roy, LLP

MELLISA DETTING, El Paso Principal Environmental
Scientist Project Manager

PENNY PAUL, El Paso Stakeholder Outreach Coordinator

DANIEL GREDVIG, El Paso Land manager

JERRY CREEL, Project manager

ALSO PRESENT:

Steve Ellis, Rebecca Fitzgerald, Robert Winter, Mike
Heenehan, Donna Mahon

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MS. YEANY: It's seven o'clock, but we're going to wait about ten more minutes before we officially go on the record.

We do have maps in the lobby showing some of the route that were going to talk about. And we just want to allow a few more minutes for people to get here.

(Brief recess.)

MS. YEANY: Okay. We're going to get started, if everyone wants to take a seat.

Okay. Welcome everyone. My name is Judeth Yeany, Y-E-A-N-Y. I'm with the Green Acres Program at the DEP.

A lot of you know Green Acres because we actually acquire land on behalf of the State to add to our state parks and forest. But we also get involved when someone asks the State, the DEP specifically, to convey property rights, as we're going to discuss today.

So what we're here to talk about today is that Tennessee Gas Pipeline Company has asked the State to lease an additional right-of-way on state property to the company for construction of a project that they call the Northeast Upgrade Project.
And procedurally, when we go to evaluate that type of request, we have a statute that some of you might be familiar with. Sometimes we call it the Ogden-Rooney Statute. And that the statute requires us to go through a pretty public and open process when we propose to lease property for more than 25 years.

So in this case, the company is requesting a 25-year lease, and whether it's one acre or hundred acres, we go through the same process on our end to decide whether to grant that request.

So our statute requires us to write a report analyzing the transaction, and we have done that. We posted that report on our website just about a month ago.

I have one copy with me today, but we can make the report available, give you the web address, if you'd like to see it.

We're then required to do at least one, sometimes two, in this case, three public hearings, as part of that process.

And once we go through the public hearings, the transaction will ultimately go to our commissioner and to the State House
Commission for approval.

So what we're here to talk about today is the State, as a property owner, as one of the many pieces of this puzzle that is this pipeline project, but we as property owner, are affected by the project, and the company has asked to cross state property as part of their project.

So I know there was a recent hearing in Bergen County on some local parks that are affected by the project.

I think the company ended up receiving some comment there about the impacts of the project on state property.

So I wanted to explain a little what we're here to talk about and what we're not here to talk about.

So local parks that are impacted by the project will be the subject of separate public hearings, one of them has happened in Bergen County already.

We are not here to talk about any DEP permits that are required for the project. There is a separate process that goes along with that.
If you're a private property owner that's affected by the project, that's not really the subject of the hearing, but there are representatives of the company here who can speak to you about your issues.

And ultimately, we're not here to talk about whether there is a need for the project because of the fact that there is a federal regulatory agency, the Federal Energy Regulatory Commission, that will make the decision about whether the project is necessary and whether the company is authorized to construct it.

So there are a lot of things that have to happen kind of on parallel tracks before this project would get built. One of them is that there needs to be a finding at the federal level about the need for the project and an endorsement by the federal agency of the route for the project.

So we're here to talk about the route, as it has been proposed to this federal agency and how it would impact state property.

If you have comments about the need for the project as it crosses New Jersey, we really
would like you to direct them to FERC and to focus on the impacts on the specific state parks that we're here to talk about today.

I'm trying to think what else as far as ground work.

So we do have representatives from DEP here today. We have Steve Ellis, who is our regional superintendent, he is there in the back, for this part of the state.

We have Rebecca Fitzgerald, who is in charge of both Stokes and High Point State Parks, which are affected by this project.

And in a minute I'm going to turn this over to the company representatives to just explain what the project's about.

I mentioned we are having three public hearings. So tonight is the first of three hearings. We're having a hearing here tomorrow night in Ringwood. It will be also at the municipal building.

And then on September 7, we are having a hearing in Trenton at the main DEP building.

We are going to accept written comment throughout that process.

I believe that the public hearing notice
indicated that there was a two-week period
after each hearing to submit comments, but
ultimately we will accept comments up through
the September 7th hearing and beyond.

The way our statute works, even if we get
through this whole process and decide to agree
to this lease request, this will not go before
our commissioner in the State House Commission
until December of this year at the earliest.

There's timing restrictions in our
statute. There is a period that we have to
wait before we would approve it.

So there will be a time after this hearing
and even after the September hearing, if you
think of something or you don't get to put
everything you wanted on record, write to us.
We will provide that information later as far
as the contacts.

I also wanted to mention something about
just the scope of the project as it impacts
state property.

In the report that we sent out, we
discussed specific numbers of acres in each of
the state parks that are going to be affected
by this project. Those numbers were based on
the filing that the company made with the
federal agency, the FERC, for approval to
construct this project.

And based on those numbers, the public
notice that you may have seen estimates that
the company could end up paying as much as 7.8
million dollars in rental to the State for this
project.

That number actually changed in the
report and it was stated as 8.6 million,
because we counted some additional temporary
work space.

But what I wanted people to understand up
front is, this is a completely fluid process.
The company has made a filing with the federal
agency describing what it thought it needed to
construct the project. And we have analyzed
that acreage.

We consider that to be a worse case
scenario for this project. But we have been
working diligently with the company and have
told them that we want them to avoid state
property wherever possible and to minimize the
impacts of the project on state parks where
they can't be avoided.
So we fully expect that at the end, when we get through this process and if we recommend approval of this lease to our commissioner, that the acreage numbers that we may end up with will be different and will be smaller than the numbers you will be hearing today from the company and that you may have seen in the report.

So we really are working hard with the company to try and minimize the impact and to bring those numbers down, which ultimately may reduce the rental value of this lease.

But we would consider that to be a good thing if there are fewer impacts on the state parks.

So we're still going through that process, but today is an opportunity to talk about the project as it's been proposed and what the public's concerns might be about that, as we still work our way through our consideration of this request.

So I'm going to turn this over to Melissa Dettling, who's a representative of Tennessee Gas Pipeline Company, and she'll introduce the other company representatives who are here.
She's going to describe the project, I'm going to jump in briefly at the end, and then we are going to open this up to public comment.

MS. DETTLING: Thank you.

As she said, my name is Melissa Dettling. I am the environmental project manager from Tennessee Gas for the project.

We're going to try and probably sit here to go through the presentation, it's lengthy. And then we can take your questions after.

So participating in the presentation will be Penny Paul. She's in our outreach group; Dan Gredvig, who is our land manager for the project. Jerry Creel is project manager, our overall project manager. He will be here as support and to answer any questions.

And we've got several other team members that are here from several different disciplines and that can answer your questions once we're done going through the presentation.

If we sit up here... I'm trying to figure...

MS. PAUL: Hi. I'm Penny Paul, the Stake Holder, Outreach Coordinator for Tennessee Gas Pipeline. And Melissa introduced the rest of
the team.

Just an overview of El Paso. El Paso Corporation provides natural gas and related energy products in a safe, efficient and dependable manner.

Tennessee Gas Pipeline is a wholly-owned subsidiary of the El Paso Corporation.

(Showing a computerized slide presentation.)

MS. PAUL: This shows the Tennessee Gas Pipeline expanse. We span over 13,000 miles of pipeline and have over 90 billion cubic feet of working gas storage that expands from the Mexican border all the way up to Canada.

We supply markets in the northeast, including major metropolitan areas in New York and New Jersey and Boston, also the Midlantic and the southeast.

We have over 50 years of experience in pipeline system design, construction and operation. We are prepared to meet the demands of the growing market with the integrity and commitment to service that has made Tennessee Gas Pipeline one of the safest and most reliable pipelines in the United States.

This graph shows the expected demand over
the next decade for natural gas in this region, Pennsylvania, New York, New Jersey, and New
York City.

As you can see, in New Jersey, we expect over the next ten years the demand to increase 400 million cubic feet per day, and even up to 500 million cubic feet per day during the peak months.

Right now natural gas storage struggles to meet peak day winter requirements and strains the regional pipeline capacity.

The Northeast Upgrade Project will help alleviate strain on infrastructure and provide access to natural gas supplies across the country.

This increased access to supply will provide supply reliability, diversification and price competition, all of which benefits the consumers in the northeast.

As was mentioned before, the federal agency, the FERC, assesses the public need. Right now there is a compelling public need to transport natural gas to meet the increasing demands for energy in the northeastern U.S.

And the Northeast Upgrade Project will
help alleviate that demand by increasing pipeline capacity to high demand markets in the northeast.

It will also assist with the FERC's goal of providing more natural gas to markets by providing access to natural gas supplies in the northeast supply area.

Natural gas is a cleaner source of fuel than either coal or petroleum. And this project is consistent with the governor's New Jersey Energy Master Plan.

I'm going to turn it over to Melissa Dettling.

MS. DETTLING: Can you all hear me if I just speak into this microphone?

VOICE: Yes.

MS. DETTLING: Okay. Great. I'm going to over the Northeast Upgrade Project overview.

What shows here on the map is what we refer to as the 300-line pipeline system that's been existing in this area since the '50s. It's part of Tennessee Gas Pipeline.

The blue lines that you see there is an existing 24-inch diameter natural gas pipeline.

The boxes that you see there under blue or
green are existing compressor stations.

There are areas where there are two blue lines, which have a previous project where we'll be looping the existing 24-inch natural gas pipeline with the 30-inch.

And the red portions of lines that are up there with mileage numbers are pipeline loops, that I'll go over what a pipeline loop is, that's what's being proposed for the Northeast Upgrade Project.

There are five discreet pipeline loops, totaling approximately 39.6 miles. 22 miles in Pennsylvania and approximately 17 in New Jersey.

We refer to the loops by numbers. Where the loop falls downstream from our existing compressor station, we number those loops whatever the compressor station number is.

In New Jersey, we've got a portion of Loop 323 we refer to and Loop 325.

Loop 323 crosses the state border of Pennsylvania and New Jersey, half of it is in New Jersey and half approximately is in Pennsylvania.

Well, it's approximately ten miles, I
believe, in Pennsylvania, and a little over six
in New Jersey. And then 7.6 miles of Loop 325
is wholly in New Jersey.

The project itself is scheduled to be in
service in November of 2013, and it will add
approximately 636 dekatherms, a thousand
dekatherms a day of gas to the system. And
approximately 20,000 of additional horsepower
is planned at the existing compressor stations
that are there in green.

So there is an existing compressor station
in New Jersey that will have some
modifications, but will not be a new compressor
station being built.

What is pipeline looping? It is a segment
of pipeline installed adjacent to and parallel
to an existing pipeline system. It connects on
either end. And in this case, we're citing at
approximately 25 feet off of our existing line
so we can utilize the existing easement that
the 24-inch pipeline utilizes.

The loop itself allows more gas to be run
through the system. So it allows for the
system to have a higher capacity so we can
deliver more to customers.
VOICE: They need more seats.

MS. DETTLING: Oh, sure.

There are few seats up here for those of you that are waiting in the back. There are a couple up front and two there in the middle. So feel free to come in while I'm talking.

This board is a little bit larger, if you want to look at it in the back, but basically this board shows pipeline construction. It just depicts, and it lays out here just the different processes that we go and the sequence that a pipeline construction project goes through to put a pipeline in the ground and in service.

So it shows how we would start with surveys, staking, clearing trees, grading, trenching. We go through welding of the pipe and testing the pipe for integrity before it's installed, backfilled. And I'm skipping over a few here.

But then they do the final grading. And then we'll go through a restoration process and monitoring, which I'll go into in a little bit, too.

The next slide is just a little bit of an
As Judeth mentioned, the FERC is the Federal Energy Regulatory Commission that regulates the natural gas pipeline project. So we've put in here a little bit of a summary of a schedule that we've entered into for the application with FERC to obtain a certificate for the project.

We are in the process of them reviewing our certificate application. And that was filed in March of this year. So we're anticipating them to issue an environmental assessment in the fall of this year, and a certificate, if they deem that the project has the necessity and need, in January of 2012.

And while that process is going on, as you see on here, we've done field surveys. And we'll be entering into the state, local and federal permit processes with several different state, local and federal agencies.

And if all the permits are received and if FERC grants us the certificate, then we would plan to commence construction in the fall of 2012 and put the pipe in service in November of 2013.
So, as Judeth mentioned, we're here to discuss the Northeast Upgrade Project where it intersects New Jersey DEP state parks.

So we have a list here of the different state parks that we do cross. And that will be going through specific impacts to those areas proposed for the project.

Here is the overview of the map of the two pipeline loops. And it is also on a board in the back if you want to see it closer.

On the top corner of the map there, in orange, is High Point State Park, Loop 323 that I mentioned that crosses the state border, and it's approximately six-and-a-half miles in New Jersey.

You can see there in yellow where the proposed pipeline loop crosses High Point State Park.

And then in green towards the bottom, turquoise kind of, is where Long Pond Ironworks State Park is. That is Loop 325 where that commences, crossing the park there and into Ringwood State Park.

Then in dark blue coming down the bottom, it just shows we have a proposed access road,
Bear Swamp Road that crosses through Ramapo Mountain State Park.

And that has a blown-up map in the back, as well, for you to see.

Here's a little blown-up view of Loop 323 where it crosses High Point State Park. You've got mile post things.

If you want to look through the Ogden-Rooney report, we'll reference mile posts. So they'll start at zero for the proposed loop.

So if you want to reference anywhere on the pipeline, you can refer to it by mile posting. And those would be marked on the maps. And then we have lots and blocks identified for the State-owned parcels.

Here is a summary table that you can find in the report just for High Point State Park. It has lots and blocks, links of the proposed pipe to run through the park. Each of those parcels -- I apologize -- are proposed permit easements, which would be the new easement for the pipeline that we're putting in.

And then we've got temporary work space and additional temporary work space. Now, both
of those areas will be restored fully and
returned to existing conditions.

FERC refers to them differently because a
typical construction project is allowed a
certain distance of temporary work space,
dependent on the size of the pipeline.

Anything additional to that that may be
needed, where special areas need approval,
maybe at road crossings or wetland crossings
where you have additional topsoil that you're
segregating and need to store somewhere, we may
be requesting, and we have to request approval
to obtain those additional temporary work
spaces.

So those calculations were made. And in
the green boxes, there's a summary here of the
acreage proposed for permanent conveyance or
diversion, 11.84 acres.

And then the temporary impacts, which
would just be work space, would be this 32.70
acres.

Now, we do restore the permanent
easements. All areas will restored and
revegetated and monitored until successful
revegetation.
And I'll go into later, also we have no net loss requirements for reforestation.

