

In The Matter Of:

In Re: State Property To Texas Eastern Transmission

Transcript of Proceedings
April 16, 2012

Rizman Rappaport Dillon & Rose
66 W. Mt. Pleasant Ave.
Livingston, N.J. 07039
(973) 992-7650

ORIGINAL

Page 1

1 PUBLIC MEETING NOTICE

2

3 IN RE: PROPOSED LEASE OF
4 STATE PROPERTY TO TEXAS
5 EASTERN TRANSMISSION, L.P.
6 FOR THE NEW JERSEY-NEW YORK
7 EXPANSION PROJECT
8 (SPECTRA PROJECT)

9

10 3:00 P.M. and 6:00 p.m. - April 16, 2012
11 Public Meeting Room
12 Liberty State Park
13 CRRNJ Terminal Building
14 1 Audrey Zapp Drive
15 Jersey City, New Jersey 07305

16 B E F O R E:

17 SCOTT BRUBAKER, DIRECTOR
18 STATE OF NEW JERSEY
19 DEPARTMENT OF ENVIRONMENTAL PROTECTION
20 OFFICE OF PERMIT COORDINATION & ENVIRONMENTAL REVIEW
21 401 E. State Street
22 P. O. Box 420
23 Trenton, New Jersey 08625-0420
24 (609) 633-7660

25 JUDITH PICCININI YEANY, CHIEF
BUREAU CHIEF
LEGAL SERVICES & STEWARDSHIP
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM
501 E. State Street, 1st Floor
P. O. Box 412
Trenton, New Jersey 08625-0412
(609) 984-0631

26 A L S O P R E S E N T:

27 NANCY KIST, ESQ.
28 DECOTIIS, FITZPATRICK & COLE, LLP
29 Glenpointe Centre West
30 500 Frank W. Burr Blvd., Suite 31
31 Teaneck, New Jersey 07666
32 (201) 928-1100

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1 CHIEF YEANY: We're going to get
2 started today.

3 MR. BRUBAKER: Good afternoon. My name
4 is Scott Brubaker from the Department of
5 Environmental Protection, the Office of Permit
6 coordination and Environmental Review. I'm here with
7 Judith Yeany who is the Chief of the Bureau of Legal
8 Services and Stewardship within the Green Acres
9 program, GAP.

10 Thank you for coming.

11 This is an informal meeting. But, a
12 transcript will be generated and posted on-line.

13 This meeting is not required by any law
14 but is intended to give interested parties an
15 opportunity to receive information on and comment on
16 proposed compensation to the State of New Jersey to
17 lease .93 acres of Liberty State Park for 20 years to
18 the SPECTRA energy pipeline.

19 The purpose of this meeting, as our
20 public notice indicated, is solely to receive
21 comments on SPECTRA's proposed compensation to the
22 State of New Jersey for utilizing .93 acres of
23 Liberty State Park for a pipeline right-of-way for a
24 20 year lease and for leasing an additional 1.81
25 acres of temporary or construction work space for one

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1 S P E A K E R S

2

3 THE 3:00 HEARING

4

5 FRANK GESSNER 6
6 DEBBIE MANS 11
7 JEFF TITTEL 15
8 RAJ MUKHERTI, DEPUTY MAYOR 21
9 MICHAEL SOTTOLANO 25
10 CHUCK LEE 28
11 JEFF KAPLOWITZ 30
12 STEVEN FULOP, COUNCILMAN 32
13 KIRSTEN GREENE 32

14 THE 6:00 HEARING

15 FRANK GESSNER 40
16 KABILI TAYARI, DEPUTY MAYOR 46
17 SAM PESIN 53
18 JOSEPH SCOTT 57
19 DEBORAH SINICO 61
20 ELNA UKKAIDA 62
21 DEREK FANCIULLO 66
22 BILL MCKELVEY 70
23 IOME S. ALEXANDER 75

24

25

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1 year.

2 In a minute I will ask SPECTRA to
3 provide a brief overview of the proposed project
4 within Liberty State Park and the compensation for
5 leasing the above land.

6 Any comments offered today will be
7 considered as the Department considers the
8 compensation offer for this lease.

9 We will continue to formally receive
10 written comments until May 20th -- April 20th, sorry.

11 However, we will accept comments
12 informally right up to the time when we make a
13 decision on the lease.

14 This meeting comments, comments
15 subsequent to this meeting may be e-mailed to Nancy
16 Lawrence of the Green Acres Program at
17 nancy.lawrence@dep.state.nj.us.

18 After SPECTRA presents the information
19 regarding the project, we welcome your comments on
20 the narrow issue of the compensation proposed.

21 Again, the purpose of this meeting is
22 solely to receive comments from interested parties
23 regarding compensation offered by SPECTRA to the
24 State of New Jersey for the western edge of Liberty
25 State Park with the proposed pipeline project.

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1 In the interests of time, because DEP
 2 is not charged with or authorized to rule on the
 3 pipeline project as a whole, we will not entertain
 4 comments on the project as a whole on techniques of
 5 gas drilling or extraction or issues beyond the
 6 compensation offered to lease .93 acres of the Park
 7 from the State of New Jersey.
 8 Please limit your comments to that
 9 topic tonight.
 10 I will note that DEP, on December 2nd,
 11 2011 issued a land use permit to construct this
 12 project.
 13 That permit is conditional on the
 14 project receiving a Certificate of Public Convenience
 15 and necessity from the New Jersey Regulatory
 16 Commission.
 17 We would ask anyone who would like to
 18 speak to please sign up on the list to do so.
 19 We will start with any elected
 20 officials that are here and, if you do come up to
 21 speak, I would ask that you clearly identify and
 22 state your name so that our court reporter can
 23 accurately transcribe it.
 24 Okay. With that, I'm going to ask
 25 SPECTRA to come up and give us an overview of the

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1 project.
 2 MR. GESSNER: Thanks, Scott. My name
 3 is Frank Gessner. I'm the Project Manager for Land
 4 and Rights for Texas Eastern. And, I would like to
 5 give you a brief overview about when our project
 6 could also be licensing temporary.
 7 We have our acquisition from DEP in
 8 2010. Texas Eastern filed this application in
 9 September of 2011, FERC issued a draft Environmental
 10 Impact Statement for the project.
 11 October 31st, public comment period
 12 concerning the draft Environmental Impact Statement
 13 ended.
 14 On March 16th, 2012, FERC issues a
 15 final Environmental Impact Statement for the project.
 16 And, in that Environmental Impact
 17 Statement they analyzed potential routes through the
 18 Liberty State Park.
 19 The three routes that they looked at is
 20 one, FEIS, which is recommended for review but they
 21 also looked at the parking lot, parking lot at the
 22 Liberty Science Center as well as the Phillip Street
 23 alternative. And, when you look at the three routes,
 24 the less impact is, for the permit right-of-way was
 25 on the FEIS recommended route which is .93 acres of

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1 permit right-of-way.
 2 The proposed pipeline is located along
 3 the western edge of Liberty State Park adjacent to
 4 the New Jersey Turnpike and is also between the Caven
 5 Point Road and Bayview Avenue.
 6 There is a small portion of property
 7 that the pipeline would cross. The filed route will
 8 have a permanent impact of less than .93 acres and a
 9 temporary impact during construction of 1.818 acres
 10 of land which is immediately adjacent to the
 11 permanent area along the entire border which of 1,212
 12 acres of land, that Liberty State Park is comprised
 13 of.
 14 These next series of drawings, this is
 15 the parking lot over at the Science Center. And, the
 16 actual structure is in this location here.
 17 The yellow outline represents the area
 18 of the permanent easement or lease agreement. This
 19 is an extension of that.
 20 This is Johnson Avenue (sic) here.
 21 This is the New Jersey Turnpike and the project is
 22 adjacent to and alongside the Turnpike.
 23 This last one this is Caven Point Road,
 24 Bayview Road. And, this property right here is where
 25 the lease area is also located.

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1 Some of the factors that we looked at,
 2 when we selected the route or minimizing the impact
 3 for the Science Center itself in an overall limiting
 4 or minimizing the impact to the State park, we also
 5 took into account traffic safety, the Turnpike, which
 6 has a prohibition use of its rights-of-way and, last,
 7 is the constructability.
 8 These next series of slides show very
 9 similar -- this is, the red lines represent the
 10 limits of the construction area which is the
 11 temporary, comprised of the temporary work space as
 12 well as the permanent right-of-way.
 13 Again, this is Liberty State Park, the
 14 Liberty State Science Center parking lot and the
 15 building in this location here.
 16 This is an extension and the previous
 17 slide, as well as this slide here, there are two
 18 constructions for the project, 2013. The Science
 19 Center as well as Johnson Avenue is slated for
 20 construction in 2013.
 21 This last one, this is a section that
 22 is slated for construction in 2012. Estimated time
 23 frame is four weeks to construction.
 24 The line in this area, this area here
 25 and that, again, is between the Caven Point Road and

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1 Bayview Avenue, FERC is expected to issue a
 2 Certificate of Public Convenience and Necessity for
 3 the project so we can move forward. Construction of
 4 the project is expected to begin in June 2012 and the
 5 project will be in service in November 2013.
 6 Lastly, talk about compensation,
 7 compensation for the proposed 20 year lease and use
 8 of the temporary work space is 2.279 million dollars.
 9 That's broken up at a 20 year lease at \$33,073
 10 annually for the .93 acres of the pipeline
 11 rights-of-way with an escalation of 2.5 percent each
 12 year after the first year.
 13 The temporary work space rent for one
 14 year is at \$65,809 for 1.818 acres of temporary work
 15 space and a one time payment of \$1,350,924.
 16 And, lastly, the tree mitigation that
 17 will also be provided as part of the compensation
 18 with the NJDEP guidelines.
 19 At this point, Scott, I will turn it
 20 back over to you.
 21 CHIEF YEANY: I just want to add to
 22 what the SPECTRA recommended first, the timing and
 23 compensation for the project.
 24 I'm with the Green Acres Program. And,
 25 as many of you know, a large majority of what the

