NJ DEP hearing 9-7-11

NJ DEP Public Hearing 8-18-2011

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Full-size Transcript

Prepared by:

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Robert Cirillo, Inc.

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Transcript of proceedings
NORTHEAST UPGRADE PROJECT
Ringwood Municipal Building
Ringwood, 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.
Ringwood Borough: 8-18-2011
Northeast Upgrade Project
Tennessee Gas Pipeline Company

Thursday, August 18, 2011

BEFORE:
JUDETH PICCININI YEANY, ESQ., Chief Legal Services & Stewardship, State of New Jersey DEP Green Acres Program at DEP
ALYSSA P. WOLFE, 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:
Pam Herring, Amy Gonzales, Robert Winter, Mike Heenehan, Donna Mahon, Rich Boornazian, Scott Brubaker

ROBERT CIRILLO, INC.
Certified Court Reporters
182 Columbia Turnpike
Florham Park, New Jersey 07932
Phone (973) 740-1331
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NJ DEP Public Hearing 8-18-2011
MR. GREDVIG: Your attention please.

MS. YEANY: I'm Judeth Yeany from the DEP. I'm going to be moderating the hearing. We're going to give people a few more minutes to get here because we were expecting more people in attendance. We'll probably start about ten after.

In the meantime there's maps of the pipeline route and some information about the project up on the board so if you want to take a look. Thanks.

(Brief recess.)

MS. YEANY: Okay. Thanks for coming, everyone.

My name is Judeth Yeany, Y-E-A-N-Y. I'm Chief of the Bureau of Legal Services and Stewardship for the Green Acres Program at the DEP in Trenton. And many of you know the Green Acres Program because we acquire land on the behalf of the state to add to state parks and forest and wildlife management areas. But we also get involved when people come to the State to the DEP to ask to acquire rights in state property, including long term uses of state property.
So the reason we're here tonight is that Tennessee Gas Pipeline Company has filed a request with the DEP to lease certain areas of right of way on state parks, several state parks that we'll talk about in the few minutes. In order to install several segments of 30-inch interstate natural gas transmission pipeline and under a project that they call the Northeast Upgrade Project.

Now, installing interstate pipelines is a pretty highly-regulated industry and the agency that oversees whether the project will ultimately get built is a federal agency called the Federal Energy Regulatory Commission or the FERC.

So Tennessee has filed an application with the FERC seeking approval to build this project and the FERC is in the process of reviewing that application. DEP is a participant in that process, both in our role as a property owner and as a state regulatory agency and we have filed a number of comments on the company's application, essentially objecting to certain aspects of the application.
In the end, FERC issues what's called a Certificate of Public Convenience and Necessity and that contains a finding that there's a need for the project and it approves a route for the project. They also conduct an environmental review as part of their process.

There are also many other state, local federal approvals that are needed for this project, some of which will come from DEP, such as wetlands permits.

We're actually not here today to talk about any of the permits that need to be issued for the project, but what we're here to talk about is the state, as a property owner, and whether at the end of this whole FERC process and permitting process, if this project moves forward, whether we should lease right of way to the company for the project.

If all the approvals are issued for the project, we, like many other private property owners expect to end up on the route of the project and we have been asked whether we would consider leasing right of way to the company if all those other approvals are obtained.

So when we consider a request of that
type, we have a process that we have to follow.

Some of you know it as the Odgen Rooney
statute, but it does require us to go through a
number of steps before we could agree to this
kind of lease.

So the first step in the process that we
have to follow is that we have to write a
record analyzing what has been proposed to us.
And about a month ago we released that
report, it's available on line. Anybody who
wants to find it, we can try to post the web
address later. And that report analyzes the
pros and cons of the requested lease, the
environment impacts, particularly recreational
impacts and there's also a fiscal analysis of
the lease.

We are then required to conduct one or
more public hearings, and for this project we
have scheduled three public hearings. The
first on was held last night in Montague. This
is the second of the public hearings, and we
have another hearing on September 7th at the
main DEP building in Trenton.