The proposed permanent easement just has stipulations for the integrity and safety of the pipeline where we can't have structures and large trees being planted, things that would obstruct us from maintaining and monitoring the pipeline system.

In forested wetlands, we do allow trees to grow within the permanent easement up to 15 feet from the pipeline.

We can go to the next slide.

In addition to the acreage that I went over for the pipeline work space, we are proposing to use access roads in High Point State Park. All these roads are existing. We don't plan to build any new roads.

So we have identified access roads here and the approximate mile posting and length of affected area of what we're proposing to use; okay.

The environmental aspects in High Point State Park, I've done a summary and there's a lot more detail in the report itself, I just some high points in here. No pun intended.
But in High Point State Park there is approximately eight water body crossings, five of those are perennial. And I've named just a few of the larger ones. Shimers Brook, Parker Brook and Big Flat Brook.

Three intermittent streams, which are unnamed tributaries, are being crossed.

We'll have in the report and also in our filing with the Federal Energy Regulatory Commission how we will be proposing to cross these.

We'll have designations for -- depending on the crossing width, whether they are minor or intermediate or major water body crossings,

Major water crossings will have site-specific plans.

In this case, for example, if the crossings are between zero and 15 feet, which are minor, and then 15 to 100, which are intermediate, we'll be planning wherever feasible to cross them dry. Which would mean we wouldn't have wet crossings unless we have a site-specific plan and approval from the agencies.

So that would mean that we would either
put a dam and pump the water around or we would
flume it so that there is continuous flow and
we'd never interrupt the flow of the stream
while we're constructing

There's 24 wetland crossings in High Point
State Park, approximately 4700 linear feet.
Seven-and-a-half acres of temporary impacts are
estimated in approximately 1.3 acres of
conversion

We don't refer to it as permanent impact.
We're not filling a wetland. We don't plan to
destroy the wetlands.

It will remain a wetland, but where there
are forested wetlands, where we're requesting
new permanent easement, it will be returned to
either emergent or scrub-shrub wetlands. Those
large trees won't be allowed to grow back over
the pipeline.

There are two Heritage Priority Sites,
Sawmill Pond Swamp and Mashipacong Bogs. I'm
sure I mispronounced that. I apologize.

We've done surveys for state and federal
rare, threatened and endangered species. None
were identified in either of the Heritage
Priority Sites.
I went into a little more specific of the federal listed species that are identified as being, by the Fish and Wildlife Service for the potential to occur in the park. Though we did surveys for bald eagles, bog turtles, wedgemussels and Indiana bats. There is potential for Big Flat Brook, dwarf wedgemussels was identified as a possible occurrence there, but surveys were done and none were found.

No bog turtles were found in any surveys or bald eagles. And we did mist net surveys for Indiana bats and there were no bat captures on High Point State Park.

The next slide.

So now we're going to go into the Long Pond Ironworks State Park and Ringwood State Park.

The next slide has a map of the two to show you in a little more detail where the proposed pipeline, in yellow, crosses those two parks.

The park in green there is Long Pond Ironworks and in the blue or purple is Ringwood.
So starting first with Long Pond Ironworks. Same as High Point, we've got a summary of the proposed impacts, the permanent conveyance is approximately 4.79 acres and temporary impacts at 6.4 acres.

For Ringwood State Park, the proposed permanent conveyance is approximately 10.83 acres and temporary impact is 32.288 acres.

And then we have access roads. I've put both together here for Long Pond Ironworks and Ringwood. There are six access roads proposed to be used in these parks and approximately 35,000 linear feet; 19.72 acres, affected acres.

And like I said, that is considering a calculation of the existing road itself that will be used at this.

The next slide goes into the environmental aspects on Long Pond Ironworks State Park. There's two water body crossings. Monksville Reservoir is proposed to be crossed in a horizontal directional drill. And the Wanaque River there is approximately 13 feet crossing. So that will proposed to be crossed dry.

There are two wetland crossings,
approximately 374 feet of wetlands being
crossed.

There are no Priority Heritage Sites. And
I put a summary in here for the federal
species. Bald eagles, no known nests within
three miles of the park.

Bog turtles. There's potentially suitable
habitat, but no turtles were found. We did
habitat surveys and we did Phase I surveys and
then a secondary Phase II survey, and no bog
turtles were found in those surveys.

There's no suitable stream on the park for
dwarf wedgemussels. And there were no bats
captured in mist net surveys.

The next slide. I'm sorry. I had my
notes out of order.

Was it Jungle Habitat that was next?

VOICE: Yes.

MS. DETTILING: Thank you.

Here's a figure that just shows Jungle
Habitat, which an existing paved area, it's
Ringwood State Park, and it's approximately --
where do I have --? Here's my slide.

The whole property is approximately
35 acres. There's some forested acres in the
middle that we wouldn't propose to use. So we would propose to use approximately 27.3 acres of this site just where it's existing paved.

And the figure shows where it is -- yeah, the pipeline itself is at the far top corner. And that's where Monksville Reservoir is. So it's southwest of Monksville Reservoir.

Go to the next slide.

Ringwood State Park there are seven water body crossings. Two perennial; Cupsaw Brook and Ringwood Creek. Ringwood Creek is approximately 45 feet there.

And there are five intermittent tributaries. Seventeen wetland crossings. So approximately 3500 linear feet of wetland crossings.

There are no Natural Heritage Priority Sites. A bald eagles survey found no nests within or adjacent to the project area.

And then one thing I didn't mention for all the parks, you will be adhering to Migratory Bird Treating Act recommended Fish and Wildlife service clearing restriction dates, which means to avoid impacts to migratory birds, they recommend clearing trees
in the fall and winter months, which we will be proposing to do on the entire project in New Jersey.

Bog turtles, there were no surveys recommended in the park for bog turtles from the county.

Ringwood Creek has potential habitat and they did preliminary surveys. The surveys are ongoing and haven't been completed in that area.

And no bats were caught in mist net surveys on Ringwood State Park.

The next slide is Bear Swamp Road. We prepared a map that was zoomed in that shows we are proposing to use Bear Swamp Road to access Loop 325 toward the end of the proposed pipeline loop.

We would be proposing to use approximately 7,355 linear feet that crosses Ramapo Mountain State Forest. The estimated use of the road is approximately 4.06 acres. The road is planned for minimal use.

We would be only proposing improvements to the existing road bed as needed and side trimming of woody vegetation as needed.
There's the map. We have of it, so you can see the black and white line that goes up through the state forest in Bear Swamp Road and where it reaches the orange line, that would be the proposed pipeline loop.

The next slide we're going to go into is recreation trails in the High Point State Park. The proposed pipeline loop crosses the Appalachian Trail.

The State of New Jersey owns the property and is operated by the Division of Parks and Forestry. Loop 323 crosses Appalachian Trail approximately at mile post 14.37.

150 feet in either direction from the center of the trail itself, the construction right-of-way will be reduced to 75 feet in width, only utilizing 50 feet of the existing maintained right-of-way there. So we're reducing our work space at 150 feet on either side.

The existing 300 line pipeline system crosses, and as we stated, the new pipeline will be approximately 25 feet offset from that.

Outside of that 300 feet that I mentioned, the 150 feet on either side, that work space will also be reduced. Tennessee will have a
variable width construction right-of-way for construction.

A work space is required there, with additional temporary work space that we will be requesting in that area because of the construction material that will need a place to be stored.

It cannot be stored within 150 feet on either side of the trail because of how reduced the work space is there. So we'll need to be carrying that material out. And that's why additional temporary work space will be needed in those areas.

We prepared a crossing plan for the trail and it's been provided to DEP for review, so it's in the review process.

It was prepared just to lay out minimization for adverse effects to the trail, just to show that we will be maintaining the trail experience for hikers to a maximum degree, and it would maintaining safety for the hikers during construction and facilitating coordination with the state through out the regulatory process.

The trail plan will also include how we will be dealing with having alternative trails for the hikers when there's areas where they cannot
cross the pipeline construction area. And sometimes
when there's minimal activities going on, we will
have safety crews there to escort hikers through.
And that's all laid out in the crossing plan.

The next slide just goes over 18 --
and this is an estimated, we're going through a
review any other trails that are being crossed by
the parkland. And we've identified 18 trails other
than the Appalachian Trail to be crossed.

Loop 323 crosses Sawmill Loop and the
Iris Trail. The Iris trail is actually a trail that
is being proposed as an alternate to the Appalachian
Trail when hikers cannot cross at that point during
construction.

There are 16 trails that we have
identified on Loop 325, and they are listed there.

The next slide we go into is the
General Trail Crossing Plan that we are preparing
for any of those other trails that are being crossed
by the project. It will talk about mitigation
measures that will be put in place for these
crossings.

Signs will be posted to notify hikers
of construction. Once the construction is
completed, the right-of-way will be returned.
We'll also, as authorized by DEP,

Tennessee will be using various techniques to
discourage from ATV access, where we have widen
right-of-way on those trails. And we'll work with
DEP to identify.

In some cases, we may be putting
fences across. In some cases it may be boulders,
rocks across the right-of-way in those areas.

The next slide. I put this in here
just to show that on any of these parks that we're
proposing to cross, we will be adhering to the No
Net Loss Reforestation Act.

We've prepared No Net Loss
Reforestation plans for all of these areas, and
those are being reviewed and have been released for
public review, as well, and comments, and are posted
on DEP's website for you to review.

The plans are dated August 2010.

They are prepared in conjunction with DEP and just
speak to the replanting of temporary and additional
temporary work space areas.

And where we cannot do any
reforestation to the permanent easement areas, it
talks about how we will do reforestation off site
where DEP identifies on state parks where they may
need some reforestation to be conducted that is not on our project work space.

    If that option isn't chosen by the State, then they can propose for us to do monetary compensation if we don't find enough areas where we can replant off site.

    The No Net Loss Plan will also talk about specialized methods for reforestation in wetlands, what type of seed mixes, what we'll do in poor suitable soils for planting and what we'll do for hemlocks and oak community restoration.

    We're going to go into alternatives. So when we are going through these processes, the Ogden-Rooney process, we look into alternatives.

    The alternative analysis starts in the Federal Energy Regulatory Process. We have to go through several different alternative analyses for these projects, which, also, we have now been able to identify those reviews that have been done, you know, to directly how they relate to these parks.

    The first though is an overall project, we do no action alternatives. Which means if this project didn't happen, could we meet the need of our customer?
And if we didn't put these pipelines in, if we didn't do this work that's proposed for the Northeast Upgrade Project, we couldn't meet the customer need for gas.

So if we don't build this, yeah, there will no project.

System alternatives, we do an analysis of that, which means can we use the existing systems that are in place now to meet the need of customers that are asking for gas capacity.

So we look at, can we just increase compression on our existing pressure stations, can we just put more gas in the system?

The analysis identified that, no, we weren't able to use the existing systems that were in place to meet the capacity that the customers were asking for.

And then we look at route alternatives. And that means we look at how to get from point A to B in a different way. And we look at, you know, how it impacts landowners, the environment and customers.

In this case, we're proposing to, you know, loop an existing pipeline, which is preferred, which is part of our alternative analysis, which is
at any instance for a project, you know, go adjacent
to some other either utility easement or road
easement, and in this case we choose to parallel our
existing pipeline system.

We look at alternative water body
crossings. Like I mentioned for the Monksville
Reservoir, we're proposing to drill under it, as
opposed to cross it.

And then we looked at construction
alternatives. You know, reducing work space in the
areas that we can, like we said, for the Appalachian
Trail, and other things of that nature.

The next slide.

Here is a slide just showing, for
High Point State Park, we did an analysis, if we
were to go completely around the state park and have
no impact to it.

We did an analysis on a route to the
north and an analysis on a route to the south.

And you go to the next slide. We put
numbers together to just show what the impacts would
be in comparison to the proposed route or those
alternatives.

Obviously it would be a green field
route, which would not be parallelling another
easement, so it would be new impacts to those areas that all the work space would be green field impacts that we wouldn't be able to utilize an existing right-of-way.

So it goes over all of the links, wetlands, the water bodies that would be impacted. Some Priority Sites in bald eagle habitat, with turtle habitat, vernal pools and contaminated lakes.

We did this analysis as well as the number of residential areas, landowners that would be disturbed if we were to go those alternative routes.

And you can see the mileage is longer. The acreage is going to be longer to go around the entire park.

The next slide is the exact same analysis for both of the other parks, Long Pond Ironworks and Ringwood. We've looked at routes to the north, which would completely avoid any impacts to the park as well as routes to the south of both of the State-owned lands, including the Ramapo Mountain State Park where Bear Swamp Road runs through.

And then the tables that we have following these slides are in the Ogden-Rooney
report, lay out all the acreage analysis and impact that would occur if we used the alternative routes.

And in all these cases, by using an existing corridor, you can greatly reduce the amount of environmental impact and impact to landowners that don't have existing easements on their properties.

I think we can go through both of those. Yes.

Okay. I'm going to turn it over to Dan Gredvig to discuss some of the other alternative analysis to reduce work spacing.

MR. GREVDIG: Good evening. Like to welcome you all here today, this evening. My name is Dan Gredvig, manager of right-of-way for Tennessee Gas Pipeline.

As Melissa said, we wanted to discuss and further describe what Judeth, in her opening remarks talked about as far the goal of both the NJDEP and Tennessee Gas Pipeline, just to try to reduce our impact to the state parks.

We are looking at a number of different approaches in order to succeed in making that reduction.

You've seen our opportunities or the
previous maps that showed what we looked at as far as complete avoidance.

   It certainly added additional acres and additional impact that would be for green field routes.

   So going through the park, we looked at reducing the construction techniques or using different modified construction techniques in order to minimize our impacts. And that's to shift our right-of-way to work over the top of our existing pipeline more than we normally or traditionally would.

   That will result in approximately a ten-acre reduction in our overall impact for State-owed lands.

   Also in the repairing areas, we are going through wetlands or wet areas, we'd be looking at reducing our work space from the 100-foot typical right-of-way construction width down to 75 feet, again, further reducing those impacts in through the riparian zone.

   Our plan, our reduction plan still needs to go through the final review of the LURP and as we're looking at the threatened and endangered species, that input will add to our
constructability review for the project and how we can further minimize our disturbance through the state parks.

The plan maintains economic viability. So as we're looking at this plan of reduction, we have to make sure we can meet our customer needs, and at the same time that we can try to reduce the environmental impacts to the state lands of New Jersey.

The next slide gives us the opportunity to show both our typical construction and wetland construction, how that reduction would be put into place as we work through this process with the DEP.

You can see also the two diagrams help to illustrate the reason for the width of our right-of-way. A number of people may ask why we need such a wide right-of-way, 100 feet wide, 75 feet wide in the different areas.