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1 State Park does have what we call Green Acres
 2 restrictions on the property having been purposed
 3 with various grant and bond funds over the years.
 4 So, approval of this project, even as a lease,
 5 requires approval as what we call a diversion of
 6 parkland and it does require the approval of the DEP
 7 Commissioner and a legislative body called the State
 8 House Commission.
 9 So, ultimately, FERC issues the
 10 approvals that are necessary for this project and all
 11 the other approvals are obtained, we will take the
 12 proposed lease to our Commissioner and to the State
 13 House Commission with a compensation we have proposed
 14 here or as may need be modified based on comments and
 15 public input.
 16 At this point, the earliest that we
 17 would expect to be able to get those approvals would
 18 be June of this year. The commission meets on a
 19 quarterly basis.
 20 The project doesn't have its
 21 certificate yet. It does have certain deadlines it
 22 has to meet and, we're trying to work with, with them
 23 as far as that goes.
 24 But, we would anticipate, at this
 25 point, that it would be June when we would be trying

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1 to get our approvals if the other approvals are
 2 obtained.
 3 I think, at this point, we want to turn
 4 it over to whoever would like to comment on the
 5 compensation proposal and the lease.
 6 We have a sign up sheet there.
 7 Well, as Scott mentioned, do we have
 8 any local officials in the room who would like to
 9 testify first?
 10 I know we were contacted by some
 11 officials of Jersey City but they might be coming to
 12 the evening hearing.
 13 MR. BRUBAKER: And, also, has everyone
 14 who would like to speak, have they signed up and
 15 indicated that they would like to speak today?
 16 Okay. It looks like I would like to
 17 ask Debbie Mans from the New York New Jersey
 18 Gatekeeper to come and offer comment.
 19 Debbie.
 20 MS. MANS: Thanks. My name is Debbie
 21 Mans. I'm the Gatekeeper Director for the New York
 22 New Jersey Gatekeeper. We're an environmental and
 23 conservation group that works in the Hudson River
 24 estuary for over 20 years and Greg Ramo is our Deputy
 25 Director. And, he has been very active with friends

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1 of Liberty State Park for a number of years.
 2 I'm also speaking today on behalf of
 3 Hackensack River Keeper. Captain Bill Sheehan is the
 4 River Keeper up there. And.
 5 The Gatekeeper opposed the pipeline and
 6 opposes any impact to Liberty State Park.
 7 However, if this is approved, we New
 8 Jersey Turnpike at comparable leases arrangements for
 9 urban parks. I think there's a wide range of lease
 10 arrangements that the Green Acres department does.
 11 And, we need to have more consistency.
 12 We know preserving land in this area,
 13 that it's so much more valuable up here because of
 14 the resources that we have fewer of and the more
 15 people that use it. And, so, I think we need to take
 16 a hard look at the compensation, if it does get
 17 approved, that's coming into the park.
 18 We also need to understand the
 19 ecological impacts. So, if it's an upland wetlands,
 20 is there different compensation for those types of
 21 services that we will have temporary loss or
 22 permanent loss of in this park that belongs to the
 23 people.
 24 Our final point that we wanted to make
 25 was that any money, if this does get approved, must

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1 come back to Liberty State Park. It is not for the
 2 general coffers of the State. And, when it comes
 3 back into the Park, it must be for capital costs and
 4 it's not to replace State dedicated operating funds
 5 that should be going out to our public parks. And,
 6 we New Jersey Turnpike at making sure that it's going
 7 towards the improvements at the park.
 8 Thank you very much.
 9 Mans, M A N S.
 10 CHIEF YEANY: We're not going to be
 11 able to respond to every comment necessarily. We
 12 might not know all the answers. But, I just wanted
 13 to respond to a couple of comments the Gatekeeper
 14 made.
 15 In general, DEP is trying to achieve a
 16 lot more consistency in setting rates for its leases.
 17 And, some of you may have seen that last August there
 18 was a report called the Interagency State Lease Task
 19 Force report that had a number of recommendations for
 20 how we should handle leases, particularly utility and
 21 infrastructure corridor leases. That report set kind
 22 of a base rental of 15 cents a square foot for the
 23 majority of DEP leases. But, it also articulated the
 24 principle that if you were operating in a high rent
 25 area, high value area, as we see here in Jersey City,

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1 that those rates need to be adjusted.
 2 So, the number that you're seeing here
 3 for this project was based on an actual appraisal of
 4 the property and represents essentially 10 percent of
 5 the property value which is, as we understand it, a
 6 standard appraisal assumption as far as setting rent
 7 versus purchase price.
 8 So, we're looking at a 10 percent in
 9 Year 1 of the actual appraised value of the property,
 10 then adjusted at 2 1/2 percent each year.
 11 So, we have tried to address the first
 12 point you made.
 13 If you have comments, if that's the
 14 appropriate number or not, of course we'll take them.
 15 Of course, where the money might go and
 16 what it will be used for, our objective is to apply
 17 it to a project in Liberty State Park. We have not
 18 identified a specific project. We would welcome
 19 impact on what that project should be.
 20 I think we're at a little bit of a
 21 debate, whether it would be a capital project or what
 22 we would call a green project for, of a restoration
 23 project because we have corporate business tax money,
 24 CBT money for some of our capital projects. And, we
 25 have a whole priority system associated with that.

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1 So, I'm not sure that our initial
 2 thought is to apply it to a capital construction
 3 project. But, if you would like to give us
 4 additional comments on that in writing, we will
 5 certainly consider whatever you propose.
 6 Okay. Who was next on the list? We
 7 don't have anyone else who checked off the box for
 8 wanting to testify. But, we have a second sheet
 9 going. So, if anyone wants to come up, come on up.
 10 MR. TITTEL: Thanks. Thank you. Jeff
 11 Tittel, Director of the New Jersey Sierra Club.
 12 And, I'm here today because, you know,
 13 quite frankly, the Sierra Club has a 120 year history
 14 of trying to protect open space and park lands.
 15 We're here today because Liberty State
 16 Park is not only one of the most used State parks in
 17 the country, it's also a symbol for the people of New
 18 Jersey and our gateway not only to the Statue of
 19 Liberty but to Ellis Island which is the gateway to
 20 America.
 21 So, we're in this historic rail
 22 terminal because this is the place where so many
 23 people got to see the rest of the country. This is
 24 where America started. Because, when people came to
 25 the Lower East Side of Manhattan after going through

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1 Ellis Island, this is where they came back across the
 2 river to get on trains to go to the rest of the
 3 country.
 4 So, we're really here at the gateway of
 5 the country.
 6 And, I think that this pipeline, from a
 7 couple of different reasons, we believe does not
 8 belong in the State Park. We believe, quite frankly,
 9 that they should be looking at alternatives and that
 10 even though the amount of land that's being diverted
 11 is a small amount, it's still an amount that's too
 12 much, especially when there are alternatives that
 13 they can look at away from the park.
 14 And, we also understand the history of
 15 this place. This was another place that was famous
 16 in American history because of Black Tomorrow.
 17 During World War I, there was the largest, at that
 18 time, man-made explosion ever. It was an accidental
 19 explosion when the ammunition that was being stored
 20 here for sending overseas to our troops in World War
 21 I blew up.
 22 We don't need a pipeline in the same
 23 exact area. History may not repeat itself but why
 24 risk it.
 25 Secondly, we're concerned that the

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1 pipeline itself is one of three heading onto six
 2 pipelines that are coming into this region. We
 3 already have Transco Company, Tenaco. We know
 4 Algonquin is going to get expanded. We know Texas
 5 Eastern is going to be expanded. And, just over the
 6 border they're already constructing the Millennium.
 7 One pipeline might make sense but six? It's not the
 8 purpose of this line.
 9 And, I think it's a great name, SPECTRA
 10 because it's a spec pipeline. No one knows if it's
 11 necessary. It's about a race to try to get gas to
 12 New York City, not about taking care of New Jersey's
 13 energy needs.
 14 We're also concerned that the pipeline
 15 itself will undercut New Jersey's very advanced and
 16 very progressive clean energy program because if you
 17 get a wash of cheap gas, it's going to undercut
 18 renewable energy, solar wind. And, instead of
 19 looking to the green technology of the future, we're
 20 sticking to the fossil foolishness of the past.
 21 We're concerned that this gas is coming from
 22 Pennsylvania, from areas of Pennsylvania where
 23 they're developing more shallow shale, what is known
 24 as fracturing.
 25 And, I know this is not the purpose of

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1 this hearing, but the State agency cannot look
 2 narrowly in the box. They have to look at the broad
 3 secondary and cumulative impacts.
 4 And, this administration has made a
 5 commitment to look at impacts. So, this will concern
 6 marcellas shale exploration in Pennsylvania. And,
 7 years from now, it could be used to help Utica shale
 8 explorations which is in New Jersey, in the Skylands
 9 regions. The impact to the water supply, 15 million
 10 people, including 3 million people are part of this,
 11 a secondary impact and that we're very much concerned
 12 about.
 13 We're also concerned that if this is a
 14 public land, that it was purchased from Public Trust
 15 back 40 years ago. There was plans to develop a lot
 16 of this property. It was saved by then Mayor Jordan
 17 to be an asset under, originally, Governor Cahill for
 18 all the people of New Jersey, developed by Governor
 19 Byrne.
 20 This is one of the most visited parks.
 21 This is held in trust for all of us. And, we believe
 22 that the current formula that's in place for
 23 diversions does not properly fit this site.
 24 We believe that the costs, per acre, it
 25 is way low. If this was a piece of prime land, just

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1 like the Goldman Sax property, a mile from here on
 2 the Gold Coast, would go over ten times per acre,
 3 over a million dollars per acre.
 4 Secondly, the New Jersey Turnpike
 5 Authority, when they lease land, do it for about
 6 \$1.50 a square foot. This is less than that. This
 7 is about half of that. So, we don't believe that
 8 this is a good deal for the people of New Jersey.
 9 Financially, we think it's a bad deal.
 10 We don't believe the State is being properly
 11 compensated for this, this property.
 12 And, again, this is a park where
 13 5,000,000 people a year visit. It's an asset for
 14 everyone in this country. It's a place where people
 15 come from all over to look at the beautiful New York
 16 skyline, to look at the Statute of Liberty, to visit
 17 the Statute of Liberty and Ellis Island, to remember
 18 the victims of 9/11.
 19 A pipeline, we believe, is a violation
 20 of that Public Trust. It's a violation of this land
 21 that was put aside for all of us to use. And, as
 22 John Mere (sic) said, open space is nature's
 23 cathedral to man.
 24 And, we believe that this pipeline is a
 25 desecration of that cathedral. This land that