Once we issue the report, have the public
hearings and again wait and see if the project
really is going to move forward, the proposed lease still requires the approval of our commissioner and the state house commission. And we would not expect that any approvals would be issued for this proposed lease before December of this year. There's time frames that we have to follow and that would take us to the end of the year before any kind of approval could be issued for this lease.

So in a minute I'm going to turn this over to Melissa Dettling who's a representative of Tennessee Gas Pipeline Company and she's going to give you an overview of the project. But I did want to talk about a couple of aspects of the project as you're about to hear her describe it.

As I mentioned, the company has filed an application with FERC for the approvals they need to construct the project. They have proposed a route to FERC and there's a specific acreage associated with that route. The slides that Melissa is going to show you talk about obtaining a permanent right of way, which we are not proposing to give permanent easements to the company, we're talking about a 25-year
lease, and they also include numbers that were
in the FERC filing.

Our objective with this project, if it
does move forward and if we do grant the lease,
is to have the company demonstrate first that
it can't avoid state property for their new
right of way. And in those areas where state
property can't be avoided, that it's minimized
all the impacts, both by reducing the right of
way where they can and minimizing construction
related impacts in any areas that they go into
on the state parks.

So Melissa is going to show you acreage
figures that are based on the FERC filing, but
we really anticipate that if this project
happens and it goes through state property,
that the final acreage numbers will be smaller.
We consider the acreage figures to be a worse
case scenario, but until the company amends its
filing with FERC, those are the numbers we have
to use and the ones that we're going to discuss
tonight.

If all that acreage were taken that has
been proposed to FERC, we're talking about
potentially a rental that the company would
have to pay somewhere in the neighborhood of
7.8 to $8.6 million over a 25-year period
depending on how much temporary work space ends
up being used for the project.

But again, if the acreage goes down at the
end of this project, those numbers will change.

I'm going to talk about compensation after
Melissa does her presentation and then we'll
open up the meeting to public comments.

Thanks.

MS. DETTLING: Thank you.

My name is Melissa Dettling. I am the
environmental project manager for Tennessee Gas
Pipeline Company working on the Northeast
Upgrade Project. I'll go through the
presentation for you.

To begin, I'm going to just introduce to
few members that we have here. Penny Paul, who
is our Stakeholder Outreach Manager is here.

Dan Gredvig, who is our land manager working on
the project. Pam Herring is in our permitting
group as well. Amy Gonzalez is here with AK
Environmental who is consulting with us on the
project. Jerry Creel over there is our project
manager to the Northeast Upgrade Project.
So as I go through the presentation or after, we will be here to answer any questions that you might have.

Before I begin the presentation or we're going to start with the slides. Penny Paul is going to go through a few of the first slides for us.

MS. PAUL: Thanks Melissa and thanks everyone for being here. Can you hear me? Do I need this?

VOICE: Yes.

MS. PAUL: I need it. Okay. Can you forward the slides?

(Viewing the presentation.)

MS. PAUL: Just a brief overview of the El Paso Corporation and Tennessee Gas Pipeline.

Tennessee Gas Pipeline is a wholly-owned subsidiary of the El Paso Corporation. Our purpose as a company is to provide natural gas and related energy products in a safe, efficient and dependable manner.

The Tennessee Gas Pipeline expands over 13,000 miles of pipeline from the Mexican border up through Canada. We have over 90 billion cubic feet of working gas storage.
and we supply markets throughout the Northeast including major metropolitan areas in New York, New Jersey and Boston, the mid Atlantic and the Southeast. We have over 50 years of experience in pipeline design, construction and operation.

Tennessee Gas Pipeline is prepared to meet the demands of a growing market with the integrity and commitment to service that have made it one of the safest and most reliable pipelines in the United States.

This slide shows a forecast over the next ten years for a demand for natural gas. In this region, as you can see, it's broken down, Pennsylvania, New York and New Jersey. In New Jersey specifically we expect in the next decade an increase in demand of between 400 million cubic feet per day and 500 million cubic feet per day. That high end is during the peak month. And this research is consistent with industry forecasts including that of the federal government.