This helps to demonstrate between the topsoil pile, the spoil pile, the ditch where you set up the pipe, the tractors that are needed to set up the pipe in the welding process.

You need to be able to leap frog
equipment, and so you got to have a passing
zone. So that helps to demonstrate, and what
we're looking at doing in both of these
instances, is shifting that work space over ten
feet.

Our construction footprint would still be
the same, but we would be impacting less virgin
land than we would if we left it where we were
just completely adjacent to our existing
pipeline and not overlapping that existing
right-of-way.

As part of the process we also have to do
a conservation restriction. Judeth at the
opening remarks talked about the meeting that
was in Bergen County or the state park, Bergen
County Park, excuse me.

We also had a meeting in Ringwood to deal
with the Passaic River Coalition. The Passaic
River Coalition has a conservation restriction
placed upon their lands because funds were used
from Green Acres to purchase that property.
And so we need to go through a process that
is -- the New Jersey Conservation Restriction
and Historic Preservation Restriction Act.
So in addition to the proposed 25-year lease of the lands owed in fee by the State, Tennessee is seeking the permanent release or a portion of these conservation restrictions in accordance with that Act.

The commissioner approval is required for the release of the conservation restriction. Tennessee is complying with the legal requirements for the partial release in accordance with the Act.

Passaic River Coalition properties are encumbered, as I said previously, and compensation for that partial release of the conservation easement will be made to satisfy the Act requirements.

We are currently in negotiations with the Passaic River Coalition for the release of that conservation restriction.

The next slide shows the impacts to the coalition property, both giving the mile post location, the track numbers, and the lot numbers that are being affected.

Next slide will show and demonstrate the impact, both to the permanent easement, the temporary work space, the additional work space
and the total impact acreage that would be affected on that conservation restriction.

And finally to close out, we want to make sure that you all have the opportunity to be heard in this process.

We ask that through this comment period, which will close on September 1st of this year, interested parties may submit written comments by September 1, 2011, to Kevin Koslosky, Bureau of Legal Services and Stewardship, Green Acres Program, New Jersey Department of Environmental Protection, P.O. Box 412, Trenton, New Jersey, 08625-0420.

Additional information that can be found on our project at the FERC website. There is a docket number, and that docket number is included not only on this slide, but on the handouts that we had at the front table when you came in.

So if there's any questions that you might have, now would be the time to go through that process.

MS. YEANY: I just want to address a couple of issues that were raised in Melissa's remarks.
I think it's part of the FERC process and part of your normal discussion about these projects to talk about a permanent right-of-way, which I think that's a little bit confusing when we are talking about the context of a 25-year lease.

So I did want to emphasize that we do not have a proposal on the table to permanently sell any right-of-way to the company or give them a permanent easement for any right-of-way. We are looking to lease it.

But that gets me to my next subject, which is compensation. I mentioned kind of the overall dollar figure at the beginning, but I wanted to explain what we're proposing in the way of compensation for them being able to lease these areas.

First of all, any areas that Melissa was talking about being temporary work space, additional temporary work space or access roads would not be leased to the company for 25 years. They would be given a right of entry, the ability to use those areas for a period of probably not more than two years during the construction phase of the project.
So the lease that we're discussing today would be for any right-of-way associated with the laying of the new pipeline parallel to the existing line.

As we've talked about, there has been a pipeline on these properties since the 1950s. In some cases it was there when we purchased the properties.

Originally, when the State allowed the project to go through those properties, it did so under a 50-year easement, a term easement that expired in roughly 2004.

So the company holds rights to the existing pipeline under a 20-year lease that was executed in 2007. And we'd be proposing to lease additional right-of-way under this 25-year lease.

So the leases aren't quite going to sync up, but it's the same concept of not giving permanent rights.

But when it came to compensation, we do recognize that the typical life of a natural gas pipeline is not 25 years.

The existing pipe has been in the ground more than 60 years now, or more than 50, and we
don't necessarily expect that the company is
going to come through and pull it out after 25
years.

So we are, as was explained in more detail
in the report, we are looking at two different
types of compensation.

One is just a flat rental based on the
square footage that will be occupied by the
pipeline.

And what they refer to as permanent
right-of-way, we have proposed to charge the
company 15 cents a square foot in year one of
that lease with a two-and-a-half percent escalator
for the remaining years of the lease.

When you add that all up and you add in
also the same 15 cents a square foot for any
temporary work space, that's where you get to
that 7.8 or the 8.6 million dollar figure,
depending on which set of numbers we end up with.

As I said, that number could end up being
lower if we succeed in minimizing the
right-of-way that they need to lease.

But we have also asked the company, and we
did this for a previous project involving a
company, we've asked the company to provide us
replacement land for any areas that they're
referring to as a permanent right-of-way.

So, again, because we recognize the pipe
is not likely to be pulled out of the ground in
25 years, at the outset of this process, we're
saying replace the land.

And we're asking the company to do that at
a 4-to-1 ratio, which is the typical Green
Acres ratio that we applied for replacement of
what we would consider to be a
privately-sponsored project.

So the company will be paying us an annual
rental for occupying the land in the state
parks if we go through with this lease, but
they will also have to identify and purchase
replacement land up front as part of this
process.

We also mentioned in the report that there
will be other measures that we would impose on
this project to mitigate for construction
related impacts of the project.

Because we're still working through
avoidance, minimization, and evaluating certain
aspects of the project, I don't think we can
tell you what the full range of those would be.
But our goal is to have the company
mitigate for any construction-related impacts
of the project on our property.

And we do have a list available of the
measures that we require for the previous
project that we approved, but we are still
developing them for this project.

A typical question we get asked is that of
invasive species control. And that's certainly
something that we're concerned about as well.
FERC imposes some requirements for that that
the company can tell you about in more detail.

I also wanted to mention about the FERC
process. As I said, ultimately interstate
natural gas pipelines are highly regulated at
the federal level.

DEP is actively participating in the FERC
process, both as a landowner affected by the
project, but also wearing our regulatory hat
and having to issue permits for the project.

So if you have been to that FERC website
and searched the docket number, you'll see that
we have already made extensive comments on the
company's application. We're going to continue
to be involved in that process.
So if there are a non-state land aspects
of the project that you want to bring to our
attention, our office of permit coordination is
also involved in this project.

Our land use regulation program is
involved and they can accept some of those
comments and incorporate them into our
negotiations.

Anything else?

Okay. We're going to attempt to ask
people to limit their comments to five minutes,
at least initially.

We want to give everybody an opportunity
to speak. And we'll certainly, if we get
everybody here and we still have time, we'll
accept additional comment.

Like I said, please feel free to submit
written comments if you don't wish to testify
today or if you want to put additional points
on the record.

We do have a court reporter here, so if
you come up to testify, if you could just speak
slowly for the reporter but also introduce
yourself, spell your last name and if you want
to give your affiliation for the record, that's
We are going to attempt to answer questions on the record to the extent that we're able.

If there is something that we don't have sufficient information to answer, we will follow-up with a written response.

As I mentioned, we have an information page on this project that you can find by going to the Green Acres website.

If anybody wants the web address, I can give it to you at the end of the meeting. And if we have any follow-up questions and answers, we will post that information there.

VOICE: Please tell us who you are.

MS. YEANY: I did at the beginning. I'm Judeth Yeany, Y-E-A-N-Y. I'm the chief of the Bureau of Legal Services and Stewardship in the Green Acres Program at the DEP.

VOICE: Okay. Thank you.

MS. DETTLING: Questions?

MR. GREDVIG: Please come up.

MR. MICHAEL CEE: Hi. How do you do? My name is Michael Cee from Vernon, New Jersey.

I wanted to know what the proposal is to
do with all the lumber, should they get the permit from the State? What happens to all lumber from our state forests?

MR. GREDVIG: We have two things that we're working on with the lumber, one is we're doing a timber appraisal of the value of that timber, and then that compensation will be made to the Department.

And then depending upon -- I know the goal is that the timber, once it's acquired by Tennessee, that is used for constructive or beneficial purposes, and we will seek to incorporate that into our plan as best that we can.

In some areas, in some locations and depending upon the right-of-way, we may need to chip it maybe to haul it off. We may need to do a number of things besides cording it up and leaving it for firewood.

It really comes down to the location and the available space in order to store that lumber so that it doesn't impact our ability to safely construct the pipeline.

MR. CEE: Has that been done before, leaving firewood for, say, the residents of the
community?

MR. GREDVIG: We looked to those opportunities. We need to look at that along our pipeline right-of-way to see where that could be a possibility.

It may require additional work space. We would have to work that out, both with the surface landowner and our contractor, to see if that could be done in the context of that area.

So to say yes or no right now until we make a plan --

MR. CEE: So you mentioned the State would be compensated then if you were to sell the lumber, say, if you take the lumber out --

MR. GREDVIG: We do --

MR. CEE: -- and get a credit --

MR. GREDVIG: We will do an appraisal --

MR. CEE: -- for the lumber value.

MR. GREDVIG: -- of the timber value, and that value is compensated just like we would with any traditional landowner that we'd be crossing.

MR. CEE: Can I ask one more?

MR. GREDVIG: Certainly.

MR. CEE: Okay. I understand you have
your 50-foot right-of-way now. Why do you need
a whole 150 feet to just put one more line in?

MR. GREDVIG: We looking for an
additional -- typically, across the entire
pipeline, we're looking for an additional 100
feet, of which part of that overlaps with our
existing pipeline right-of-way.

And so the new area that we're asking for
footprint-wise is 75 feet, and we're looking to
minimize that as part of this reduction plan
that we're looking at with the Department.

MR. CEE: Well, it said 100 feet, and then
in wetland areas you go down to 75 feet; right?

MS. DETTLING: Correct.

MR. CEE: So it's only an additional
hundred and then in wetlands, 75. And then,
plus, you already have the 50; right?

MS. DETTLING: And just to mention, the
pipeline that we have now, the 24-inch line,
will remain in service. So we can't have
pipeline activities and equipment running over
the hot line.

MR. CEE: I see, I see.

MS. DETTLING: So our work space can only
go to a certain distance from that line.
MR. CEE: Oh, I see. How far of a distance is that from between the two lines?
That's why you need that extra space.

MS. DETTLING: That's why we need that.

MR. GREDVIG: That's part of that minimization plan that we're working on.

MR. CEE: I see.

MR. GREDVIG: To try to see how we can optimize that existing right-of-way to incorporate it into our plan. But the work space is slated to be a hundred feet. We're looking at reducing that to overlap that existing pipeline right-of-way.

MR. CEE: But there is a certain distance between the two lines that you have throughout the whole project.

MR. CREEL: We're going to have a 25-foot spacing --

MR. CEE: Twenty-five feet between the two lines. Okay. Thank you.

MR. CREEL: I'm Jerry Creel, project manager.

This is a good diagram, it kind of shows the layout. And you'll see that -- here's the existing pipe.
MR. CEE: I see.

MR. CREEL: And so we've got 25 feet --

MR. CEE: Between the two --

MR. CREEL: Between the two lines. And so the 75 feet is what is needed. Of the total of a hundred feet includes the overlap on the existing right-of-way.

And one of the things that we're attempting to do is to shift that over a little bit more, by ten feet, just to minimize a little bit more how much room -- how much temporary work space on previous undisturbed land that we use, as well as the permanent amount of area that we're going to maintain through the park.

MR. CEE: How much space did you use on the first line? You had the 20 -- you had the line in and then you --

MR. CREEL: Well, there was 50 feet.

MR. CEE: Fifty feet in its entirety --

MR. CREEL: Permanent.

MR. CEE: -- for the first --

MR. CREEL: Permanent. I wasn't here in '55, so I couldn't tell you for sure, but it took more than just 50 feet to start with.
MR. CEE: Okay. I see, I see. Okay.

Thank you.

MS. DETTLING: Thank you.

MS. BRICK: My name is Debra Brick from Sandyston.

We were in South California recently this past year and one of the towns nearby, a gas pipe -- gas line exploded in the town, caused a horrible fire.

So I'm wondering if your company has ever had any gas pipeline explosions?

MR. GREDVIG: Yes. I mean, the answer is yes. The thing that we want to emphasize with natural gas pipeline construction, we are trying to use all safety with our construction, with the pipe, with the welding, with the inspection, the 24-hour monitoring over our pipeline.

The pipeline that you're referencing in California, can't speak to its pipeline maintenance, how it is jurisdictionally, I believe it's an intrastate pipeline versus this being an interstate pipeline system.

The requirements that we need to follow for our construction and our operation of
maintenance are governed by the U.S. Department of Transportation and the Pipeline Hazardous Material Safety, the PHMSA.

So all of the construction that we put into this pipeline will be to ensure, as best that we can possibly can, the safe operation for not only the construction but the operation of the pipeline.

MS. BRICK: Okay. Where and when did you have an explosion?

MR. GREDVIG: I can't answer -- I mean, right off the top of my head, I don't --

MS. BRICK: You don't know?

MR. GREDVIG: Yes.

MS. BRICK: I see. And are you getting any gas through this pipeline from fracking, from the fracking process in Pennsylvania that they are doing? Is some of this gas from the fracking?

MR. GREDVIG: Yes. Some of our customers that have signed up for capacity have these holdings that are within the Marcellus Shale, and that gas would then be coming onto our pipeline. But since --

MS. BRICK: But you're not going to do
any --

MR. GREDVIG: Since we are not in the -- MS. BRICK: Drilling.

MR. GREDVIG: -- drilling end of it or production end of it, we will not be -- we can't answer really where that gas is all coming from.

We just know that our customers have signed up for capacity in our pipeline.

MS. DETTLING: We are just transporters.

MS. BRICK: Thank you.

MS. DETTLING: Another question?

MS. BUDZ: Bev Budz, Vernon.

Did the existing pipeline that was in Wawayanda State Park, when we walked it, which we are safety certified to do because we took the class with El Paso, was 30 feet for the original 26 or 30-inch pipe. They replanted. And when we originally walked up there, before they started taking all the tes down, it was the 30-foot. Now when you go up there it's 200 feet.

And I have pictures I'd like to give everybody, if you don't mind, just to let you know what is going on in our town and what
we're looking at.

(Handing out pictures.)

MS. BUDZ: You might not be able to see this from the road. Just to let other people know that they used the word "minimal" a lot, and our -- what I have here in front of me is the paperwork that was given to Vernon in 2009 saying 75 feet, 100 feet wetlands.

We had 150 feet of our wetlands that has been taken out. Tons and tons of trees are gone and our forests look terrible.

And I was told that only a third was to be mitigated. Legally, only a third has to be mitigated.