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1 belongs to all of us.
 2 A paraphrase of Woody Guthrie, who said
 3 that this land belongs to you and me, not SPECTRA.
 4 Thank you very much.
 5 MR. BRUBAKER: I'll continue to remind
 6 you folks, if you're coming in, please sign in if you
 7 would like to speak today. We have a sheet up front.
 8 Now I'd like to ask the Deputy Mayor to
 9 come up and speak. I'll let you pronounce your own
 10 name, sir.
 11 MR. MUKHERTI: It's Raj Mukherti,
 12 Deputy Mayor of Jersey City and here to provide
 13 comments on behalf of Mayor Jeremiah T. Healey who
 14 cannot be here today. And, I provide these comments
 15 for the record but I believe written comments will be
 16 submitted on behalf of the City at the 6:00 hearing
 17 by Assistant Corporation Counsel Derek FANCIULLO.
 18 I thank you for the opportunity to
 19 speak and I'll be as brief as I can.
 20 The City's opposition to the proposed
 21 gas line is, is well-known and has been
 22 well-documented throughout the FERC process and other
 23 processes and against the back drop that Jersey City
 24 is the second largest City in the State with over a
 25 quarter million residents and the economic engine of

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1 the State providing hundreds of millions of tax
 2 revenues of commercial and transportation center,
 3 Wall Street West, employing more than 23,000 people
 4 in the financial services sector. And, during the
 5 Monday through Friday work hours, our population more
 6 than doubles.
 7 And, we're the home of critical Tier 1,
 8 Tier 2 Homeland Security infrastructure. The Federal
 9 Government has spent more than 12 billion dollars
 10 heretofore securing our transportation network and
 11 other infrastructure in this post 9/11 world.
 12 We are already a target rich
 13 environment from the Homeland Security standpoint.
 14 Liberty State Park falls into that category. We
 15 don't want to add another target, respectfully, to
 16 this target rich environment, particularly when it
 17 isn't even a good deal for the State from an economic
 18 standpoint as, as Mr. Tittel, from the Sierra Club,
 19 indicated and testified.
 20 This project is going to jeopardize
 21 significant plans and future commercial and
 22 residential development projects.
 23 And, we have been opposed, the City has
 24 been on record in opposition to the idea of SPECTRA
 25 running this unprecedented, highly pressurized

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1 natural gas line in Jersey City for a number of
 2 years. However, we had proposed alternative routes
 3 that would be less deadly, less potentially
 4 disastrous. And, those concerns are simply falling
 5 on deaf ears.
 6 So, against that backdrop, against that
 7 backdrop today, we're considering whether this, the
 8 guidance of NJAC 7:36-26.1 would, would indicate that
 9 this is a viable deal and it isn't.
 10 The agencies stated policy is to
 11 strongly discourage the disposal or diversion of
 12 parkland and such diversion should only be a last
 13 resort where there exists a compelling public need or
 14 a significant public benefit as the regulations go on
 15 to say.
 16 There is not only no, not only is there
 17 no compelling public need here, there is no need at
 18 all.
 19 FERC hasn't approved this pipeline just
 20 yet. It is merely contemplated. And, even if it
 21 were to offer approval to the line, there are
 22 numerous legal challenges that the, that would have
 23 to go through the process before this would be
 24 viable.
 25 In addition PHMSA, the Pipeline

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1 Hazardous Material Administration within the United
 2 States Department of Transportation is now
 3 considering a petition submitted by the City of
 4 Jersey City, the safety rules as they pertain to
 5 pipelines just like this one.
 6 As a matter of fact, and I will submit
 7 a copy of those proposed regulations at the 6:00
 8 hearing when we submit our written comments, the
 9 City's petition. At present, the FINSA regulations
 10 as to pipeline safety only, they're based on a
 11 population density of the location's pipeline. They
 12 only contemplate the strictest safety standards for
 13 pipeline sites that are very near two and four story
 14 buildings, to low rise buildings. Those safety
 15 regulations just don't contemplate areas with taller
 16 buildings and higher population densities.
 17 So, Cities with population divergence
 18 such as New York City and Huntsville, Alabama, in
 19 Chicago and Anchorage, Alaska, Los Angeles and
 20 Mississippi all qualify for the same protection under
 21 the PHMSA scheme.
 22 As it stands, this petition would
 23 increase those levels of protection areas, that are
 24 densely populated protected areas like New York which
 25 would benefit from the proposed gas line where New

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1 Jersey would not meet any sort of improvement. It
 2 wouldn't see any sort of improvement in fulfilling
 3 its energy needs from this pipeline.
 4 Those safety regulations have been
 5 supported by Congressman Albo Sires, a member of the
 6 Transportation Subcommittee of the house which has
 7 jurisdiction over PHMSA.
 8 So, there are a number of obstacles
 9 that this pipeline still faces before it can be
 10 realized as a reality, if it will be. And, the City
 11 will continue to fight that with every resource at
 12 its disposal. And, for those reasons, it just
 13 doesn't make sense, at this time, for the Department
 14 of Environmental Protection to allow a sweetheart
 15 deal for a pipeline that may never come to fruition
 16 at this time. And, if it does, the Department
 17 respectfully should seek the best possible deal on
 18 behalf of the taxpayers of this State and the
 19 residents of this City.
 20 Environmentally it's a bad deal.
 21 Economically it's a bad deal. From a Homeland
 22 Security standpoint, from a safety standpoint, it's a
 23 horrible deal.
 24 And, so, with that, we urge you to
 25 reconsider what, what's been proposed here today.

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1 And, I thank you again for that opportunity to speak.
 2 MALE SPEAKER: The Councilman is here.
 3 COUNCILMAN SOTTOLANO: I'm sorry. I
 4 didn't check it.
 5 MR. BRUBAKER: Thank you, Deputy Mayor,
 6 for those comments.
 7 I will just clarify, the Department
 8 will not enter into a lease for this property or this
 9 pipeline unless and until this project has the full
 10 approval of the Federal Energy Regulatory Commission.
 11 I would like to ask Michael. And, I
 12 apologize for these names, Sottolano, please come up
 13 and clearly state your name for the court reporter.
 14 Does Mr. Chuck Lee care to speak?
 15 COUNCILMAN SOTTOLANO: Good afternoon.
 16 I'm Mike Sottolano, Jersey City Councilman, Ward A.
 17 I have spoken on a number of occasions at SPECTRA
 18 meetings in regard, in my office, to the pipeline in
 19 general.
 20 I have always felt if the pipeline was
 21 to come to Jersey City, the minute it hit Caven
 22 Point, the most southern part of the City, it would
 23 go into the water and over to the New York side and
 24 to its destination, I think, on 23rd Street or
 25 somewhere thereabouts.

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1 But, to even think of taking Liberty
 2 State Park probably, not probably, is one of the most
 3 highly, densely parks used in the north, northeast is
 4 absolutely amazing.
 5 As a person who was raised in Jersey
 6 City, I remember when this was just weeds. I used to
 7 come down here, hide in the weeds, swim in the bay
 8 and things of that nature.
 9 And, it took a long time for this park
 10 to become a reality in place where all of New Jersey
 11 truly enjoys it. And, to think about putting a
 12 pipeline with such tremendous gas pressures through
 13 it and create a potential for a disaster in the park,
 14 especially during the summer months when it's so
 15 highly populated, is absurd. You know, as far as the
 16 pipeline transversing throughout Jersey City, it's
 17 even worse.
 18 You have taken some of the areas of
 19 Jersey City that will have an economic benefit to the
 20 City that has incalculable land has basically made it
 21 worthless. And, I state that area is Phillip Street
 22 where Carbine is moving out. It is the only area in
 23 the City where there would be a clear view all the
 24 way up to New York City simply because Liberty State
 25 Park is across the street and nothing could be built

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1 in front of it. It is just an economic piece of real
 2 estate that is just totally destroyed by the pipeline
 3 going directly in the back of it.
 4 I can't think of developing nor would I
 5 want to live there nor would I encourage anybody to
 6 live there with a pipe suppression that is going
 7 through this pipe to get to New York City and for New
 8 York City's benefit.
 9 To really do anything to cut this park
 10 up is sacrilegious. It is just unbelievable.
 11 You know, a lot of the people that now
 12 live in Jersey City are newcomers to Jersey City.
 13 They don't remember the area, what have you.
 14 But, we have come such a long way not
 15 only with Liberty State Park but all of downtown
 16 Jersey City.
 17 You have a City that had 51 miles of
 18 railroad track. It was totally undeveloped, all at
 19 once all of the industries started to leave and the
 20 white collar jobs were more prevalent over in New
 21 York. We rebuilt and regenerated a brand-new City, a
 22 brand-new economy for the State and, you know, what
 23 are we going to do?
 24 There's 35 years of hard work. Put a
 25 pipeline in. Can you think of something more

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1 sensible to do?
 2 I urge you, as far as the numbers,
 3 whatever you are going to pay, it's not enough. So,
 4 those numbers don't even phase me financially.
 5 I just think it's absurd that you take
 6 a park that I believe is the second most populated or
 7 visited park on the northeast and put a pipeline
 8 through it.
 9 Thank you very much.
 10 MALE SPEAKER: Just yell it out.
 11 MR. BRUBAKER: I'll call Mr. Chuck Lee.
 12 MR. LEE: My name is Chuck Lee. I'm
 13 the Jersey City City Engineer. And, I believe it was
 14 about half a year ago that I spoke before another
 15 public hearing such as this. And, I have been
 16 involved with this project for the last couple years
 17 now. And, I have a series of concerns that I've had
 18 indicated.
 19 And, at the last public hearing, half a
 20 year ago, I had said that I still have not received
 21 adequate satisfactory response to my questions and
 22 comments.
 23 And, and as I said before, my position
 24 as the City engineer for the City of Jersey City is
 25 to ensure that any project that comes into the City

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1 meets my satisfaction that it is safe, that is in
 2 good engineering standards before I would approve it.
 3 And, to this date, the answers to those
 4 questions and comments that I have before still have
 5 not been submitted to me. And, therefore, at this
 6 time, I just cannot see how I can accept this project
 7 into the City.
 8 And, with the, with the complication of
 9 this project, I need answers that are written, that
 10 are spelled out on the plans so I could see it.
 11 Any type of verbal description of
 12 whether they could satisfy us is not acceptable.
 13 And, I have been asking for these responses in
 14 writing, on the plans, for many months now. And. To
 15 date, I still have not received adequate responses to
 16 my concerns.
 17 So, therefore, at this time, I cannot
 18 recommend to the City that we should allow this
 19 project to come in.
 20 And, that's all I have. Thank you.
 21 MR. BRUBAKER: We don't have anyone
 22 else who has indicated their desire to speak.
 23 MR. KAPLOWITZ: I did sign up.
 24 MR. BRUBAKER: Did you check the box
 25 that says you want to speak? You didn't do that.