We had a mud slide last night in Vernon, Great Gorge Village. People might not know that, but if you drive by, it's a mess. I want people to be aware of the other side of what it is.

I understand the need for natural gas, but there is a price for that, and people need to know that once you take it, you can't put it back. You can't fix it.

And that needs to be addressed. It's not Disneyland. You're not selling Disneyland.
MR. GREDVIG: Thank you.

MS. BUDZ: I would like, if anybody wants to read or look, pass it around. Just to get an idea of what it sounds like now, this is what it's going to look like later.

MS. DETTLING: I'll just say when you go on -- for the Northeast Upgrade Project, when you go on the Federal Energy Regulatory Commission website, we alignment sheets which layout our proposed work space.

Once we are granted a certificate we can't use an inch outside of the proposed approved work space that's laid out specifically on all those alignment sheets.

So you can see specifically the work space we're requesting in any area.

VOICE: You call this respect?

MS. YEANY: If I can address one issue.

I mean, as far as it not being Disneyland, I think the DEP was pretty frank in the report that we issued on this transaction in saying that we didn't feel this project was particularly advantageous for us as a property owner.

So, you know, we're not trying to sugar
coat the impacts in any way. And the segments
of the pipeline that are on state property are
not in any way exempt from permitting just
because they are crossing state property.

So I don't know specifically what is going
on in Vernon. I don't know if it's in
exceedance of what was approved or not, but
because we're well aware of what the impacts
are is exactly why we asked the company to go
through the exercise of minimizing the
right-of-way.

So, you know, we do know what this project
will mean. And we feel we're setting the bar
pretty high for compensation because of that.

MS. BUDZ: How do you put a value on that?

MS. YEANY: It's tough.

MS. BUDZ: It's forever.

MS. YEANY: It's very tough, but that's
exactly why we're asking for replacement land
for the right-of-way, even though we're talking
about a lease today.

MS. BUDZ: But you have eight major
species in Vernon, at least two are plants, six
are animals.

Red Shoulder Hawk's nest right there.
MS. STARK: My name is Terry Stark. I live in Fredon. Pretty much a native of Sussex County most of my life.

I just have a couple questions. Is the website -- where or at your website, what website is that? Where I can find data, I guess, about the increased -- the actual increased demand for natural gas? Where would I find that?

MS. DETTLING: Yes, in the presentation there's a link to the FERC website where all our project information is in there and you follow the document number.

MS. PAUL: Also northeastupdateproject.com is a project-specific website. And there's also a study by the Bloustein School of Rutgers that note the full details of the benefits and the needs --

MS. STARK: Do you happen to know the year of that study by any chance?

MS. PAUL: It was done this past year.

MS. STARK: Oh, I'm sorry. Does anybody know that docket number of the top of your head real quick? I only got half of it.

VOICE: It's right up there on the sign.
MS. STARK: Oh, okay.

MS. YEANY: I will say that when you put that docket number into FERC's E-library, I believe you have to leave off those last three zeros to find the information.

MS. STARK: Okay.

MS. YEANY: We had some people saying they were having trouble finding information. The three zeros that are sub-docket.

MS. STARK: Also, before I forget. Some people seemed to be surprised about that term about "fracking," and I suggest that if you don't know what "fracking" is that you start to become a little bit familiar with that because they might be the transporters, but that's a whole 'nother issue, fracking, the hydro-fracking underground, which, you know, I'm not an expert on, not even close to it, but you need to start checking that out because, you know, apparently that is a lot of contamination going on in the water, the left over -- you know, however that process happens. So that's a huge thing.

I have a question about the existing pipeline under the Monksville Reservoir, and
I'm sorry, is Wawayanda, if anybody knows the Monksville Reservoir?

MALE VOICE: Long Pond Ironworks. No, it's not.

MR. GREDVIG: It's Long Pond.

MS. STARK: Okay. Can anybody tell me if the existing pipeline already runs under that reservoir, which, you know, reservoir, drinking water --

MR. CREEL: Yes, yes, it does.

MS. STARK: It does. Is that in use and gas is flowing through that now?

MR. GREDVIG: Yes.

MS. STARK: Could you comment on just the monitoring and inspection? Is water taken, water samples? How do we know -- you know, especially, you know, such...

MR. GREDVIG: The pipeline integrity is checked -- to answer a couple of your questions.

One is we monitor that pipeline 24 hours a day, seven days a week.

We monitor the pressure, we operate the gas flow that is coming into that pipeline and out of the pipeline so that we know and account...
for the gas at all times.

Secondly, we comply with the corrosion protection, the requirements underneath the U.S. DOT requirements for safely operating the pipeline.

That requires us to do periodic inspection not only of the surface of the pipeline, which we do aerially, but we also do an internal checking of the pipeline for anomalies.

We put what's called an intelligent tool inside the pipeline. That pipeline tool is able to run through the inside and be able to tell us whether we have any anomalies, line loss, welds that may be of question.

And with that, then we can go and excavate or explore for that.

That pipeline that's underneath the Monksville Reservoir has been there since 1955. To the best of my knowledge, we have not had to do any excavation in that area for that pipeline and have had no anomalies or any line loss.

And then we're also doing the inspection of the pipeline to make sure that its integrity, both from pipe to soil surveys --
we've got to do those to make sure that we're
not having any line loss, and we could do that
through testing the pipe at intervals along the
pipeline.

MS. STARK: What is the pipe itself, material?

MR. GREDVIG: Steel.

MS. STARK: I guess -- I'm sorry. Melissa, a quote she said, "We never interrupt
the flow of a stream." Is that correct? Did you say that?

MS. DETTLING: When we do a dry crossing, which I mentioned. Though in areas, streams
where we can pump -- where the flow is at a limit where we can put dams on either side of our construction work space and pump the water around the entire work space.

In other dry crossings we're able to put a flume pipe in. It's almost like putting a dam in and we've got large pieces that allow the water to run through a pipe. So it continues from one side of our work space to another while we are putting the new pipeline in.

MS. STARK: Thank you.

MR. GREDVIG: Thank you.
MR. INGUI: How are you? My name is Chris
Ingui, I-N-G-U-I. I'm the New Jersey program
coordinator for the New York/New Jersey Trail
Conference.

A quick background of what we do. We
build and maintain hiking trails in much of New
Jersey and New York. Mainly with volunteers.

And so, first off, our main concern is
recreational trails. That's why we even exist.
And we appreciate what the volunteer community
does, and myself, do appreciate the mitigation
as far as keeping trails open that you promised
year round.

And Wawayanda State Park, as Jerry and I
were just discussing, we did have two trail
crossings that were closed for over six months.
And that was a big issue, blocked users from
using the park. And I know you guys were
talking about that, and using the trail. It
also prevented our maintainers from keeping the
trail open.

However, if you guys can promise to keep
those trails open by whichever means is
necessary, be it by a bridge, that would be,
you know, very much appreciated. And that's
was my understanding, that you guys would be
able to keep the trails open.

   Year round it's blasting or when the
safety is concern.

   MR. GREDVIG: Right. During that time
when the actual installation of that pipeline
needs to go across that trail, and during that
excavation of the ditch line, it will have to
be closed, but it will be appropriately signed
and we will use the plan that we've outlined.

   MR. INGUI: Very good.

   And another thing we had discussed, I had
met with Jerry as well as certain members of
DEP and the ATC. We'd also -- last month, we
had discussed also any structures that were on
the trails, be it side hilling or erosion
devices.

   You guys would also, as you said in your
presentation, be able to replace those to
prevent runoff and eroding of trails.

   We appreciate that and we appreciate the
reforestation efforts. I believe you have a
50, was it, survivability plan where you guys
would replace any trees that died within that
period of time; is that correct?
MS. DETTLING: Yes, we'll be monitoring for a minimum of three years, until we reach a successful growth and then it'll continue past three if it hasn't been reached.

MR. INGUI: Okay. There were some concerns though that I'm getting from our volunteers and our membership that I did want to voice to you.

Mainly that -- well, first would be that in 1950, or in the '50s, when this pipeline was first put down, certain things didn't exist that exist now.

Things like the invasive species outbreak that we're having, plant species. There is a lot more of them now. Things like a lot more ATVs. Things like a lot more people using the parks and enjoying the parks. Drinking the water. That kind of thing.

As far as invasive plant species control, monitoring, treatment is concerned, could you go over your plan for that?

MS. DETTLING: Yes. We have an invasive species management plan that we have submitted with our FERC process, and there's a section in the No Net Loss Plan as well.
We went through and did our field surveys. We identified where there's areas of invasive species, not just weeds now, that are preexisting. So that prior to construction we can go through and try and do some treatment.

And following construction, they will be doing some spraying, and we have our herbicides and other spraying measures.

We'll also being doing, when we go through and do our monitoring efforts, and if they are identified, we will also be actively removing them if there are areas that we find.

We're also looking into any other measures that we can do. There are some areas where we may have wash stations for the equipment, if there's an area identified that's sensitive.

The equipment will always be cleaned when going from one park to another and other areas, we won't be bringing debris from site to site.

So those are the measures that are all outlined in the agency management plan.

And it also discusses where our operation and maintenance crews will also continue spraying through our maintenance plan once the construction is done.
So our operations team also continues invasive species management on our pipeline right-of-ways when the project restoration is complete.

MR. INGUI: Now, that goes beyond the three-year limit for that transplant of trees. That's throughout the 25-year --

MS. DETTLING: Correct.

MR. INGUI: -- lease that you would monitoring that.

MS. DETTLING: That's correct.

MR. INGUI: Okay. The other issue was ATV incursions on the trails and the parks in general. There is a lot more of them out there. And if building those scree walls, the fences in them to prevent initial access across those -- where the, I guess, the right-of-way would exist, that is great thing and we appreciate you doing that.

But if you have ever been to some of these areas where the pipeline currently exists, these guys get in regardless. You're going to put in a scree wall, and it will help, it will deter some, but people are going to get through.
There's an element out there that wants to get into these parks, and once they're in there they get on the trails, and they cause immense damage and destruction to the recreational trail system there.

And I hope that that is considered in the mitigation that will be given to the State, not just to block them out, but possibly some money to help enforce this kind of an issue for us.

This is some of the stuff that the volunteers have brought to my attention.

The last thing that I wanted to bring up is an issue that we really have nothing to do at the trail conference with, and that's the financial mitigation that you guys will be giving to the State.

I believe the figure between 7 and 8 million dollars for the lease is what is being tossed around right now. And that 15 cents per square foot?

MR. GREVDIG: Yes.

MR. INGUI: Does anybody know -- and I don't know. I'm just curious, does anybody know what a residential property is per square foot?
MR. GREDVIG: Don't have any idea.

MR. INGUI: Per acre?

MR. GREDVIG: Per acre, it really is going to depend on where it is and what's on it.

MR. INGUI: Okay.

MR. GREDVIG: And a lot of different variables for a per acre price.

MS. YEANY: We explained in the report that we came up with 15 cent per square foot based on the analysis that we're doing in general of these linear projects and what we should be charging for those leases.

I don't know the answer to your particular question, but I can tell you that it was approached as more of a commercial value than a residential value.

And, you know, we will be releasing more information to the public very soon about our methodology for that. So, I mean, I think you can just tell by what the number ends up being that it's a significant number, even though 15 cents seemed like...

MR. INGUI: Well, I'll tell you why I brought that up.

MS. YEANY: Okay.
MR. INGUI: It was mainly because, you know, residential property is owned and used by a couple people. These parks are used by millions. And it's our hope that, as reflected in the cost of the mitigation and compensation, not that it should be doubled or tripled, we think it should be more than that.

Because the park property is used by a lot more than five people, like in a residential property, or even a thousand people like in a commercial property. It's exponentially more than that.

And the damage done esthetically is going to be lasting. People don't go to parks to see this kind of scar on the property. People are going to talk about it.

And it's no different than if you own great ocean side property and you've got a view of the coast line and then Donald Trump comes in and he puts a huge, huge, wrecking ball right in front of your property, if he values your property, it affects you wanting to go there.

And from what I'm being told and also from my personally beliefs that should be
MS. YEANY: Well, we definitely share that concern and, unfortunately, that's something that's really hard to quantify. But that is part of what prompted us to talk about replacement land with the company, because we recognize that the areas that they would refer to as permanent right-of-way are just not going to be the same.

And there will be an impact on the overall state park that you just can't compensate for in monetary terms.

So even though the localized impact of the construction is going to be very significant, at the end of the day we hope that the total area available to the public use will increase.

So, you know, we hope that there will be something significant -- you know, we're not looking just any old areas for replacement land. We want something close by and ecologically valuable. So we're still working our way through that.

MR. INGUI: That being said, you know, we do appreciate the research that you've done. And we do appreciation the mitigation you've
come up with so far, but as you can tell, it is
a sensitive issue for us, so...

You know, we look forward to be able to
work with you.

MS. YEANY: Thanks.

MR. GREDVIG: Yes.

MR. GUIMES: My name is James P. Guimes, G-U-I-M-E-S.

Ma'am, you work for the State?

MS. YEANY: Yes.

MR. GUIMES: Now, my biggest question here
is not so much the pipeline, you're charging
rent to the State.

MS. YEANY: We would be charging --

MR. GUIMES: You're charging rent to the
pipeline, I beg your pardon.

MS. YEANY: Correct.

MR. GUIMES: Okay. Now, High Point State
Park, 10,000 of its acres were given to the
State of New Jersey as a gift. Anything that's
done in High Point State Park or any other
state park is done with taxpayer dollars.

My question to you is: Any rent that you
charge or any fees that you charge to the
pipeline, do they go into the general fund or
do they go specifically to the state parks affected?

MS. YEANY: We have proposed to allocate the rental between two accounts that would benefit the state park service.

Ringwood State Park has a revolving account that it is used to finance projects in Ringwood itself. And the rest of the revenue is proposed to be dedicated into the parks.

I'm going to say this for all, but I believe it's the operational account for the state parks.

MR. GUIMES: But it's specifically earmarked to the state parks?

MS. YEANY: That's what we're proposing. I mean, ultimately our Commissioner and the State House Commission has to approve that.

MR. GUIMES: The reason I asked that specifically is, I happen to be involved in the park. I consider High Point State Park like my family and my home.

And while we need the pipeline, we don't need for High Point State Park to generate revenue to Trenton without it benefiting High Point State Park, specifically 10,000 of those
acres in the park were a gift to the State.

Thank you.

MS. YEANY: Thank you.

MR. HELBING: I'm Mike Helbing, H-E-L-B-I-N-G. Hardwick, New Jersey. I represent a lot of groups, but I'll go with Metro Trails, New Jersey Non-profit Corporation.