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1 But, you can speak. Come on up.
 2 MR. KAPLOWITZ: I was going say real
 3 technical, you might as well get technical with
 4 SPECTRA, too.
 5 Jeff Kaplowitz, K A P L O W I T Z, born
 6 and raised in Jersey City.
 7 And, as the councilman from the
 8 Greenville Estate, I also remember this park as
 9 nothing but weeds, broken down railroad. I remember
 10 Morris Pesin going out and asking for this Green
 11 Acres for the people of Jersey City.
 12 This City, this County is the most
 13 unrepresented county when it comes to open space.
 14 The least amount of open space that anywhere in the
 15 State of New Jersey has.
 16 People here don't have the capability
 17 of going to a nice, green area, mountains or the
 18 shore when it's hot. They come to this park.
 19 It's unconscionable that the State of
 20 New Jersey, the DEP, the Green Acres Fund would
 21 contemplate giving up public land. It's economic
 22 injustice. It's economic discrimination.
 23 I am almost going to bet you that you
 24 wouldn't even contemplate to do this at Long Beach
 25 island or in Alpine. But, in Jersey City, who cares?

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1 I've been against this project from the
 2 moment that I heard about it.
 3 I have spent my entire life trying to
 4 make Jersey City a better place. I have served on
 5 the Jersey City Planning Board, the Jersey City
 6 Environmental Commission and the Commercial Real
 7 Estate -- I'm a commercial real estate broker and in
 8 every aspect, this is the worst deal I've ever seen.
 9 This is a sweetheart deal.
 10 There is no way, absolutely nothing
 11 that, that would lead me to believe, in my
 12 professional career, that this property is worth this
 13 little money. And, in an economy of supply and
 14 demand, supply and demand, where else can you find
 15 property, an acre of property with the most visible,
 16 beautiful park behind the most treasured national
 17 symbols, it's unconscionable.
 18 What can be compensated? There's not
 19 enough money to be compensated. You should be
 20 ashamed of yourselves to even contemplate this.
 21 This company had an alternative route.
 22 That route was underneath the Hudson River. They did
 23 not want to spend the money. So, you're going to
 24 give them precious land that the citizens of this
 25 City, this County, this State must give up to them.

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1 Take a stand.
 2 If you say no, what would be the
 3 alternative? Let them sue us in court. That's money
 4 I would be happy to spend. I'll give you my entire
 5 year's income to give to the State of New Jersey to
 6 fight that. That's money well spent. This is not.
 7 MR. BRUBAKER: Has anyone else signed
 8 up to speak? Did you sign up, sir?
 9 COUNCILMAN FULOP: Yes, sir. I'm
 10 Councilman Steven Fulop, Jersey City. I represent
 11 the area of the City of residential that the SPECTRA
 12 proposed pipeline is going through. And, I said the
 13 same to New Jersey Transit and the Turnpike Authority
 14 as well that the State is operating and certainly
 15 premature to any sort of approval, that it seems to
 16 the residents of Jersey City that the State, whether
 17 it be the DEP or New Jersey Transit or the Turnpike
 18 Authority, has lost sight of what their mandate is
 19 and who they're here to represent and protect.
 20 And, first and foremost, I will tell
 21 you that there are serious concerns. And, there are
 22 not many issues in the City that have a united front
 23 like this.
 24 This evening's development, as I'm sure
 25 you heard earlier, it effects safety and, most of

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1 all, it effects the welfare of our residents.
 2 I would urge you to not move forward
 3 with this prior to any sort of approval on the
 4 federal level. Anything outside of that would be
 5 premature.
 6 Thank you.
 7 MR. BRUBAKER: Thank you, Councilman.
 8 I'll just State you missed my prior
 9 remarks but DEP will not be approving any proposed
 10 lease until and unless this project has the full
 11 approval of Federal Regulatory Commission.
 12 Is there anyone else signed up who
 13 would like to speak? Okay.
 14 FEMALE SPEAKER: Should I sign?
 15 MR. BRUBAKER: Yes, please. Come on
 16 up.
 17 State your name for the court reporter,
 18 please.
 19 FEMALE SPEAKER: Your position is --
 20 CHIEF YEANY: For those of you who came
 21 in, I'm you Judith Yeany, Green Acres Program with
 22 the DEP in Trenton. And, this is Scott Brubaker.
 23 He's in charge of our office Permit Coordination and
 24 Environmental Review.
 25 My involvement is that there is Green

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1 Acres restrictions on the property that would be
 2 potentially leased to the pipeline. And, Scott's
 3 office is in charge of coordinating various DEP
 4 approvals that would be needed for the project.
 5 At the beginning, in his opening
 6 remarks, he stated that we have issued land use
 7 permits for the project. But, as far as issued a
 8 number of approvals and as he has reiterated a couple
 9 times, if we go through with the proposed lease, we
 10 would not execute or approve it until the project has
 11 the necessary federal approvals.
 12 MS. GREENE: Kirsten Greene, K I R S T
 13 E N G R E E N E.
 14 Liberty State Park is a precious place
 15 for many. For those of us who live in Jersey City --
 16 there is a lot of microphones here.
 17 For those of us who live in Jersey
 18 City, I would say it's an oasis.
 19 SPECTRA wants to come into our City and
 20 chip away at that oasis. Their only objective is to
 21 make as much money as possible as quickly as possible
 22 and leave us to clean up the environmental damage
 23 that they leave behind. It's up to the New Jersey
 24 Department of Environmental Protection to protect us
 25 from this damage.

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1 We shouldn't be subjected to the toxins
 2 that would enter our air from this pipeline or risk
 3 of an explosion that this pipeline poses. New Jersey
 4 DEPs web site specifically states the major goal of
 5 the Division is to ensure the air is clean, clean
 6 from both a public health and welfare perspective.
 7 That's a quote from your web site.
 8 So you said it yourselves, your job is
 9 to ensure the air is clean. This pipeline will
 10 release toxins into the air, including PCBs.
 11 In the past, SPECTRA energy has been
 12 fined for a lack of proper containment and we
 13 shouldn't be guinea pigs to see if it's going to
 14 happen again which this pipeline is only being laid 4
 15 to 6 feet deep which is completely insufficient. The
 16 New Jersey DEP states that, through environmental
 17 education, they can engage individuals in behaviors
 18 and skills that benefit the environment.
 19 So, how, exactly, will this pipeline
 20 benefit the environment?
 21 The acreage proposed to be acquired is
 22 adjacent to residential area. And, it's up to the
 23 New Jersey DEP to protect those people. It's up to
 24 the New Jersey DEP to protect the visitors that come
 25 to the park everyday. It's up to the New Jersey DEP

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1 to protect the 600,000 visitors that go to the
 2 Liberty Science Center every year.
 3 It's up to you to protect me and my
 4 family. And, I'm urging you, the New Jersey DEP, to
 5 do your job and to decline this permit.
 6 MR. BRUBAKER: Is there anybody else
 7 who would like to speak?
 8 We'll keep the podium open as other
 9 people come in and would like to speak /we'll be
 10 here.
 11 (3:49 p.m. - 4:33 p.m.)
 12 MS. LIBMAN: Ilana Libman, I L A N A L
 13 I B M A N.
 14 I'm opposing the gas pipeline in Jersey
 15 City.
 16 (The hearing concludes at 4:34 p.m.)
 17 (The 6:00 hearing begins.)
 18 MR. BRUBAKER: Good evening. We'll get
 19 started, if that's okay.
 20 We may redo our opening remarks, if a
 21 lot of other people come that don't get a chance to
 22 here them. But, in deference for those who are here,
 23 we'll get started.
 24 Good evening. My name is Scott
 25 Brubaker. I'm the Director of the Office of Permit

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1 Coordination and the Department of Environmental
 2 Protection. And, I'm here tonight with Judith Yeany
 3 who is also from the Department and she is Chief of
 4 the Bureau of Legal Services and Stewardship in the
 5 Green Acres Program.
 6 Thank you for coming out tonight. This
 7 is an informal meeting. But, we will generate a
 8 transcript of tonight and that transcript will be
 9 posted on the DEP Green Acres web site.
 10 This meeting is not required by any
 11 law. But, it is intended to give interested parties
 12 an opportunity to receive information and to comment
 13 on proposed compensation to the State of New Jersey
 14 to lease .93 acres of Liberty State Park for the
 15 SPECTRA energy pipeline.
 16 The purpose of this meeting, as our
 17 public notice indicated, is solely to receive
 18 comments on SPECTRA's proposed compensation to the
 19 State for utilizing .93 acres of Liberty State Park
 20 pipeline for a 20 year lease and for leasing an
 21 additional 1.81 acres of temporary work space for one
 22 year.
 23 In a minute we'll ask SPECTRA to
 24 provide a brief overview of the proposed project
 25 within Liberty State Park and the compensation being

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1 offered for leasing the above land.
 2 Any comments offered today will be
 3 considered by the Department as it considers the
 4 compensation package offered for this lease.
 5 We will continue to formally receive
 6 written comments until May 20 -- April 20th, excuse
 7 me, April 20th. However, we will accept -- we will,
 8 in actuality, accept comments from you right up to
 9 the time when a decision on this lease is made.
 10 E-mailed comments can be submitted to
 11 Nancy Lawrence of the Green Acres Program at
 12 nancy.lawrence@dep.state.nj.us.
 13 After SPECTRA presents information
 14 regarding the project, we will welcome your comments
 15 on the narrow issue of the compensation proposal. We
 16 will not be responding to your comments or questions
 17 as this is your opportunity to speak to us.
 18 The Department will not act on this
 19 lease proposal unless and until the project receives
 20 formal Federal Energy Regulatory Commission approval.
 21 Again, the purpose of this meeting is
 22 solely to receive comments from interested parties
 23 regarding the compensation offered by SPECTRA to the
 24 State of New Jersey.
 25 We will not entertain comments on the

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1 project as a whole, on techniques of gas drilling
 2 extraction or issues beyond the compensation offered
 3 to lease .93 acres of Liberty State Park. Although
 4 these are important issues, they are simply beyond
 5 the scope of this meeting.
 6 If you are submitting written comments,
 7 we would ask you not to just read them all tonight.
 8 We commit to carefully considering any written
 9 comments as if they were verbalized here tonight.
 10 I will note that on December 2nd of
 11 2011, DEP issued a land use permit to construct this
 12 project. This permit is conditional, also
 13 conditional on the project receiving a Certificate of
 14 Public Convenience and Necessity.
 15 We would ask anyone who would like to
 16 speak, please sign up to do so. We will start with
 17 our elected officials.
 18 If you do speak, please clearly state
 19 your name so that our stenographer can record that
 20 for the record.
 21 So, I'm going to see who signed up.
 22 In fact, I know the Deputy Mayor is
 23 here to speak. So, sir, may I invite you up to be
 24 our first speaker?
 25 That's right. Sorry. I'm premature.

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1 We would have SPECTRA present the project first.
 2 Come on up and present the project.
 3 MR. GESSNER: Good evening. My name is
 4 Frank Gessner. I am the Project Manager for Land and
 5 Rights for Texas Eastern.
 6 I would like to talk a little bit
 7 tonight about our application that is before the New
 8 Jersey DEP for a lease as well as the temporary work
 9 space.
 10 In December of 2010, Texas Eastern and
 11 Algonquin Gas Transmission Company filed an
 12 application before the Federal Energy Regulatory
 13 Commission. In September of 2011, FERC issued a
 14 draft Environmental Impact Statement for the project.
 15 October 31st, 2011, the public comment
 16 period for the draft Environmental Impact Statement
 17 ended.
 18 On March 16th of 2012, FERC issued a
 19 final environmental impact statement for the project.
 20 As part of their analysis, when they
 21 put that together, invoked at various routes,
 22 potential routes in and around the park.
 23 The three routes they looked at is the
 24 one they recommended which is our current route, the
 25 parking lot which was an original route to be looked

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1 at which goes to the Liberty Science Center and also
 2 Phillip Street as a third alternative.
 3 When you look at the three
 4 alternatives, you can see they recommended a current
 5 route and it's the least impact as far as permitting
 6 right-of-way.
 7 The proposed pipeline is located on the
 8 westerly edge of the State Park adjacent to the New
 9 Jersey Turnpike and also between Caven Point Road and
 10 Bayview Avenue.
 11 The filed route will have a permanent
 12 impact of less than 0.93 acres and temporary impact
 13 during construction of 1.8 -- 1.818 acres on the land
 14 that is immediately adjacent to the permitted area,
 15 all along the western border of the 1,212 acre park.
 16 Now, when you first set down with the
 17 New Jersey DEP, typically, on this project, our
 18 permit right-of-way is 50 foot wide. As a result of
 19 our conversations with the DEP, we have reduced the
 20 permit right-of-way or the lease area to a 30 feet
 21 width and it is located right along -- this is
 22 Wilson, this is the block over, it's the Liberty
 23 Science Center and this is the New Jersey Turnpike.
 24 This is Johnson Avenue. So, this is just a
 25 continuation.

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1 The pipeline continues adjacent to the
 2 New Jersey Turnpike, crosses over Johnson Avenue,
 3 comes back to the Turnpike. Well, it exits the park
 4 before it crosses to the other side of the New Jersey
 5 Turnpike.
 6 This is Caven Point Road. This is
 7 Bayview and this is a parcel of land right here, very
 8 steep slope to come down. And, this is an area where
 9 the 30 foot diameter, 30 foot wide leased area will
 10 be located.
 11 What we took into account, when we were
 12 looking to route this line, we looked to minimize the
 13 impact to the Liberty Science Center as well as the
 14 overall park. We looked at traffic safety. We
 15 looked at the Turnpike, worked with them to try to
 16 get as close to the Turnpike's rights-of-way as
 17 possible.
 18 Also, the constructability of the
 19 project. The construction area, this, this slide
 20 here represents that, approximately seven weeks to
 21 complete the work from Wilson, you know, along the
 22 westerly edge, to the next slide crossing Johnson
 23 Avenue. So, to complete that section of the line is
 24 about seven weeks in length.
 25 What we know about this, at this point,

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1 permanent right-of-way -- after the project is
 2 completed, the temporary right-of-way expires.
 3 The leased area will continue for 20
 4 years. The current use, surface use that you see out
 5 here currently, it will revert back to that current
 6 use.
 7 The only thing that's not allowed to be
 8 permitted within the 30 foot right-of-way are
 9 structures. Trees are permitted to be planted, not
 10 planted over the top of the pipeline. But, they are
 11 permitted to be planted adjacent to the pipeline
 12 providing they are no closer than 10 feet to shrubs,
 13 grass, natural substance permitted with the permit
 14 right-of-way.
 15 So, what you see currently out there is
 16 not going to be much different after the pipeline is
 17 constructed.
 18 Again, this is Caven Point Road and
 19 this is Bayview. This is the construction area.
 20 This section of the line between Caven
 21 Point Road and Bayview is the only section that is
 22 slated to be constructed within the Park 2012. The
 23 other section, over there, Liberty Science Center is
 24 scheduled to be constructed in 2013.
 25 Before we can begin anything, we need

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1 to FERC these issues, Certificate of Public
 2 Convenience and Necessity for the project.
 3 Construction right now is scheduled to
 4 be begin in June of this year. The project will be
 5 in service by November of 2013.
 6 On the compensation, the compensation
 7 for the proposed 20 year lease and used for the
 8 temporary construction right-of-way represents 2.279
 9 million dollars. Total for the package, 20 year
 10 lease, is \$33,773 annually. That represents, over
 11 the life of the lease, I think, over \$800,000 for the
 12 permanent lease, not the permanent lease but the
 13 permanent right-of-way which is a leased area for 20
 14 years.
 15 The temporary work space for one year
 16 is \$65,000 for the 1.818, and a one time payment to
 17 the park of \$1,350,924.
 18 And, as I am standing, working with the
 19 DEP, that that money will be used for a green project
 20 here on-site.
 21 In addition to that, tree mitigation
 22 for trees that are cut down during the project, that
 23 there would be compensation provided in accordance
 24 with the New Jersey DEP guidance regulation.
 25 Thank you.

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1 CHIEF YEANY: Before we accept public
 2 comments, I just want to explain a little about the
 3 process that we are to follow for the proposed lease.
 4 The involvement of the, for a variance because the
 5 majority of the park is subject to Green Acres
 6 restrictions having been purchased with Green Acre
 7 bonds, funds over the years.
 8 If we decide to proceed with this
 9 lease, after going through the public comments, the
 10 lease does require the approval of the DEP
 11 Commissioner and of the State House Commissioner
 12 which is a legislative commission.
 13 The commission meets on a quarterly
 14 basis and with the project not having received its
 15 federal certificate yet, we're anticipating, right
 16 now, that the earliest we would ask the commission to
 17 approve the project, if it goes forward, would be
 18 June of this year.
 19 So, there is some process that has to
 20 occur after we finish up these public meetings.
 21 And, as Scott said, we'll accept your
 22 public comments and making recommendations to the
 23 Commissioner of the proposed lease.
 24 Did you want to start with the elected
 25 officials?

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1 MR. BRUBAKER: Yes.
 2 CHIEF YEANY: We have the Deputy Mayor
 3 from the City.
 4 DEPUTY MAYOR TAYARI: Good afternoon.
 5 We wish there were more than just one
 6 public hearing before the date line of the 20th.
 7 And, Number 2, is our understanding when you divert
 8 Green Acres that there must be at least eight. So,
 9 we understand that it is mandatory to at least, when
 10 Green Acres land is involved, there must be a public
 11 hearing.
 12 I want to address something very
 13 directly which is the offer of \$1,000,000 to the
 14 State of New Jersey for the duration of the
 15 construction of this project. I'm a little confused
 16 because, from December, almost December 2010, before
 17 December 2010 there was a series of meetings with the
 18 State of New Jersey, the Mayor, myself, the Chief of
 19 Staff, our attorney and consistently the Mayor
 20 refused to accept \$20,000,000.
 21 I don't understand the State didn't
 22 know that the City of Jersey City was being offered
 23 so much. But, talk to SPECTRA and ask them why were
 24 they offering the City 20 million and you can only
 25 get one million which we disagree with, period. But,

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1 I think the public needs to know that.
 2 Number 2, in regards to the
 3 Environmental Impact Statement, let us deal with the
 4 fact that Caven Point Road which starts the Jersey
 5 City/Bayonne line, definitely comes through Lincoln
 6 State Park.
 7 We have pointed out over and over again
 8 that federal regulations say there should be some
 9 concern for low and moderate income communities,
 10 communities of color and even when you get to
 11 Johnston Avenue. And, we also consistently talked
 12 about Liberty State Park in this, in that group and,
 13 also, home view is in that route and the vicinity of
 14 our Medical Center, Jersey City Medical Center and
 15 the CEO of the hospital is there. And, I'm very
 16 glad.
 17 But, I wanted to say those things very
 18 quickly because they are very important and the
 19 public needs to be aware.
 20 As I've stated, my name is Kabili
 21 Tayari. I'm the Deputy Mayor of the City of Jersey
 22 City. I'm here for you today on behalf of Mayor
 23 Jeremiah T. Healy, the entire Healy administration
 24 and more than 250,000 residents in our City.
 25 We, the Healy administration, do not

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1 support the Texas Eastern Transmission, LPs request
 2 with the New Jersey Department of Environmental
 3 Protection Green Acres program proposed to divert a
 4 total of 0.93 acres of parkland at Liberty State Park
 5 with regard to the Texas Eastern Transmissions LP,
 6 New Jersey/New York expansion project.
 7 The route, as we come to know it to be,
 8 would travel in close vicinity, proximity to several
 9 blocks. It passes throughout urban oasis Liberty
 10 State Park which was developed many years ago by a
 11 Great American, Morris Pesin. And, his son continues
 12 today, Mr. Sam Pesin who we fully sport 10,000
 13 percent.
 14 This State Park is the most visited
 15 State Park in the nation with hundreds of thousands
 16 of visitors each year. The Liberty Science Center,
 17 which is right across, the Science Center is an
 18 institution and is located in Liberty State Park.
 19 In this parkland, Texas Eastern
 20 Transmission LP proposes to install, operate and
 21 maintain a 30 inch diameter natural gas pipe line
 22 that would be placed between 4 feet and 6 feet below
 23 the surface.
 24 I'm about 5 foot 11. So, imagine 4
 25 feet below the ground. And, I'm exactly 5 foot 11.