I'm really concerned that everything mentioned, I've gone through all your paperwork, it leaves out the National Trails System Act of 1968 and 1984 when it was updated.

I commend you for trying to keep the Appalachian Trail open because it even says in the Act that it would take an Act of Congress to be able to close it.

But in Section 3, Part 4 of the National Trails System Act, it also says that connecting trails are also protected, for various reasons, alternate access to it.

So one of them you've identified, the Iris Trail, as being an alternate route. We have a resource that's impacted here that where now people that are coming through, not everybody
is going to hike from Maine to Georgia or do a multi-day trip.

A lot of people don't have a friend, they can come out and park the car at one end and walk to the other. You're eliminating a loop that was a very popular thing for people who live on Deckertown Turnpike. That was something that they could do.

No loop opportunities are in existence on the opposite side of that road within an easy walk.

So there is -- there's that.

And I was wondering what plans might have -- will all the trails try to remain open?

MR. GREDVIG: Part of our plan, as we tried to share tonight, was that to the extent that our construction activity, whether it be digging a ditch across the trail, it will have to be closed during that point in time.

When we're laying the pipeline into that ditch and backfilling it, it will have to be closed.

Outside of those specific times, it is our goal to leave that trail open and passable whether by a shoe fly or mat crossing, you
know, to safely allow the crossing over that
pipeline ditch so that we are leaving it
permanently closed for that period of time of
the ongoing construction activity.

MR. HELBING: Could you address then some
of the discrepancies between what it says in
the National Trails System Act, as opposed --
like, for example, you have that you're going
to have, like, 150 feet on it, when it actually
says, Page 14, No. 4, states that on public
lands surrounding the foot path will be at
least 1,000 feet made up of primary zone of 400
feet and a secondary zone of 600 feet centered
on the existing foot path.

The secondary area may be extended if
there are extraordinary features.

For example, your spot in High Point State
Park, an extraordinary feature could be the
slope there.

Below that slope, there's actually a
glacial erratic, Tripod Rock that's off trail.
It's within that the corridor, but most people
don't know that it's there. It's an incredible
piece of geological history.

So why was it in all of this paperwork
that something huge, the National Scenic Trails Act, which seem to me should be like the Ten Commandments of everything you do around the trail system is left out completely?

MS. DETTLING: Yes. For the Appalachian Trail plan that we're following, there is an MOA that was prepared that DEP, along with all the agencies, including the National Park Service and Wallkill Refuge, the Trail Conservancy, the Department of Transportation, they have guidelines in that MOA.

There are restrictions to there being structures and things put in those areas. We will not be putting any structures in those areas. We will be working through it and returning it.

So structures, as it's stating are permanent features that we will be building as in roads or structures, are not being done in those areas, which is specifically called out in the MOA.

The type of activity that we'll be doing is not in violation of that.

MR. HELBING: Well, some of the stuff, even if it's in the MOA or MOU or whatever
there is between the State, it's actually
written in a lot of that, that it has to act
within the parameters established by the
National Scenic Trails Act.

So I'm still kind of upset that that isn't
even given any thought.

And on a similar to note to that, too, on
the handout you have, Page 32, EP 32 -- or if
anybody wants to have a look -- you're missing
one on here.

I'd also like to mention, of the 18 trails
mentioned, 16 of them do make a connection with
the Appalachian Trail. And so from my
interpretation of the National Scenic Trails
Act, they should also fit under the area that's
protected.

But you're missing one of them, the
Highlands Trail. That actually has a federal
designation as well. It was the National
Millennium Trail in 2000.

That's 150-plus mile trail system that
goes from Storm King Mountain in New York, all
the way to Riegelsville, New Jersey, marked all
the way through. And it actually goes beyond
in either direction.
But this is now 150-mile section is the park that's considered complete, marked and open to public. But it seems like it's kind of conveniently left out.

It mentions Hewitt Butler Trail, because in that section, there's only a few hundred feet of it that are co-aligned with the Hewitt Butler Trail.

It seems like the Highlands Trail is the more prominent one in the area, but it's also the one with the federal designation.

So it gives me kind of a sour taste about it that it seems like with the National Trails Act and with the National Millennium Trail, these areas that receive extra protections, they're kind of conveniently left out.

MR. GREDVIG: During Melissa's presentation and discussion, she captured the list that was here is just what we have been able to capture to date.

We have not completed our complete due diligence of the route and its crossing of any trails. We have yet to complete that, and so we will continue along that.

We have also, in discussions with the
Department of Environmental Protection, the DEP, have been talking about the trails and how we are going to go through the process of addressing the trails as part of the lease document and what needs to be done.

So that, again, hasn't been finalized, how we are going to get through that entire process. So this a work-in-progress.

And if we missed a trail, we certainly appreciate the fact that you have brought it to our attention, but I also want to reconfirm that we haven't completed that analysis.

MR. HELBING: Well, the last question that would be, because there is such an incredible resource impact here, is there anything down the road that you're looking at doing beyond the revegetation of the areas, you know, maybe give the trail conference a grant or anything like that for all the time that it's taken away from them being able to maintain and the public being able to use it?

What do you stand to gain, really? What do we stand to gain from this?

MR. GREDVIG: The trails, as they cross through the state park, obviously, we need to
work with the state park to make sure
that we're -- or the state lands, that we're
addressing the trails appropriately, like I
indicated.

If there is a request or something that
you would like to further along to us, we'd be
more than happy to take that under
consideration.

This is the first discussion or suggestion
of that request, and so we're always open to
those kinds of requests. Not promising
anything, not saying that we can do anything,
but we certainly want to make sure that we're
addressing them appropriately not only for
public but for the state lands.

MR. HELBING: Okay. I just ask please
look at the National Scenic Trails Act and make
sure you're in conformance with that.

That's all. Thank you for your time.

MS. YEANY: Thank you. That was great.

MS. TERHUNE: Martha Terhune,
T-E-R-H-U-N-E, Frankfurt.

First I'd like to ask why you don't know
what happened in Vernon? Is this the first you
heard of it?
MR. CREEL: I know.

MS. YEANY: What I hadn't heard of was any allegations that somehow the right-of-way width was wider than it should have been. I certainly was aware of the slide activity.

MS. TERHUNE: Okay.

MS. YEANY: And it's not clear to me if what you were showing us was on private property or state, so I didn't really want to comment on that.

MS. TERHUNE: Does it matter if it's close by a pipeline whether it's on private or state?

MS. YEANY: From certain perspectives, no, obviously, so...

MS. TERHUNE: Are they planning on repairing it?

MR. CREEL: Yes.

MR. GREDVIG: Yes. We are currently working on the resolution of that situation as we're sitting here tonight and ongoing, right as soon as the event happened, we have been aggressively trying to address that freak rainstorm that happened that ended up --

MS. TERHUNE: There are a lot of those lately.
MR. GREDVIG: Yes, there are.

MS. DETTLING: Jerry, do you want to speak to that?

MR. CREEL: Well, yes, let me try to speak to that.

Jerry Creel, the project manager. I was -- in fact, I stayed at the resort last night. I came up yesterday, we found out -- I think it was Monday afternoon about three o'clock or so.

We experienced as a part of the new construction activity we're building the pipe up the hill adjacent to the ski resort over there, and it's a very steep hill. And construction is in progress, and a lot of the fresh backfill over the pipeline ditch, the new pipeline ditch, and the refill of the cut where the pipeline right-of-way was made to install the pipe, after a pretty significant rainfall event, we had a mud slide.

And the mud basically slid down the hill and into the streets. And I think there were actually three streets that had some mud that ran over.

And I think our contractor did a pretty
good job of getting out there and clearing that
pretty quickly.

When I left earlier today, the situation
was certainly stabilized. The streets were
cleaned up and additional cleanup work was
going on.

And what our plan to do is, look at what
happened and to complete the construction that
is in process right now.

And to ensure that the restoration is done
properly, we've got to work with our contractor
and some additional engineering support to come
in and make sure that our plan going forward to
finish that construction and getting that
hillside put back the way it was and get
restoration underway.

We've got to make sure that when we do go
back and do that, that we don't have a repeat
event of that kind. So we're working on that.

We're very much aware of what happened on
the ski slope and we're working on it right
now.

MS. TERHUNE: As long as you are. I have
a question of who prepared the projected need
for natural gas? Is there anyone here, or do
you know anything about that?

    MR. CREEL: That is a commercial question, and I don't know the answer to that.

    MS. STARK: Well, you told me that it was in the FERC, that we could find --

    MR. GREDVIG: Commercial need.

    MS. TERHUNE: My question is, a lot of businesses, towns, counties, schools, private homes are turning to solar power.

Did you take that into account, because they won't need your natural gas then?

    MR. GREDVIG: What we do as a transporter of natural gas is, we look to customers that come to us and say they need additional capacity.

    We look at our system to see how -- evaluate our system to see how we can accommodate that transportation.

    They look at short-term projections, long-term projections, current needs, conversions, all kinds of different needs for natural gas.

And then they step up and they sign a contract that says that they need so much capacity.
MS. TERHUNE: So you're going on contracts already signed?

MR. GREDVIG: This expansion project is 100 percent subscribed, the contracts have been signed for the capacity to ship the additional volume of gas.

MS. TERHUNE: Okay. What about the people that are going to drop natural gas for solar power? Have you taken that into consideration?

MR. GREDVIG: We necessarily would look at that as a trend from our company-wide, but it's really our customers that we serve that are providing -- the local distribution company that provides that service to the people that may be turning to solar or maybe changing to alternate forms of power.

And they are the ones that are still coming to us and asking for capacity on our pipeline.

MS. TERHUNE: I question that. Okay.

Now, replacing land with what? If you have to replace land?

MS. YEANY: What we're talking about doing is whatever the final number is for the area that would be leased to the company for what
they describe as permanent right-of-way.

They would then have to locate four times
the acreage elsewhere, purchase it, turn it
over to the State.

MS. TERHUNE: It's only if it's a
permanent right-of-way, which you said it's not
going to be.

MS. YEANY: Well, no. Any areas to be
leased, would be replaced at a 4-to-1 ratio.

MS. TERHUNE: With people's homes and
stuff in the area or?

MS. YEANY: No. What I'm talking about is
if you picture the existing pipeline, that
slide where the right-of-way is going to be
widened, we are going to tally up all that
acreage.

And at the end, I'm just using very rough
numbers, but my recollection is you're probably
talking about 30 acres right now that we would
be leasing to the company for 25 years.

That is what the number ends up being,
it's being taken or occupied by the company in
the strip alongside the existing pipeline, but
they would then have to multiply that by four
and purchase, using that example, 120 acres
elsewhere to turn it over to the State.

    We would incorporate it into the state parks.

    MS. TERHUNE: So basically what you're saying is they are ruining the land, they are putting the pipeline on it so they've got to replace it with something else.

    MS. YEANY: Well, certainly, we think they will be occupying it for more than 25 years, so that's...

    MS. TERHUNE: Ruining it for 25 years.

    MS. YEANY: Yes. Your words, not mine.

    MS. BUDZ: Let's be honest. You know, let's really be honest. They are ruining our land for money, for their profit.

    MS. TERHUNE: It's for money. That's the whole thing, it's all for money.

    MS. BUDZ: I have to speak one more time. Bev Buds, Vernon.

    Melissa, you mentioned that there was invasive species, about, like, plants being taken from one area, being brought into another.

    Well, when you cross 32 wetlands -- or 32 bodies of water that they will be crossing for
this particular project.

When you cross the water, how do you do that? How do you cross the water? What do they lay down?

MS. DETTLING: Are you talking the wetlands?

MS. BUDZ: Yeah, what do they lay down to take the machines over it?

MS. DETTLING: They're usually the timber mats.

MS. BUDZ: Timber mats.

MS. DETTLING: We refer to them.

MS. BUDZ: Right. I've -- of course, I've been up there extensively, walked quite a bit of it. Mike Helbing has taken it out.

So this is the deal. They use railroad ties basically, and they take them from site to site to site, and they use them until they fall apart and crumble.

And this is what we've been told, and I've taken samples, and we've seen it.

These railroad ties are picked up from South Jersey and brought up in here to Vernon and put in our wetlands. And then they're picked up from Vernon and then they're brought
up here. And anything along the way is going
along with them.

Okay. And you know it's true, because
they reuse them. They're recycling them.
Okay. So anything that they happen to pick up
in another area, they're going to be laid down
in the water that they're going to be used in.
They're not putting new ties down for
every project and every water source that they
cross; correct?

MS. DETTLING: I don't know if Jerry wants
to address that.

But I know we -- when we have contracts or
a contract, when we have a contract with a
contractor -- I don't know if that's the
wording in there, but we have requirements for
mats that are brought to our project, that they
are be new to our project and they be clean and
not coming from another project.

MS. BUDZ: Well, it doesn't happen in
Vernon, because we got the ickiest, oldest
ready to fall apart mats that came from
anywhere.

We've got pictures of them on trucks being
hauled in. They're not new. They're moved
from place to place to place. We were told that numerous times.

We have samples of them. They're leaching creosol. And our wetlands up there are suffering. We have oil in our wetlands up there, and it's either from two things, the trucks or it's coming out of those logs.

Okay. That's another issue. So that is a very major concern.

If anybody's concerned about water crossings that are going to be happening in this area, okay, the things that are being laid across the water are going to be carrying everything that they were ever in before. Any land that they laid on, they're going to be bringing it into another area.

So is there a possibility of invasive species? Absolutely. Absolutely. It's a fact.

MR. GREDVIG: We will not deny that fact that there is the chance of either invasive or noxious weeds that may grow along our pipeline right-of-way.

And we have committed to a plan that says that we will treat those invasive or noxious
weeds.

MS. BUDZ: Okay. Well, you're in the wetlands and water travels. So guess what, that water is not going to sit there, it's going to take everything and it's going to keep on going.

The reason that you don't block it up is so the water can flow. So anything that is sitting in it is going to flow. It's not going to be right there at your disposal to spray it.

You're going to walk around with a squirt bottle? No, that's how it is. I'm sorry. That's not the way it is.

And if you want to take a walk up to Wawayanda State Park, any of you, this will be going on Sunday.

I think maybe you should see what's happening so you can have a clearer view of what you're presenting to these people and what's going to happen to their land. And it's just a fact. It's reality.

MR. GREDVIG: Thank you.

MS. BUDZ: You're welcome.

MR. INGUI: One other question. Chris Ingui, the trail conference coordinator.
The number -- disregarding that number that you had given earlier, that 7 to 8 million, is that pretty fixed at this point?

MS. YEANY: No, I would say it's not. As far as the formula how we are going to calculate it, I would say it's fixed, but we're waiting to find out what the final acreage figures are before we would propose a final number.