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1 The City of Jersey City opposes the
2 entire project, the proposed diversion and we'll
3 continue to do so.
4 We also oppose the requested permission
5 by Texas Eastern to use an additional 1.818 acres of
6 Liberty State Park for temporary work space.
7 In the application, Texas Eastern is
8 requested to, I quote, from the regulations includes
9 a detailed alternatives analysis identifying,
10 describing and explaining why an alternative plan,
11 including a no action alternative and all reasonable
12 alternatives using both public, that is non Green
13 Acres and private lands will not satisfy, become
14 public need or significant public benefit to be
15 derived from the proposed disposal or diversion.
16 There is no compelling public need and there is no
17 public benefit, only to New York City.
18 As, the analysis should describe the
19 environmental impact of each alternative.
20 Now, this is word for word, out of NJAC
21 7:30-20.16 no one knows what must be addressed, no
22 action, alternative energy, efficiency and
23 conversation -- conservation alternative, non natural
24 gas energy alternatives which is nuclear energy and
25 fossil fuels, renewable energy alternatives which is

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1 wind, tidal wave and hydro, bio mass, photo
2 conclusions concerning the renewal energy
3 alternatives.
4 The next category alternatives
5 involving public and private lands. This would be
6 alternatives to the use of HUD 58 and HUD 59 which
7 are near Caven Point Road and Bayview Avenue. This
8 also includes alternatives to the use of HUD 68, 69,
9 71 and 72 which are near to Liberty Science Center.
10 The Department, the New Jersey
11 Department of Environmental Protection suggested
12 alternative, other alternatives explored by the
13 applicant, other alternatives involving public and
14 private lands that would include Highway I-78
15 alternate, the New Jersey Turnpike alternate, the
16 Brooklyn alternate, marine alternatives, marine
17 alternative Option 8, Option A, Option B, Option C,
18 alternatives analysis conclusion.
19 That is word for word from the Code.
20 The City of Jersey City and all
21 community groups like the National Association of the
22 Advancement of Colored People with specialized
23 environmental injustice and the Friends of Liberty
24 State Park as well as other community groups nor any
25 person of the public has had an adequate qualitative

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1 and quantitative amount of time to acquire a thorough
2 analysis of all these items that is cited in the
3 Administrative Code; as well as these additional
4 required items by the New Jersey Department of
5 Environmental Protection which are the erosion and
6 sediment control plan.
7 Two, the environmental evaluation of
8 Liberty State properties.
9 Three, the wetlands restoration
10 procedures protect wetland impacts.
11 Four, evaluation management plan for
12 handling regulated soils and groundwater.
13 Five, spill prevention control.
14 I wonder why that one is in there,
15 spill prevention control and preparedness and
16 contingency plan, New Jersey Administrative Code
17 736-26.10 which deals with major diversions of park
18 lands, mandates the department's primary objectives
19 are to prevent a net loss of parkland including but
20 not limited to the quantity, quality and
21 accessibility of parkland.
22 Why is this being consider, to
23 discourage the use of parkland for other than
24 recreation and conservation purposes?
25 FEMALE SPEAKER: Um-hum.

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1 DEPUTY MAYOR TAYARI: Yes, again,
2 um-hum.
3 And, NJAC, it goes on to mandate, in
4 order to achieve the objectives which are required
5 under the Department of Environmental Protection that
6 advocates that SPECTRA/Texas Eastern seeking approval
7 for major diversion of parkland must fulfill a
8 compelling public need or yield a significant public
9 benefit as defined by NJAC 7:36-26.1(d)1.
10 This project does not fulfill a public
11 need or yield a significant public benefit and
12 alternative routes and sites are available. I know
13 because the City of Jersey City has offered three.
14 They were presented officially on the
15 public record and rejected by the applicant.
16 In closing, I would like to point out
17 that this natural gas is not intended for the use of
18 the people of Jersey City nor anybody in the State of
19 New Jersey. It is meant for the needs of New York
20 City. And, while we have all viewed New York as our
21 Big Brother, we do not feel the New Jersey Department
22 of Environmental Protection should allow the needs of
23 New York City to irreferably harm our urban oasis,
24 Liberty State Park.
25 There are alternate routes that should

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1 be pursued, like under the Hudson River or through
 2 Staten Island or Brooklyn in which New York City and
 3 Con Edison could have their needs fulfilled without
 4 bringing this great risk to our urban oasis, Liberty
 5 State Park, as well as our City and our entire
 6 residents.
 7 God bless you. Thank you.
 8 MR. BRUBAKER: Thank you Deputy Mayor.
 9 Now I will call Sam Pesin for comments.
 10 MR. PESIN: Thank you for this
 11 opportunity.
 12 The Friends of Liberty State Park is
 13 the officially recognized friends organization of the
 14 DEP's Division of Parks And Forestry. We are an all
 15 volunteer organization with over 900 members. More
 16 than half of our members live in Jersey City and
 17 about two-thirds live in Bayonne and Jersey City.
 18 Since 1988 we worked as stewards of the
 19 special urban waterfront State Park behind Lady
 20 Liberty and Ellis Island. We protected the park
 21 through fighting many battles against the
 22 commercialization of this scarce public land and
 23 ostensibly populated region.
 24 We have represented a broad public
 25 consensus for free and green urban park and defeated

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1 a golf course, commercial water park and the
 2 inappropriate plans.
 3 And, in the last few years, we have
 4 improved the park by spending several hundred
 5 thousand dollars on trees and on our garden
 6 beautification program.
 7 Jersey City, with 250,000 residents is
 8 the host city of Liberty Park. And, Jersey City
 9 donated 150 acres in 1965 to help create Liberty
 10 Park.
 11 Most regular park users have come here
 12 for unstructured recreation and peaceful escape from
 13 the urban environment come from Jersey City.
 14 Many people have remained living in
 15 Jersey City due to the park and many people moved to
 16 Jersey City partly due to Liberty Park.
 17 Recently Jersey City was voted the
 18 third best walking city in the United States,
 19 primarily because of the waterfront walkway and other
 20 paths that are throughout the Liberty Park.
 21 Jersey City has sponsored free summer
 22 concerts since the park opened in 1976 and has hosted
 23 fireworks and free cultural festivals for many years.
 24 So, there is a long-term
 25 interrelationship and bond between Liberty Park and

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1 Jersey City.
 2 So, the friends of Liberty Park today
 3 do express our strong opposition to this SPECTRA
 4 pipeline taking acres.
 5 And, our main reason for opposing the
 6 pipeline is due to the unfortunate ever present
 7 threat of terrorism in the New York City metropolitan
 8 area. We just cannot pretend that terrorism does not
 9 exist. It is a dark cloud hanging over the pipeline.
 10 It's the elephant in the room and cannot be ignored.
 11 And, as we know, everything changed after 9/11.
 12 Like with San Bruno, California, there
 13 are other reasons for an explosion. Terrorism is a
 14 constant threat to this densely populated urban area,
 15 makes it wrong regarding our responsibility to
 16 protect human life.
 17 And, explosion could travel inside the
 18 pipeline quickly and do horrendous harm to the Park's
 19 neighboring communities of Jersey City.
 20 So, seeing the pipeline as the
 21 potential target of terrorists and also in solidarity
 22 with the opposition of our host city, Jersey City, we
 23 do urge the DEP to say no to this route.
 24 And, as Deputy Mayor Tayari stated, if
 25 there are alternative routes like Staten Island and

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1 Brooklyn, they should be explored.
 2 Now, lastly, if the DEP inferred to
 3 approve the pipeline and legal challenges are not
 4 successful, the Friends do feel strongly, that the
 5 park deserves a maximum financial benefit.
 6 We are very glad to hear earlier this
 7 evening that the Commissioner has stated that all
 8 payments from SPECTRA regarding this Liberty Park
 9 will go directly to Liberty Park for green space
 10 improvements and not to the DEP's or the State's
 11 general treasury accounts.
 12 However, we do urge the DEP to require
 13 a much higher lease to the mitigation figure as the
 14 proposed figures over 20 years and considering how
 15 the value of money changes, we feel they're very low
 16 compared to what SPECTRA should pay, what their
 17 corporate wealth and what their projected earnings
 18 would be.
 19 So, please don't sell liberty State
 20 Park short, whether the payments would be 20 years
 21 from now and even now. It would really be a pittance
 22 of what Liberty Park could use and, and does deserve
 23 for the improvements to this park which has over
 24 5,000,000 visitors a year and is the second most
 25 visited State Park in America next to Niagara Falls.

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1 And, the park is one of the most sacred
 2 public spaces in our nation because it is the popular
 3 free green space behind the world's greatest symbol
 4 of freedom.
 5 So, in conclusion, as stewards of one
 6 of the world's greatest urban parks, we urge you to
 7 please reject this inevitably dangerous high pressure
 8 pipeline proposal.
 9 Okay. Thank you very much.
 10 MR. BRUBAKER: Thank you for those
 11 comments, Sam.
 12 Now, I would like to ask Joe Scott.
 13 MR. SCOTT: Thank you for the
 14 opportunity to comment.
 15 My name is Joe Scott. I am the
 16 President and CEO of Jersey City Medical Center. I
 17 am also a Jersey City resident.
 18 I love Liberty State Park.
 19 As Sam said, this is a great walking
 20 park. I often walk from my home, on Columbus Drive,
 21 over to the park and I really do enjoy it.
 22 We've publicly gone on record, from the
 23 Medical Center, opposing the pipeline because of its
 24 close proximity not only to the Hospital Medical
 25 Center but also our EMS Headquarters, this creates

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1 significant safety for the residents and, in
 2 addition, to providing continued medical services in
 3 the event that there was some type of disaster that
 4 would happen with the pipeline.
 5 It is a serious consideration. I know
 6 tonight's meeting is about, just talking about what
 7 the cost or the lease rate would be for the Park.
 8 But, I do believe that it is a serious issue to be
 9 strongly considered as we look at where this pipeline
 10 would go and its close proximity to the Medical
 11 Center.
 12 To give you some idea, the Medical
 13 Center is 316 beds. We're the only trauma center in
 14 Hudson County serving almost a million people. If in
 15 fact there was an explosion with the pipeline in
 16 close proximity to the Medical Center, that would
 17 somehow damage the Medical Center.
 18 The next closest facility to treat
 19 trauma patients is at the University Medical Center
 20 in Newark, New Jersey. That is a far distance for
 21 people to travel in the event that we would have some
 22 type of disaster.
 23 In trauma, the biggest issue is the
 24 golden hour. So, getting people to a trauma center
 25 within that golden hour is utmost to the survival for

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1 patients who, who are in any type of disaster.
 2 So, it's really important that we look
 3 at where this pipeline is going, its proximity to the
 4 Medical Center and to our EMS Headquarters and what
 5 potential impact that could be.
 6 We're here tonight to really comment on
 7 how much we would pay for the land lease. And, I
 8 believe Sam is correct, we have a 15 acre campus,
 9 less than a quarter mile from where the pipeline
 10 would go, just north of the Liberty Science Center,
 11 directly opposite from the Liberty Science Center.
 12 On the back side of that campus we have a medical
 13 office building and then a parking lot.
 14 We recently had that land appraised and
 15 that came in at .75 acres is worth between 15 to
 16 \$20,000,000. So, I think that needs to be part of
 17 the consideration here. Even though this is public
 18 property, it's property that could not be developed.
 19 There is land in close proximity to this land that
 20 we're talking about where you're valuing at less
 21 than, it looks like, about 2.2 million over a 20 year
 22 period. And, I believe that we need to take a closer
 23 look at how much money the State would get.
 24 I also believe that any monies that are
 25 provided, and I agree with Sam, would go back to the

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1 Park. But, we also need to, if this pipeline were to
 2 go through, what precautions we're going to take to
 3 protect the Medical Center as we move forward as a
 4 vital health care service in the event that there
 5 were any type of catastrophe.
 6 So, thank you for the opportunity to
 7 comment.
 8 I think these are important issues that
 9 effect my community, my medical center and the people
 10 that we serve. And, I think it's important that you
 11 take those into consideration.
 12 And, I also believe you need to take
 13 into consideration the value of the property. Jersey
 14 City is a highly dense area. The value of the land
 15 is significantly more than what SPECTRA is willing to
 16 pay for it here. And, I think that needs to be a
 17 serious consideration.
 18 Thank you.
 19 MR. BRUBAKER: Thank you for those
 20 comments, Joe. I would like Deborah Sinico to come
 21 up and public comment, please.
 22 MS. SINICO: Good afternoon. I'm
 23 Deborah Sinico and live here literally right behind
 24 Liberty State Park. I live on Pine Street and
 25 Communipaw.

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1 So, this little pipeline that you guys
 2 want to put through which isn't little, by the way,
 3 is literally right down the street from me, yeah.
 4 I oppose this.
 5 You guys don't have enough money, as
 6 far as I'm concerned, to pay for any of it. And,
 7 quite frankly, I'm also concerned for environmental
 8 issues.
 9 Listen, I bought the house that I live
 10 in. I am a land owner. I'm not a renter.
 11 I bought this house because it was
 12 right behind Liberty State Park. I didn't buy it so
 13 you guys can put your gas line in here.
 14 I am so against this. I'm against
 15 fracking. And, if any of you have not seen the
 16 documentary Gas Land, I urge you strongly to see it.
 17 It's called Gas Land. It's one of the best
 18 documentaries about fracking you will ever want to
 19 see. Once you see it, you will be so against this,
 20 that you will become an activist.
 21 I can't say anything more except that
 22 I'm against this. I will fight it in any way I can.
 23 Of course, civil, of course. I believe it's civil
 24 disobedience.
 25 So, please, everybody, you can't allow

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1 this to go through.
 2 Thank you.
 3 MR. BRUBAKER: Thank you, Deborah, for
 4 those comments.
 5 Now I'd like to ask Elna Ukkaida to
 6 offer her comments, please.
 7 MS. UKKAIDA: Elna, E L N A, M as in
 8 Mary U K K A I D A.
 9 I'm a resident of the Hamilton Park
 10 Neighborhood Association. And, we're the
 11 neighborhood association that's in the lower section
 12 of where, the path of the gas pipeline.
 13 I just want to focus my comments about
 14 the lease of the property, first by our concerns of
 15 the neighborhood because, on the western side and the
 16 northern side of our neighborhood, we would be
 17 considered to be in what we feel is the blast zone if
 18 anything should happen. We're bordered by the access
 19 to the Holland Tunnel to the north of us and, of
 20 course, we have the light rail, path train, access to
 21 the Turnpike, all these transportation or freight
 22 lines.
 23 And, I know you heard this over and
 24 over the last number of years but I just want to
 25 reiterate it that it, it would be a severe impact, of

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1 course, to my neighborhood. It's, after 9/11, I --
 2 the Holland Tunnel, after 9/11, my co-association's
 3 insurance went up about 10, I forget exactly how
 4 much, 10, 20 percent. It was crazy. So, what I
 5 don't know yet is what will happen when the word gets
 6 out that there will be a high pressure 30 inch
 7 pipeline that is within about four blocks of where my
 8 condominium is.
 9 So, going back to the, of course, the
 10 concerns I am hearing is primarily about the lease of
 11 this property. I am a little naive about this but,
 12 to me, a lease means that you will have access to
 13 this for a period of 20 years. Geeze, after 20
 14 years, if the landlord says no, you can't renew your
 15 lease, will you pack up your pipeline and leave?
 16 I and people brought up points of value
 17 of the land. I don't know if this is -- do we have
 18 contingency plans for how much the increases will be
 19 as in regular lease agreements? I'm thinking in
 20 terms, of course, of apartment type leases.
 21 But, we certainly would like to see
 22 that, in essence, if you do have access to this .93
 23 acres of the pipeline right-of-way, you're pretty
 24 much saying you're taking it, period. And, that's
 25 something that I really feel that you should not have

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1 that right.
 2 And, anyway, I know, for most of the
 3 people in my neighborhood, please, we don't want it
 4 in our neighborhood.
 5 But, thank you for your attention.
 6 CHIEF YEANY: Before we take more
 7 comments, I want to clarify one point. You're
 8 correct, it's a 20 year lease and that would, in
 9 other circumstances, seem to imply that the lease
 10 would pack up and leave after 20 years which my
 11 understanding is that the expected life of an
 12 interstate gas transmission pipeline is much more
 13 than 20 years. And, we're not saying that we would
 14 ask the company to vacate at that point but, in year
 15 21 we would have the opportunity to renegotiate the
 16 lease, whatever the appropriate property values are
 17 at the time.
 18 In fact, the 1.3 million dollars
 19 payment is supposed to represent essentially a land
 20 compensation component of this project because of the
 21 recognition that the pipeline is not going away and
 22 that it will, on some level, have a permanent impact
 23 on the park.
 24 So, we did try to take that into
 25 consideration.

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1 I understand people's points about the
 2 starting point of it potentially being too low as far
 3 as property values. But, the idea was annual rent
 4 for the first 20 years, it's estimated 2 1/2 percent
 5 each year so, as Frank said, the total is something
 6 above \$850,000; and, then the separate one time
 7 payment of 1.3 million as a permanent land
 8 replacement component, that will be applied to a
 9 project in the park.

10 MS. SINICO: I have one question. Is
 11 this already like a done deal? Pretty much you say
 12 it's not but it sounds like it to me. You guys are
 13 going do this regardless even if we don't want it.

14 CHIEF YEANY: Well, I think Scott made
 15 it before they we're not going to have official and
 16 par of their rule is to approve the route. So, we
 17 are property owners like other property owners in the
 18 path of this project. So, we are considering what
 19 our options are.

20 And, you know, part of why we're
 21 considering the lease is because we don't want to
 22 give up permanent property rights within this park
 23 for this project. So, we could grant them an
 24 easement, if that's been the Department's practice in
 25 the past. And, these days we've swung more back

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1 towards these lease arrangements and not giving up
 2 permanent rights so that we have more control over
 3 our properties.

4 MS. SINICO: Well, what happens if some
 5 kind of disaster -- I mean, I'm just curious, are you
 6 guys prepared for that?

7 CHIEF YEANY: That's not something that
 8 I personally can comment on right now. I'm not
 9 stationed up here running the park.

10 MR. BRUBAKER: Okay. Now I would like
 11 to call Derek up for comments.

12 MR. FANCIULLO: Good afternoon. My
 13 name is Derek Fanciullo. I'm a resident of Jersey
 14 City. However, I'm here in more official capacity as
 15 an Assistant Corporation Counsel for the City of
 16 Jersey City, effectively one of the City's lawyers.

17 And, in the spirit of zealously
 18 representing my client, putting aside for the second
 19 the City is still disappointed with the failure that
 20 is the fact that this pipeline has not been shut down
 21 yet.

22 What we're talking about here is
 23 something more. Were DEP to enter into this
 24 contract, this lease agreement with this Multi Builds
 25 Pipeline Corporation, it wouldn't just offend the

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1 City's sensibilities, this would be patently unlawful
 2 as it is the City's perspective that this does not
 3 comport with DEP regulations, their own regulations.

4 The State, I have to read this, "it is
 5 the Department's policy to strongly discourage the
 6 disposal or diversion of parkland", which this is, "a
 7 last resort and should only be considered when it is
 8 necessary for a project that would either, one,
 9 satisfy a compelling public need or, two, yield a
 10 significant public benefit". This pipeline project,
 11 as construed, does neither.

12 As a first cut, it does not satisfy
 13 public need insofar as DEP regulations define a
 14 compelling public need, as something that mitigates a
 15 hazard to the public health, safety or welfare. This
 16 pipeline does none of the three. In fact, it does
 17 the exact converse as I will get into in a second.

18 It causes a substantial hazard to the
 19 public health, safety and welfare.

20 To that end and similar, this pipeline
 21 does not yield a significant public benefit either.
 22 Sure, there will be public benefit that flows from
 23 this pipeline but that public benefit will be
 24 exclusively had by two entities and two entities
 25 only, exclusively shared by New York City and by the

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1 multi billion dollar energy company that is SPECTRA
 2 Energy Corp.. After those two get through at the
 3 table, there will be very few table scraps to go
 4 around for the citizens of New Jersey even were there
 5 scraps to be had, where there's something substantial
 6 to go around by way of public benefit to which it
 7 would be, mitigate and probably overwhelmed by what
 8 the City sees as a substantial safety hazard, the
 9 substantial significant overwhelming safety hazard
 10 that this pipeline presents.