MR. INGUI: It is a possibility that it could be more?

MS. YEANY: We'd need to have a basis for that. It's not what we're proposing.

MR. INGUI: Is it likely?

MS. YEANY: I would say not.

MR. INGUI: Is it possible that it could be less than seven, depending on...

MS. YEANY: Well, it would be directly in proportion to the acreage leased.

MR. INGUI: Okay.

MS. YEANY: So we don't anticipate changing the formula.

MR. INGUI: All right. Just based on the unlikelihood of it being more than 8 million, I -- personally -- I'll have to take off my
staff hat to say this.

   But basically, I know you guys are making
a lot money off of this thing, and 8 million
dollars seems pretty small compared to the
amount of profit you guys are going to be
pulling in.

   And judging from the outrage you guys are
hearing here, I think that should be taken into
account and that there should be a lot more
money given to the State.

   Because it's going -- these impacts are
lasting. There is going to be a lot of damage
done. And there's people that can help fix
that, but we're going to need the money to do
that.

   And that's basically all I wanted to say.

MS. YEANY: Thanks.

   (Applause.)

MS. QUIGLEY: Althea Quigley,
Q-U-I-G-L-E-Y.

   You can study the bog turtles and the
eagles and the mussels. Have you thought of
the impact of taking down all these trees on
just all the other wildlife and endangered
species?
I mean, we're talking about taking down a lot of trees, and it's the home of many, many animals and birds. Do you consider that?

MS. DETTLING: The resource reports that we've prepared for FERC does an extensive analysis of all wildlife, whether it's rare, threatened or endangered, and the habitat that's in place that will be impacted.

There's also an environmental assessment that will part of the Ogden-Rooney report.

So, yes, I just did a high level of the federal species that were surveyed, but the report itself has a very extensive analysis of all the surveys that were done and the analysis, and the work space that will be restored and the years that will be monitored and what will be replanted.

MS. QUIGLEY: But the animals are going away. You're taking down the trees

MS. DETTLING: And we have a reforestation plan --

MS. QUIGLEY: Yeah, but --

MS. DETTLING: -- for replanting.

MS. QUIGLEY: What happens in the meantime, until you plant those trees?
MS. DETTLING: Then they'll just be not using the work space that we're utilizing --

MS. QUIGLEY: You're taking --

MS. DETTLING: -- for the project.

MS. QUIGLEY: 125, 300 feet of a lot.

That's a lot of trees taken down.

MS. DETTLING: And our work space is not 300 feet, but... 

MS. QUIGLEY: Well --

MR. GREDVIG: That is part of the analysis that we need to do through this whole process both for the Federal Energy Regulatory Commission and for the DEP, is to determine what resources are being impacted and what mitigation is appropriate for that impact to those resources.

And will trees come down? Yes, there is no way to avoid removing trees for the construction of this project.

And so we need to look to try to minimize as much as we can and incorporate that into our plan.

And then, as Melissa just mentioned, working through the mitigation plans for reforestation, replanting, all of those
processes, in order to make sure that we have
the minimal amount of impact, trying to
minimize that impact.

MS. QUIGLEY: But in the meantime, where
do the animals go?

MR. GREDVIG: That is a tough question to
answer. All I can say is, from my 30 years of
experience with natural gas pipelines and
construction, we have crossed through forests,
we've crossed through prairies, we have crossed
through habitat for a myriad of different
species and they are still prevalent and still
in those areas.

Just like from 1955, when we built the
original pipeline, those species are still
there because they are of a concern to us
today.

So it would be my assumption that after we
going to be there like they were after our 1955
construction.

MR. TRIPP: Dom Tripp, T-R-I-P-P,
Lambertville, New Jersey.

I'm a volunteer trail maintainer up here
in High Point and you mentioned that there
would be times when trails would have been
closed when you're laying the pipe and digging
it. You said it would be a limited time.
Can you give me an example of what a
limited time frame you would be closing a
trail?

MR. GREDBIG: Jerry, I'll defer to you
please.

MR. CREEL: Yes.

Take for example, crossing the Appalachian
Trail where we have a special crossing method
plan for that. We're leaving a section of the
pipeline unencumbered as the main pipeline
builders come through. We're going to have a
separate crew so that it minimizes the amount
of time that the Appalachian Trail would be --
you know, inhibited from the being used. You
can use our trail to go around. That's one of
the alternate methods that we came up with.

But only a two or three-day period, that
section of that activity will be done and
completed and the trail is back open again.

So if the access way on either side of the
trail -- and I think that was one of the things
that was an impact on Wawayanda State Park,
those two trails up there that were not left
open, if you plan that in advance and if you
plan to leave access on both sides so that the
trail can be approached, can approach the
pipeline right-of-way, then as the crossing is
made, then it's only a couple days of time for
that particular one activity.

Now, if there is trenching and blasting
that has to be done because of rock that may
take more time. Just to have enough time to
drill and set the explosives and do the blast
and then excavate the pipe.

And certainly as a safety thing, we would
want to exclude hikers from the area during
that period of time.

MR. TRIPP: I think that you were talking
about the Appalachian Trail in your comments.
We have 20 some crossings.

MR. CREEL: I can't tell you a specific.

MR. TRIPP: I'm just curious.

MR. CREEL: You want an amount of time, an
order of magnitude, it's days instead of
months, if we do it right.

MR. TRIPP: If you do it right.

MR. CREEL: Yes. If we plan it properly
and understand, for example, the trails that we've identified, if there are other trails that we haven't identified, then we won't know what they are so we include those in the plan.

MR. TRIPP: I'm glad you said, "If we do it right," because that would lead me into my next comment for the DEP.

I know that there is a plan and a process as to how to do this and if everything goes according to plan, you know, it will be a wonderful world.

My concern is what happens when things don't go according to plan. I know the State and I commend this gentleman for saying, I mean, right now you're dealing with the DEP, but the people that you're impacting are the people in this room plus the ten of thousands of people that use these parks and what I want to know is if anything goes wrong, how do we get compensated?

For example, when we're out there, is it just going to be gas flowing through the existing pipeline, I assume during construction, if there is an accident, if there is an explosion, half the mountain, God forbid,
burns done, what are the remedies? And again, this is a question of DEP, what are you going to build into the contract so that we get compensated for negligence?

MS. YEANY: Well, the lease that we talking about will essentially kick in post construction. It will cover the maintenance and operation of the pipeline moving forward.

We included in our report a list of all the other approvals, at least that we are aware of, that are required for the project. And chief among those from our perspective are the ones that are needed from our land use regulation program and certainly any permits that are issued by land use that apply to the construction of the project, will have plenty of provisions associated with them.

I'm pretty sure that the incidents that we've been talking about at Vernon and elsewhere, the DEP enforcement is involved in responding to those and evaluating the consequences of what those are going to be. Even though the company had whatever response they had, there will be follow-up from a DEP enforcement perspective.
If there is a scenario that you describe with a massive amount of damage, I can't say for sure, but my gut would be that we're the property owner and we have the same rights as any other property owner to claim damage to our property and we would pursue whatever other judicial remedies that we had available to us. That's when we would get the Attorney General's office involved in protecting our interests.

MR. TRIPP: Right. But I guess what I'm trying to say is that I'm hoping we can build in some of these mitigating items into the lease itself. So that afterwards you don't spend years in court arguing back and forth. You know, who did what and how much the compensation is going to be. Maybe some of these items we can address up front. Say if this happens, you're responsible for that and you get them to agree to it, because my other question was, you mentioned road beds and improvements to existing road beds. The roads up in the park weren't built for vehicular traffic. They are built for passenger cars. And in just looking at some of the equipment that you'll be using, it looks
like there is going to be a lot of wear and
tear on some of the secondary highways. So who
determines after this thing is built, if the
roads are all beat up and they need
replacement, I hope that we don't have to take
the money to repair the roads out of the lease
payments. I think that should a separate item.
And I don't think that's been addressed in
terms of -- I means it's been addressed. As
they determined or as needed, I'm wondering who
makes the determination that repairs or
improvements are needed?

MS. YEANY: We certainly would let the
company address that with more specificity, but
restoration is a component of whatever
permission we would give them to use the access
roads.

As far as building some of that into the
lease, it wasn't something that was suggested
to us.

I'm thinking our DEP or FERC or somebody
probably has some jurisdiction over major
mishaps or pipelines or if you know anything
about that, I would address that.

MR. GREDVIG: As far as the roads that we
are looking to use, state lands, we are
inspecting those along with the DEP. Either we
have or we anticipate doing that prior to the
use of it so we can determine what use is
authorized.

The majority of all of the heavy pipeline
construction equipment goes up and down the
pipeline right-of-way. Once it gets on the
right-of-way, it stays on the pipeline
right-of-way.

The use of the roads will be authorized
whether it's through the leasing agreement that
we get, the right of entry agreement that we
get with the DEP. We will have to evaluate
what the roads are like, what the condition is
like and if we tear up that road, we have to
fix it.

Now, as far as the state, county, federal
highways, we're responsible to only carry loads
that are authorized either by weight limit,
length limit and height limits and we have to
abide by those requirements otherwise we have
to get a special permit for that. And that
special permit ties us to any damage that might
be done to that road.
MR. TRIPP: Just one other question. In Wawayanda, I heard they started the construction before the lease was signed. Are you aware of that?

MS. YEANY: Nothing happened about that lease being --

MS. MAHON: We had a right of entry.

MR. TRIPP: Is that a lease?

MS. MAHON: It is a temporary lease.

MR. TRIPP: So what I heard, particularly in the park you will repair the damage to the roads caused by your --

MR. GREDVIG: Our construction activity.

MR. TRIPP: By what you did?

MR. GREDVIG: Yes.

MR. TRIPP: And I wasn't sure of your response regarding if they burn half the mountain down. Is there a way that we can build any provisions into the lease so that once there is a catastrophe, we don't have to start in terms of square one in terms of litigation.

MS. YEANY: Well, I think we certainly discuss this suggestion back in Trenton. It wasn't something that was suggested to us
before. And I'm sure that the company would argue other jurisdictions that they would be accountable to if there were a pipeline catastrophe.

MR. TRIPP: Okay. I just want them to be accountable to the ten of thousands people that use the park.

MS. YEANY: As I said, we would not be giving up any rights as property owners to prosecute any damage to our property that goes beyond them onto the pipeline. So leasing this out doesn't alter that.

MR. TRIPP: And the reason I keep bringing it up and I'm harping on it is because it took 25 years to settle the Exxon Valdez incident and there was no question that Exxon was negligent from the third day.

It just took a long time for the people to be compensated and I would not want that to be the case with respect to High Point State Park.


I have several and environmental concerns. Shimers Brook and the Big Flat Brook that were mentioned are both classified streams and they
both egress from High Point State Park. Shimers Brook comes into our community. And they Big Flat Brook also flows into Sandyston. It's primarily a trout stream that is being used. I think what is happening in Vernon, because I heard from a colleague there also, you know, we have a lot of these rain storms and things. There is an impact and you can't repair the damage to the classified streams. You can't come downstream and re-dredge. The areas down by me are part of the Big Flat Brook that are part of the nature conservatory, and after the rain last night, I hadn't seen the Big Flat Brook that high in quite some time.

So you have to have some plans in place to cut off, you know, any overflow or any damage of the soil coming into these streams before these accidents happen.

Just as the lady from Montague also mentioned, yes, you are going to reforest, but do you have to have an idea of how long it actually takes to have a full reforestation of the areas that you cleared where you've done these projects in other areas?

I mean in High Point State Park it's not
as it was shown, a tree here or there. It's fully-forested. High Point is the highest point in Montague Township.

If we get a heavy rain storm with all these trees cleared, it's going to come straight down into our community and when Tennessee Gas first came, there was 5 to 600 people and now we are close to four thousand and most of them are right in the path of the Tennessee Gas Pipeline in the country club.

So that community is going to be impacted because I can't address the other half of that project but your right-of-way goes through that community.

MR. GREDVIG: To answer your question question about reforestation. You are correct. When we take down a tree, we are not going to be able to replant it with a tree with the same size and location. That is why we do the reforestation program so that we get trees to come back over time, but then that's why we also do the 4-to-1 mitigation in order to acquire additional lands that have the same resource quality, trying to get the same resource quality so that those lands can be put
back into the catalog of managed lands by the
state park to offset that mitigation.

MS. BATKO: We are already at about 70
percent federal and state of nonprofit off the
tax role. So if the state comes in and takes
another 120 acres from us, what we can gain as
a tax land? It will effect this community in
ways that you cannot repay.

MR. GREDVIG: That acreage that we're
talking about though is split among of the four
state parks that we're crossing so anywhere
from Ringwood to Ramapo to Long Iron and High
Point.

So we will work with DEP to identify
replacement lands in more one place than the
other, but that is a process that we need to go
through.

MS. BATKO: In terms of the money coming
to DEP through to the lease process, I have
lived in this community since '81. I've seen
the lost of the Couser Mansion.

I've been going up to High Point State
Park and I know there's been a loss of staff
because of the state cutbacks overall, but I
really think the funds should be filtered back
with a priority to the parks that are being affected because it not only affects them but it affects the communities around them.

As the gentleman has said, it's people that come up here. If we lose even for a brief period people coming up, because Route 23 is not a wide route with construction and trying to come in with these access roads being affected, it will impact people coming into the park overall.

So the surrounding businesses that profit from the people coming here are also going to be affected. So for us to have High Point restored to the way it was in terms of maintenance and staffing, because actually High Point has grown because there is additional lands offered and I know that there's properties that in are not contingent to Ringwood State Park on the mountain that, at this point, are sitting and not being cared for that need attention. So for that we would definitely want some consideration.

MS. YEANY: Well, obviously we share that concern. Park funding has been a topic of discussion the last few years.
I will say that even though we wouldn't seek out a project for this nature for the revenue that it presents, if we find ourselves forced to accept a project because of how the federal regulatory schemes are set up, we see that as providing a source of revenue for sustainable state park strategy. So we're trying to make the best of it for the park system.

MS. BATKO: There has to be some type of enumeration. Now the question I have is, because I know there is two Natural Heritage areas, Mashipacong Bog and the Saw Mill Swamp. I didn't initially didn't even know what those meant.

I've actually been in contact with Green Acres to find out. So I'm really curious because the way it was explained to me is these Natural Heritage areas are set up specifically because there are some unique environmental conditions there, so how is nothing being found that needs protection in those areas?

MS. YEANY: I'm going to let the company answer that question, because I'm not out there in the field looking at these things. But it's
generally an area designated because of
particular resources.

If you could address that.

MS. DETTLING: It is addressed
specifically in the report as well and I am not
a botanist so I can't remember their scientific
names, but there are rare plants species that
were specifically identified and in both the
Natural Heritage areas on both these and we did
extensive surveys specifically for those
species that were identified as per the
designation and we clearly state -- we have our
survey corridors that are much larger than our
proposed work space.

So all of those results are in the report
and they are in the proposed work space or
adjacent areas.

MS. BATKO: I know there was a landowner
in town who when the surveyors came from the
company to look for the bog turtles even though
he has wetlands, he happened to be an
environmental educator and he had to show them
how to find the bog turtle and that's one of
the areas the bog turtle mitigation finally did
occur. I'm hoping they had the same
sensitivity they were doing in the other locations.

MS. DETTLING: For most species, I can't say for every single species that we surveyed for, but for the bog turtle, they have to be qualified herpetologists that are approved to do the surveys.

We submit our survey protocol as well as resumes for the certified surveys depending upon the survey. If they are botanists or whatever, they are approved as part of our survey protocol that goes to the federal and state agencies prior to the survey work.

MS. BATKO: All I can tell you is he told me he didn't know what he was doing.

MR. GREDVIG: DEP verifies our surveys that we've done.

MS. STARK: I just want to comment. Terry Stark again.

I just came across a publication here that is put out by foodandwaterwatch.org. In this state they are headquartered in New Brunswick. They have an office in Washington.

I think to sort of answer my own question, this is not really a new story. This is not
new. It's the same old thing and the dollar is 
the bottom line and about the increased demand. 
I am going to look, I remember going to your 
project and skimming through it. This is what 
it says right in front of me here in this 
publication I just mentioned.

"Major Investments in US Shale Made by 
Foreign Companies." There is at least seven 
here. In the last couple years, huge money 
we're talking here invested in this shale. Not 
for us, not for our state, probably not even 
for New Jersey. Not even for New Jersey. 
Norway is mentioned. The United Kingdom, the 
Netherlands, Australia. And I'm talking 
billions not even millions of dollars here, 
Japan, Indian and, of course, China.

So I suggest you go to the website and 
check out the fracking. That's the bottom 
line. I mean everybody's concerns are all very 
good. We always have concerns. Not that 
anybody really cares about us. About how many 
trees we're going to be losing or how much mud 
is going to come into our yard. We're the 
little people. Nobody gives a crap about that. 
It's about how much money the people at the top
are going to make and that's the same old story.

(Applauds.)

MR. GUIMES: Actually when you build a pipeline, I guess you have a certain period of time where you can't operate; is that correct?

MR. GREDVIG: That we can't construct?

MR. GUIMES: In the dead of winter.

MR. GREDVIG: Well, we prefer not to build in the dead of winter.

MR. GUIMES: Now, the reason I mention that is I'm involved with High Point State Park and the Appalachian Trail. We got the hikers from the Appalachian Trail possibly June through August and there are no hikers.

So the business about this sweat about closing the Appalachian Trail, you've got a window of possibly six or seven or eight months where you can close the trail and nobody but the ducks would know; okay? That is one.

And No. 2. Forgive me. Honestly, I'm an old crank. However, if we're worried about China and Japan and the people in New England need natural gas. Who the hell cares who is going to make the money?
You charge them the right fee every other state charges them the right fee, you be sure the park gets the money and that's business.

That's the world.

You buy a car and where is the transmission made? In Mexico. The president is campaigning in a bus that was built in Canada.

I'm sorry. I'm talking like an idiot but I get upset.

Everybody has to make money. If you don't like the Chinese to make money, then don't buy anything in China.

VOICE: Everything is made in China.

MR. GUIMES: Well, whose fault is that?

MS. LEWIS: Pam Lewis from Watchung, New Jersey and I'm a volunteer with the Food and Water Watch out of Washington D.C.

We've been dealing with a lot about the fracking and since I watched the movie Gas Land in February, this has been a major issue in my life, because the fracking process is very polluting to the earth.

The water and the air has been polluted in over 30 different states and especially right
now in Pennsylvania in the Marcellus Shale.

The EPA, two weeks ago just came out with
their air quality determination on fracking,
which is instead of just going vertical down
into the earth to get gas, they are going
sideways and they are blowing up with pipe
bombs and putting over 600 proprietary
chemicals into the earth, including benzene,
and sand and milligrams and milligrams of
gallons of water, fresh water that the fracking
industry is taking from our aquifers. So this
is a process that you are promoting through
your gas pipeline.

Now, New Jersey, I'm finding out, we have
three pipeline lines coming through. We have
not only yours, we have the Spectra one that is
trying to go through Jersey City; okay, which
they are protesting. And we also have
Transco's that is coming in through Clinton,
Union Township and Franklin and I went to that
meeting about a month ago and it was one of the
worse meetings I ever went to in my life
because they want to go right through people's
communities, right through their culdesacs and
they already sit on top of two pipelines and
Transco's wants to put a 42-inch pipeline over there for this loop and you want to put another one on top of your existing one, okay, and Spectra wants to put one in a metropolitan place where there is so many people; okay.

Now, do we remember in Edison in 1992, the pipeline that blew up was Spectra's; okay? So what do we know about what they would find, okay, for blowing up New Jersey that people could see from six miles away and just destroy Dermwood's Townhouses. Do you know what happened?

MS. YEANY: No, I don't.

MS. LEWIS: Because I think that is a good question; all right. Because there was the pipeline in Allentown that just blew up recently. I don't know whose it was. California just blew up. These things happen. There was one in Virginia that was also Spectra, I believe.

There's also leaking of pipelines. And I know that Transco, which is not your company, but they were fined over two million dollars a few years ago for leaking into the water, okay, PCBs. So they had to clean it up their
pipeline and their compressor stations.

Now getting what to what the EPA just ruled the other day, two weeks ago, they finally decided to comment on this fracking and what they said from their office was that every fracking well puts 23 tons of volatile organic compounds into the air. And regionally this is contributing to smog, which is giving people asthma, heart attacks and sudden visits to the hospital and what the EPA said is that the fracking industry will clean it up and they will have to reduce it by 25 percent and they said that they can do this that the technology is out there and that these leaks are not only coming from the fracking wells themselves, but through pipelines through compressor stations and processing stations.

So New Jersey currently does not have any fracking wells and our legislature just signed a ban, okay, very heroically, I was there, to ban fracking here. We don't have much Marcellus Shale but we have Utica Shale, and you know what, they want that too.

It's just a matter of time before we have the frackers here, all right, because they are
so damn greedy that they just don't know what to do. This is the boom like the gold rush of the Wild West of California. So this is what I see and it's really heart breaking.

You have customers. Who are they? Are they United State's customers? Are they European customers? Who are these people, these drivers that you say, these customers that they have this gas that they want to bring to market? Why? We're supposed to be changing from the polluting ways of coal and oil.

And by the way, the fracking is not cleaner than coal and oil. They are putting tremendous amounts of methane into the atmosphere, which for those of us that do think that the earth is warming especially the Artic.

You know, now people can go through the whole Bering Strait in ships that they couldn't do for the first time in the history of the world. Things are melting dramatically.

So whatever you want to not call it, methane is the most powerful greenhouse gas on the planet. It is way worse than carbon dioxide, and the fracking industry is creating that and that's natural gas. That is who you
are.

(Applauds.)

MS. LEWIS: Are you patriots or are you foreign terrorists? That's what I really want to know. Because you are destroying our country and it's like you have no conscious.

You have a gas line here already, use it. This is our parks. We don't want our parks destroyed.

Somebody gave 10,000 acres. I'd love to shake that person's hand. That was supposed to be protected from people like you. I don't know how come the DEP and the State of New Jersey just looks the other way. Seven million dollars is no kind of money. No kind of money to do this to us, to hurt the State, to put us at risk, to possibly blow us up, to have mud slides in a place that never had mud slides before.

MS. BUDZ: Our town is 78 percent protected. Now it's a disaster. It's a disaster.

MS. LEWIS: There should be not one more movement on this project until this is mitigated and figured out and understood
because this is the tipping point. This is like the canary and the coal mine to tell you this project should not go forward. It should go anywhere but this park because this is a sacred trust.

And wish I was a lawyer because I'd go over that thing that you said. Maybe I'm going to find a lawyer and pay him to go over it with a fine tooth comb because I bet there's things in there that would stop you in your tracks.

I have a lawyer friend that wanted me to ask a couple of questions. And she's right now in New York fighting against the frackers that want to come in and destroy New York State just like they destroyed Pennsylvania.

So your pipelines are enabling these people to keep destroying our country and especially Pennsylvania.

Okay. She said, What kind of insurance do you have for this project? What kind of bonding measures are put in place for catastrophes? And is there any escape clauses? Like an Act of God, because, you know, more and more we're just having these rain storms, hurricanes, tornadoes. This is the way it is
now, whether you want to call it God or not.

So she said that that is a very typical
way that people who want to make a lot of money
put the little Acts of God in there so they
don't have to pay up.

So you need to anticipate damages from
massive storms throughout this project. That's
what I want to know.

What is the insurance? What is the
bonding? How much does it cover? And do you
have escape clauses like this Act of God kind
of stuff that you're going to say, It's not our
problem. It was God.

MR. GREDVIG: The lease agreement has not
been drawn up yet between DEP and Tennessee Gas
Pipeline. And until that document is drawn up
and to know what the requirements are of DEP of
Tennessee for both the insurance and the
bonding, I can't answer that.

MS. LEWIS: Okay. What would you like to
see? The guy out there, I think it was you,
whoever it was who said, yes, I'm Tennessee Gas
Pipeline.

I said, Whose side are you on?

He said, I'm on Tennessee Gas Pipeline's
side. Whose side are you on?

I said, I'm on the side of nature, okay,

I love this earth.

So he said, We do everything with

integrity, okay, we care for nature, too.

So I think you should prove that and be

very specific and fix what is going on in her

neighborhood that you've already started, okay,

fix it so that it's really real and not just a

whole bunch of talk.

Do you understand the ramifications of

what you're doing? Have you ever gone into

somebody's state parks like this in any other

state and ripped it to shreds and bulldozed it

and displaced creatures and contaminate water.

MR. GREDVIG: El Paso Corporation has

almost 40,000 miles of pipeline within the

United States. So across our company, we have

built many pipelines in many different resource

areas and had to address the same concerns that

you are addressing here today and we provided

for insurance and bonding, resource protection,

mitigation, trying to address, as best that we

can, all of the issues that you have brought up

here today.
And until we get through and conclude the final lease document and the documents with the DEP or with any other surface landowner that we have to cross, I couldn't tell you what the final numbers are going to be or where we're at. We're still working on the minimize of our impacts in trying to determine all the mitigation requirements for our project, so that is a work-in-progress.

MS. LEWIS: Okay. So there will be bonding. Do you have any idea what a typical bonding would be for a project like this?

MR. CREEL: I don't know that we can answer that question.

MR. GREDVIG: It really comes down to our negotiations or the requirements the State or any entity that we're crossing.

MS. LEWIS: So then I'll ask you, are you going to make sure that those things are in the contract that we're protected and the safeguards are in place for Acts of God and all this other stuff, these crazy rainfalls.

Yeah, we had six to eight inches the other day, okay, this is becoming more and more commonplace.
MS. YEANY: We do require insurance as part of our leases. And if you or anybody else want to comment on what that insurance should cover and what the appropriate levels of coverage are, we'll take that into account.

MS. LEWIS: I'll talk to my friend who is an attorney and maybe she can give you an idea on that.

MS. YEANY: That would be great.

MS. LEWIS: I think that's it for now. I appreciate the opportunity to speak to you because I think that you have to put a human face on what you're doing.

I do have another question. Why can't you just leave the parks alone and go those two other alternatives, which I didn't have a chance to look at those, why did you rule those out?

MR. GREDVIG: You're talking about the alternatives that we showed of complete avoidance of all the state parks.

MS. LEWIS: Yes.

MR. GREDVIG: Two things. One is the green field route. There is no existing pipeline. There is no existing thing to
follow. There is no existing disturbance so we have to do a complete new alignment that would have to go out and around.

We would have more disturbance, more acres of disturbance. More resource concerns, I'm assuming, that would be just because we'd be skirting around the edge of the state park. We would have the same concerns that you're addressing right now and the fact that we would not be parallel with our existing facility.

That is why we opt to keep our operation and our construction in an area where it's already been previously disturbed so that we can cauterize that activity.

MS. LEWIS: But those properties are not affecting our water supplies; right? Are there wetlands involved?

MS. DETTLING: Yes.

MR. GREDVIG: Yes, there would be streams and wetlands and uplands and forests and everything else that would have to be crossed as an avoidance of the state parks.

MR. CREEL: Alternative analysis, okay, criteria for that. Impact on existing land uses and that's particularly residences and
commercial businesses, those kind of things, farmland. Environmental impacts. Very important. Wetland impacts, construct-ability.

Can we build a pipe there and cost? Yeah, cost, it is. Last and probably least, but cost, too.

What we have done is made an analysis of the alternatives that are available to accomplish the project and we have proposed what we believe is the best balance and the best answer to minimize the impacts for the project and part of the scoping process, for example, is to get other input into that process.

So if you think there is a different route that is better then, by all means, put that forward. And I understand that you may choose the no construction alternate and you can voice that opinion about it as well, but that's kind of how the alternative analysis works.

MS. LEWIS: It just seems like why are all these different pipelines including yours making a race through New Jersey here? What is a big deal here? Why aren't we going for wind and solar and geothermal and other things? And
why can't we just use the natural gas, the
pipelines we have? Why does everybody want to
build bigger and better gas lines for Marcellus
Shale? Why do we have three?

Why can't you people share and do the
least amount of damage to our state and land
and compromising our water and the dust that
you will create with all of your bulldozing in
the air? Who is going to want to hike in the
forest with all kind of particles of dirt
floating and around and dust? People don't
want that.

People come there because they want fresh
air. They want to hear the birds and they want
to smell something sweet like when I got out of
my car from Watchung, I smelled a sweetness in
the air. That's why people come to the forest
to get away from the drudgery of life and they
want to be re-inspired and fill their lungs
with sweetness and nature. That's good for
mental health. That's good for all the people
that are just trying to make all things work in
our crazy society. You're jeopardizing that
with this project.

That's like sacred in these state parks
and you're not respecting that and I would ask you to do that. I'd ask you to really look it over, search your soul and have a talk with whoever your higher power is; okay.

Thank you.

(Applauds.)

MR. GREDVIG: Thank you.

MS. TERHUNE: Martha Terhune.

You're speaking of this as if it's a done deal. Is it?