11 Jersey City has been in touch with
 12 world respected, if not world renowned pipeline
 13 safety expert, a man whose Curriculum Vitae spans 10
 14 pages. He has about 40 years of experience in this
 15 industry and he has developed a remarkable accurate
 16 equation in terms of predicting pipeline blast radius
 17 and pipeline advantage radius of that pipeline, ran
 18 the numbers for us.

19 And, based on this pipeline's
 20 specification, based on this pipeline's size, between
 21 30 and 42 inches, this pipeline's pipe wall thickness
 22 and other design factors, this pipeline, the amount
 23 of gas this pipeline will transmit and the pressure
 24 at which it will transmit it, this pipeline safety
 25 expert has determined that were it to rupture, were

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1 this pipeline to rupture, it would blast a crater in
 2 the earth two-thirds a mile in diameter. Again, were
 3 this pipeline to rupture, it would blast a crater, a
 4 circle two-thirds a mile in diameter in which
 5 everything would be destroyed.
 6 We run the numbers based on that in
 7 Jersey City. We have done the math, pie R squared,
 8 trying to figure out the circle area that this were
 9 to take out were this pipeline to rupture in Liberty
 10 State Park, 8.6 million square feet, 8.6 million
 11 square feet of pipeline would be lost, incinerated,
 12 gone. To put that into perspective, that is roughly
 13 20 percent of what Liberty State Park is that would
 14 be, again, incinerated, leveled, gone from the face
 15 of the earth.
 16 There is no public benefit to be
 17 derived from that.
 18 So, again, putting aside the City's
 19 disappointment with how this has proceeded so far, we
 20 believe the DEP can still do the right thing. The
 21 DEP must follow its own rules and not tacitly
 22 encourage this pipeline.
 23 MR. BRUBAKER: Thank you, Derek for
 24 those comments.
 25 Those are all the folks that we have

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1 identified as speakers.
 2 Is there anyone that would like to
 3 speak that's here at this time?
 4 MR. McKELVEY: Will you entertain
 5 questions?
 6 MR. BRUBAKER: We will selectively
 7 entertain questions. If you feel they will shed some
 8 light on the project, yes.
 9 MR. McKELVEY: Basically it's a
 10 clarification directed to SPECTRA. And, you showed
 11 us diagrams of where the pipeline will be. One was
 12 at the south end of the park, one was at the central
 13 and one was at the north. I didn't see any diagram
 14 between Liberty Science Center and Audrey Zapp Drive.
 15 Is that area included in the .93 acres?
 16 MR. BRUBAKER: No, it's not.
 17 MR. McKELVEY: I'm surprised.
 18 MR. GESSNER: No, it is not.
 19 What you saw we present tonight are the
 20 three areas. The total is .93 acres of an impact.
 21 MR. SCOTT: How do those two pieces get
 22 connected?
 23 MR. GESSNER: I don't have the
 24 alignment sheets with me tonight. I apologize. But,
 25 the line is connected. It does cross, it crosses the

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1 New Jersey Turnpike, the opposite side when you get
 2 past Johnson Avenue and goes on the other side of the
 3 Turnpike and runs parallel with, I believe that is
 4 the Conrail property over there and runs within the
 5 Conrail property.
 6 MALE SPEAKER: Would you say the
 7 Conrail property is within .66 miles of the Jersey
 8 City Medical Center or the EMS headquarters or Jersey
 9 City Fire Headquarters or Jersey City Police
 10 Headquarters should they rupture?
 11 I'm basing it off from the numbers of
 12 the, from the gentleman.
 13 MR. GESSNER: I don't have those
 14 numbers with me.
 15 MR. McKELVEY: So that what we're
 16 saying then, the impact on Liberty State Park is far
 17 more than the .93 acres that we've been talking
 18 about.
 19 You're not, you're not going to run on
 20 New Jersey, New Jersey Turnpike property. That's,
 21 that's a no-no. They will not let you go on their
 22 property.
 23 Therefore, you have to go east of it
 24 and you have to go through the New Jersey DEP
 25 property between Liberty Science Center and Johnston

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1 Avenue or Audrey Zapp Drive.
 2 MR. GESSNER: The proposed line crosses
 3 Liberty Science Center, continues down, crosses
 4 Johnson Avenue, just after Johnson Avenue where it
 5 exits the New Jersey DEP property, it, it turns, the
 6 line turns and goes under the Turnpike.
 7 MR. McKELVEY: Correct. Correct.
 8 MR. GESSNER: That is Conrail's
 9 property on the other side and it runs parallel
 10 within Conrail.
 11 MR. McKELVEY: I realize that I'm
 12 talking about the eastern property between Liberty
 13 Science Center and Zapp Drive, that is on New Jersey
 14 DEP land. And, you said it wasn't included in this
 15 .93 acres and that land is part of Liberty State
 16 Park.
 17 MR. BRUBAKER: We'll pull the map up.
 18 We'll pull the map up and take a look at it.
 19 MR. GESSNER: You probably can hear me
 20 from here.
 21 This is where we cross Johnson Avenue.
 22 This is Johnson Avenue here. As we cross Johnson
 23 Avenue, at this particular point, we cross the
 24 Turnpike. And, we run parallel down through this
 25 Conrail property.

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1 MR. McKELVEY: Yeah. I know about
2 that. I'm talking about the left.
3 MR. GESSNER: You're talking about this
4 piece here?
5 MR. McKELVEY: No. That's the far
6 south end of Liberty State Park.
7 MR. GESSNER: At this point here we're
8 at Wilson Street.
9 MR. McKELVEY: I'm talking about from
10 the right-hand side of this map to the left hand side
11 of the next map, where is Johnston, where is Zapp
12 Drive?
13 MR. GESSNER: I don't know where Zapp
14 Drive is. This is, this is Johnson Avenue.
15 MR. McKELVEY: Yes.
16 MALE SPEAKER: He's talking about this
17 whole strip right here. You're talking about this
18 traffic circle and in between that is this whole
19 area.
20 MR. GESSNER: I can't see that from
21 here.
22 MALE SPEAKER: There's a map right
23 there.
24 MR. McKELVEY: It shows on your map
25 here but it doesn't show on your power point. And,

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1 what I'm wondering is, are you including that area in
2 the .93 acres or not?
3 MR. GESSNER: All the property with the
4 New Jersey DEP is included within the .93 acres and
5 the 1.818 acres of temporary work space.
6 MR. McKELVEY: Except that it doesn't
7 happen to be shown on your power point?
8 MR. BRUBAKER: We can go off the
9 record.
10 (Off the record.)
11 DEPUTY MAYOR TAYARI: I am the Deputy
12 Mayor.
13 Now can we hear the official answer?
14 MR. GESSNER: Everything is included.
15 What the gentleman was asking was that
16 right here there's a line.
17 DEPUTY MAYOR TAYARI: Excuse me. Could
18 we have one conversation?
19 MR. GESSNER: Right here there is a
20 line. When you -- if you go to the previous slide,
21 this hatched line right here matches up.
22 If you could read that number, it
23 matches the line I showed you on the previous slide.
24 That's why you don't see anything right here.
25 If I could put the two together, it

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1 would be seamless.
2 All right. So, everything that you see
3 here tonight is part of the .93 acres and the 1.818
4 acres of temporary work space.
5 Okay.
6 MR. BRUBAKER: We will be here. We've
7 committed to being here till close to 8:00. So,
8 we'll, we'll be here if anyone would like to --
9 We'll wait for other people, if they
10 want to comment or make further comments or
11 questions.
12 MR. BRUBAKER: Come up, ma'am. I'm
13 sorry.
14 MS. ALEXANDER: I just want to -- Iome
15 Alexander. I'm asking the question of Chapel and
16 Caven Point, there's a baseball field there. The
17 kids come and play ball. There's buses of children
18 and then at the Liberty Science Center there's buses
19 of children that come there.
20 This line is going to be running right
21 along there. God forbid if something happens, all
22 these children are gone. These people put their
23 children on the bus to send them to the Liberty
24 Science Center and they may never see them again if
25 something happens. I think that's horrible.

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1 I live 2 1/2 blocks from the area of,
2 of where the line is going to run. I'm gone if it,
3 if it explodes.
4 You know, I think this is very
5 dangerous and it shouldn't be done. You know, I'm
6 just one. There's a lot of people that live in my
7 neighborhood.
8 And, like the lady said, I bought my
9 house and I, I had to struggle to pay for it. I
10 don't want to lose everything I've got after coming
11 this far.
12 So, you know, I think it's a horrible
13 idea.
14 MR. BRUBAKER: Okay. Thank you.
15 So, we'll just -- we're just going to
16 wait to see if someone else comes to comment.
17 Thank you all for coming out tonight.
18 (The hearing concludes at 7:40 p.m..)
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1 C E R T I F I C A T E
2 I CERTIFY that the foregoing is a
3 true and accurate transcript of the testimony and
4 proceedings as reported stenographically by me at
5 the time, place and on the date herein before set
6 forth.

7 I DO FURTHER CERTIFY that I am
8 neither a relative nor employee nor attorney or
9 counsel of any of the parties to this action, and
10 that I am neither a relative nor employee of such
11 attorney or counsel, and that I am not financially
12 interested in this action.

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DONNALYNN J. ARNOLD, C.C.R.
LICENSE NO. XI00991
MY COMMISSION EXPIRES 08/04/14

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C E R T I F I C A T E

I CERTIFY that the foregoing is a true and accurate transcript of the testimony and proceedings as reported stenographically by me at the time, place and on the date herein before set forth.

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



DONNA LYNN J. ARNOLD, C.C.R.
LICENSE NO. XI00991
MY COMMISSION EXPIRES 08/04/14

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	13:22;18:9;59:8,15	58:13	736-26.10 (1)	35:21
\$	150 (1)	31st (2)	51:17	acquisition (1)
\$1,000,000 (1)	54:9	6:11;40:15	75 (1)	6:7
46:13	16th (2)	35 (1)	59:15	acre (7)
\$1,350,924 (2)	6:14;40:18		8	18:24;19:2,3;31:15;
9:15;44:17	1965 (1)	4		41:15;45:6;59:8
\$1.50 (1)	54:9		8 (1)	acreage (1)
19:6	1976 (1)	4 (3)	50:17	35:21
\$20,000,000 (2)	54:22	35:14;48:22,24	8.6 (2)	Acres (48)
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