MS. YEANY: No, it's not. But I need to emphasize that unlike other types of projects that my post on state property, this role of the Federal Energy Regulatory Commission is not insignificant. If they decide that there is a need for this project and they approve a route for the project, the Company has condemnation authority against private property owners. It is not entirely clear what their powers are --

MS. TERHUNE: It's a disgrace.

MS. YEANY: Well, that's a decision that was made by Congress long before any of us were around.

MS. TERHUNE: I believe that it should be reversed. It's a disgrace.
MR. GREDVIG: It's the Natural Gas Act.

MS. YEANY: Yes, the Natural Gas Act. So someone made a decision about that long before any of us.

MS. TERHUNE: That can be reversed.

MS. YEANY: Well, and I encourage you to speak to Congress about that.

MS. TERHUNE: I will. It's called eminent domain.

MS. YEANY: Don't discount that there is another agency involved in this.

MS. TERHUNE: I think there is too many. That is half the problem.

High Point does not have a pipeline, does it?

MS. YEANY: I believe it does.

MS. TERHUNE: It does? I did not know that.

I wish you would just say no. Use what you have. Forget about adding anything else. Because we're not going to need it. Solar power is getting more popular and geothermal. You are not going to need natural gas.

MS. YEANY: As we just mentioned, we encourage you to address those comments to FERC
as far as their analysis of the project.

MS. TERHUNE: To who?


MS. TERHUNE: Too many acronyms.

MS. YEANY: FERC.gov.

MS. TERHUNE: Thank you.

MS. YEANY: Anybody want to comment who hasn't been on the record yet? I don't know how long we have the room for.

Anybody who hasn't had a chance to comment before?

Anybody else?

VOICE: I wanted to speak in Ringwood tomorrow. I am allowed to speak at both locations.

MS. YEANY: Sure.

FEMALE VOICE: I live in West Milford --

MS. YEANY: State your name for the Court Reporter.

MS. WOOD: My name is Margaret Wood. I live in West Milford, New Jersey and the pipeline just went through my town and I have pictures of it and the devastation that it has caused. I'd like you to have those.
(Handing out pictures.)

MS. WOOD:  Excuse me.  I'm afraid of
public speaking.  I'm very nervous but I'll try
to get through this.

I want to thank you for giving me the
opportunity to speak here today.

My background is, I have a master's degree
in aerospace engineering and I worked in the
aerospace industry for 15 years.

My background compels me to look into the
signs of global warming, but today I come to
you as a board member of the Lakeland Unitarian
Universalist Fellowship.

The Unitarians have a covenant to affirm
and promote the respect for the inter-dependant
web of all existence of which we are a part.
The inter-dependant nature of life requires us
to take action against global warming and to
support sustainable energy that does not leave
toxins in our environment.

When the pipeline was conceived, little
was know about the hazard of fracked gas. The
full life cycle of the greenhouse gas footprint
had not been calculated. Since then there has
been new evidence. Since then that calculation
has been done.

I'd like to enter into your record a paper called the Methane and Greenhouse Gas Footprint of Natural Gas from Shale Formations by Robert W. Wholeworth, Rene Santoro and Anthony Ingraphia.

I'd like to just read three paragraphs from the abstract and two paragraphs from the conclusion and then enter the whole things into your record.

The abstract says, "We have evaluated the greenhouse gas footprint obtained by high volume hydraulic fracturing from shale formations. Focusing on methane emissions. Natural gas is composed largely of methane and 3.6 percent from 7.9 percent of the methane from shale gas production escapes into the atmosphere inventing leaks over the lifetime of a well."

"These methane emissions are at least 30 percent more and perhaps more than twice as great as those from conventional gas. The higher emissions from shale gas occur at the time that wells are hydraulically fractured."

"As methane escapes from the flow back
return fluids and during drill out following
the fracking. Methane is a powerful greenhouse
gas with a global warming potential that is far
greater than that of carbon dioxide
particularly over the time horizon of the first
few decades following emission. Methane
contributes substantially to the greenhouse gas
footprint of shale gas on shorter times scales
dominating it on a 20-year time horizon."

"The footprint for shale gas is greater
than that for conventional gas or oil when
viewed on any time horizon, but particularly so
over 20 years. Compared to coal, the footprint
of shale gas is at least 20 percent greater and
perhaps more than twice as great on the 20-year
horizon and is comparable when compared over
100 years."

So going to gas is stupid. It's not a
transition fuel away from global warming. It
will get us deeper into global warming. It
will get us closer to the tipping point.

Now the two paragraphs from the
conclusion.

"The large greenhouse gas footprint of
shale gas undercuts the logic of its use as a
bridging fuel overcoming decades if the goal is to reduce global warming. We do not intend that our study be used to justify the continued use of either oil or coal, but rather to demonstrate that substituting shale gas for these other fossil fuels may not have the desired effect of the mitigating climate warming."

"Finally, we note that carbon trading markets at present under value the greenhouse warming consequences of methane by focusing on a 100 year time horizon and by using out-of-date global warming potentials for methane. This should be corrected. And the full greenhouse footprint unconventional gas should be used in planning for alternative energy futures that adequately consider global climate change."

As the Department of Environmental Protection, you're supposed to protect us from greenhouse gases. You are supposed to protect us from global warming. How are you doing that with this? This is worse than coal.

Since the decision to build the pipeline was made there has been new evidence showing
that global warming has been occurring at a far
greater pace than was previously expected. The
evidence is all around us.

Polar ice is melting at a far great pace
than was expected. There is flooding in the
Midwest. A lot of that is due to the melting
of the ice from the Rocky Mountains. This
flooding has reached the foot steps of Fort
Calhoun's Nuclear Power Plant. They are using
sand bags to keep the flood water out of the
spent fuel rod containment area. The flooding
eexists in localized areas on our minute men
missile bases. This is creating hazards for
our country's security.

I am a citizen of West Milford in the New
Jersey Highlands. Two weeks ago I was driving
home from Wawayanda State Park and I was
shocked to see a huge gas pipeline going
through center of West Milford. I have done
some research on this pipeline and I know that
it is part of the Tennessee Gas Company 300
Pipeline Project.

I know that much of the purpose of this
pipeline is to gather fracked gas from the
Marcellus Shale that is now being drilled in
Pennsylvania and will soon be drilled in the
lower tier of New York State.

The plan of the Tennessee Gas Company is
to use New Jersey to create pipelines to
transport this gas to the East Coast. I have
my own personal suspicions that from there it
be shipped overseas.

And Dr. Anthony Ingraphia, a fracking
expert who wrote that paper, along with his
colleagues also agrees that this is probably
the plan, to ship the gas overseas.

I spoke to business owners in West Milford
that had their property torn up and the trees
lines removed. The general mood of the
citizens was one of deep depression. They told
me they had no choice but to comply because if
they didn't, eminent domain would be used
against them.

A heard a lecture given by Dr. Anthony
Ingraphia, who is a professional engineer and a
fracking expert. He said that there will be
leakage of the toxic fracking fluids into the
gas pipelines. This fluid is extremely toxic
containing chemicals like benzene. Much of
these chemicals not biodegradable so the toxins
will be with us for a very long time.

It is a well known fact that three percent
of all gas that enters the pipelines will leak
out. That is the national average. When that
gas comes from fracking, then you can expect
that some of the toxic fracking fluids that
flow through the northern New Jersey pipelines
will also leak out.

The people of West Milford were not told
this when they were forced to submit to
Tennessee Gas under threat of eminet domain.

The local press has not revealed this to
the citizens. These pipelines will be built
through several of New Jersey's Highlands
lakes. As already mentioned, pipelines leak
three percent and this will occur in the lake's
wells. Water does not stay put. Water flows.
it flows down hill. Down hill from the
Highland Lakes is the Newark Water Supply. So
Newark's water might experience this
contamination as well.

Since some of these fracking fluids are
not biodegradable and they flow with the water,
you can expect that they will spread to other
communities. The gas industry receives heavy
tax breaks and subsidies. At first you might
get the false impression that solar and wind
power and other renewables are not affordable
compared to gas and coal.

But this would be a misconception, if the
heavy tax breaks and subsidies given to the gas
industry were removed, then you would see how
quickly solar and wind power and other forms of
energy become competitive.

The plan to use methane gas as a
transition energy as we move away from coal is
a mistake. Three percent of methane gas leaks
out of pipelines. Methane gas is 70 times more
deadly as a greenhouse gas than carbon dioxide.

People mistakingly believe that it is only
half as deadly as coal, because one BTU of
methane when burned produces half the CO2
byproduct than one BTU of coal produces, but
that is not the whole story.

As I just told you, from that paper, due
to leakage at the frack site, there is about a
seven percent percentage leakage of the methane
gas and then the greenhouse gas goes up beyond
coal. They didn't know when they planned this
pipeline. They know it now. The plans must be
changed according to your level of knowledge.

You have to look at all the other carbon costs involved as well. It takes a lot of energy just to get the Marcellus gas out of the ground. There are the costs to the environment that is destroyed. There are the costs to the water supply that becomes polluted.

T-Boone Pickens understands these costs, maybe that's why he invested in the bottle water industry as well as the gas industry.

You don't want to create a situation where we have to drink bottled water. There will be medical costs as the toxins take their toll overtime. All of these costs needs to be taken into account.

We at the state cannot afford to use dirty fracked gas as transition fuel. We need legislation saying that fracked gas will not be permitted in New Jersey pipelines.

The pipeline construction is funded by the Act that put Americans back to work. But this funding needs to stop because the jobs are not going to the citizens of the local communities. These jobs are sought by construction workers who follow the pipeline project as it moves
from state to state.

If the states want to control costs and stop all subsidies to the gas and coal industries, we can't afford to have methane gas used as a transition fuel. It will only delay the true conversion that is really needed to clean sustainable energy.

The recent increase in global warming dictates that we cannot afford this delay. We are at the tipping point. We cannot afford to scale back renewable energy goals. We must reduce our use of fossil fuels not increase them if you plan to have human life continue on the plant as part of the inter-dependant web of existence.

(Applauds.)

MS. YEANY: Does anybody else want to testify?

MR. CEE: Can I ask a question from here?

MS. YEANY: Sure.

MR. CEE: Is the Court Reporter from the Town of Montague or who is she hired by?

MS. YEANY: We would have normally wanted a transcript of here, but, of course, we wouldn't want to attain that at DEP's expense.
We don't even have funds for that. So the company has hired the reporter to give us the transcript.

MR. CEE: Oh. Tennessee Gas Pipeline hired this court reporter. I see.

MS. BUDZ: Where would the public get it?

MS. YEANY: I hadn't really considered it, but I was thinking earlier in the hearing that as soon as that is available, we will post that on that web site.

MS. BUDZ: On what web site would that be?

MS. YEANY: I've alluded to that a couple times.

If you go to the Green Acres website, which is www.nj.gov/dep/greenacres.

MS. BUDZ: Is it in writing?

MS. YEANY: I have no place to write it. I was hoping there would be.

If you go to the New Jersey Green Acres website, you'll find on the right-hand side of our website, we have a little box that says "What's new" and there is a link there that's says "Proposed lease to Tennessee Gas," and anything we have about this project, as it's become available, we have been trying to post
it there and make it available.

MS. BUDZ: How long until you think it's available?

MS. YEANY: I actually don't know. I know this is going to be a long transcript. So I don't know what the reporter has promised the company.

MR. CEE: Would we see a pdf file possibly?

MR. GREDVIG: About two weeks.

MS. YEANY: Right. I don't know what your arrangement is with the reporter, but even if we receive it in a paper format, we can scan and post it there.

MR. CEE: I have your name, but what is your title?

MS. YEANY: I am Chief of the Bureau of Legal Services and Stewardship for Green Acres.

VOICE: Do you have a business card?

MS. YEANY: The Court Reporter has it. If you want to see it afterwards, I think I have a couple of extra. Just see me afterwards.

VOICE: With the transcript, what if things have been left out or whatever, is there a way to amend it?
MS. YEANY: Well, in my experience Court Reporters are pretty accurate, but if you notice a discrepancy, let us know about it.

I mean the Court Reporter is an independent part of this transaction. She has no vested interest.

MR. CEE: She's being paid by Tennessee Gas Pipeline.

MS. YEANY: Right. But my understanding is, they have standards they have to uphold.

MS. BUDZ: The State should have paid for it.

MS. YEANY: If I would have to pay for a court reporter, I would have to bid it out and identify funds from taxpayer funds.

MR. CEE: That's why our property taxes are the highest in the nation. That's not important to the community and the State to hire a court reporter for the destruction of our state parks?

MS. YEANY: Court reporters are a regulated industry. They have standards they have to uphold. If they produce inaccurate transcripts, there are consequences beyond this. I'm not going to assume that there is
not going to be an accurate record of this hearing.

FEMALE VOICE: I don't think that she will change it, but they may change what she wrote. How do you know that?

MS. ROY: The transcript will come as a pdf file.

MR. GREDVIG: It comes directly from --

MS. YEANY: This is Christine Roy, who is an attorney, who represents Tennessee Gas.

MS. ROY: If it's sealed, there is no way we can change what is in it.

MR. GREDVIG: You can't edit the file.

MS. YEANY: I think we've been through that.

MR. GREDVIG: Yes.

MS. YEANY: I think we are going to close the meeting now.

MALE VOICE: Who is actually running this meeting? Because you walk-through the door and you have people breathing down your neck handing you bullshit information.

MR. HEENEHAN: You don't need to swear. It is inappropriate.

MS. YEANY: This is a DEP hearing. We
have the company here to give information about
the project. But it's our hearing. We're
required to conduct it. I'm not sitting here
because --

MALE VOICE: It's a sloppy run hearing.

MS. YEANY: Okay. Thanks.

I'm going to close the record at 10:05.

We have another hearing tomorrow night in
Ringwood also at 7 o'clock at the Ringwood
Municipal Building and then the third hearing
is September 7th in Trenton.

As I said a couple times, you're welcome
to submit whatever comments you want in writing
to become a part of the record and we'll take
those under advisement.

I thank you.

(Meeting adjourned at 10:05 p.m.)
CERTIFICATE

I, KAREN GAGLIARDOTTO KOCSIS,
a Certified Court Reporter of the State of New Jersey, authorized to administer oaths pursuant to R.S. 41:2-2, do hereby certify that prior to the commencement of the examination, the witness was sworn by me to testify to the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place, and on the date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am not financially interested in the action.

I DO FURTHER CERTIFY that the within transcript format complies with Rule NJ ADC 13:43-5.9.

__________________________________
Karen Gagliardotto Kocsis, CCR
License No. XIO1560

NJ DEP 8-17-2011 public hearing