To go through some of the benefits the project. Currently natural gas storage struggles to meet peak day winter requirements and strains the regional pipeline capacity.
The Northeast Upgrade Project will alleviate strain on the 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 consumers in the Northeast.

As Judeth discussed, the Federal Energy Regulatory Commission now assesses the public need for this project. This project fulfills the public need by transporting natural gas to meet the decreasing demand for energy in the Northeastern U.S.

The project will help alleviate demand by increasing pipeline capacity to the high demand markets in the Northeast. And it will assist with the FERC's goals of providing natural gas to markets through access to natural gas supplies in the northeast supply.

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

So now, I'm going to turn it over to
Melissa.

MS. YEANY: I asked Melissa to give me a chance to speak before she launches into the project description because I omitted one crucial fact, which is that in all the areas that we're about to talk about, there is an existing Tennessee gas pipeline in the ground in all of these state parks. It's been there since 1954 and was originally constructed under a 50-year easement that was granted by the predecessor agency to the DEP. That agreement expired in 2004 and was replaced with a 20-year lease.

So the proposal that's before us now is to expand that right of way through a separate 25-year lease for all the additional areas of the right of way.

So we are not talking about a completely new right of way, we're talking about an expansion of the existing right of way.

Here you go.

MS. DETTLING: Thank you.

I'm going to go into a project description for the Northeast Upgrade Project.

We've put a map up here, and just as
Judeth said, there is an existing pipeline, it's a 24-inch diameter natural gas pipeline. It's shown there on the map. We refer to the section that's shown on the 300 line, pipeline system that's existing.

The boxes that are shown up there with numbers are existing compressor stations on that system. There are some areas, as you see, that have double blue lines where the pipeline system is currently being looped or has been looped and I'll go over what that pipeline loop is.

There are red sections of pipe that are shown there with mileage numbers. Those are the pipeline looping sections. There are five discreet loops. Those are the areas that are the being proposed for Northeast Upgrade Project.

As you can see, there are four loops in Pennsylvania. One of those loops crosses into the State of New Jersey and then there's a fifth loop that's wholly in New Jersey.

The entire project consists of approximately 40 miles and we're proposing a 30-inch diameter natural gas pipeline loop.
The Loop 323, as we refer to it, is the pipeline loop that crosses the state border before Pennsylvania and New Jersey. There's approximately 6.5 miles in New Jersey of that loop.

Loop 325, which is a loop at the farthest east end is 7.6 miles approximately and you can see it there in red. The triangle at the end of that is the Mahwah meter station. It's an existing meter station that we'll be making modifications there and it's the proposed delivery point of this gas.

The compressor stations that are shown in green, we're proposing to complete some modifications to upgrade those systems and increase the output there of horsepower, but they're all existing and we're not proposing any new compression stations.

The project is proposed to be in service in November of 2013. And as I stated, it will add incremental volume of 630,000 dekatherms of gas.

Go to the next slide. As I stated, there are pipeline loops being proposed for this project. A pipeline, a loop, we refer to is a
pipeline segment that is adjacent to and parallel to an existing pipeline. It ties into the pipeline that's existing at the beginning and end of the loop segment.

We're proposing these pipeline loops to be offset 25 feet from our existing pipeline section, and that just allows for additional capacity to run through the system. Where the existing system can't hold additional capacity, we can add an adjacent pipe that can add capacity.

The next slide depicts the construction process that we would go through to install these pipeline loop sections. They go through a number of stages that the pipeline construction process goes through, beginning at tree clearing, grading, topsoiling, ditching and it goes through the process of welding, installing the pipe, inspecting the pipe, returning the soil back, covering it and regrading, de-compaction and then a restoration and monitoring process.

Here is the general timeline being proposed for the project. We've entered into a prefiling process with the Federal Energy
Regulatory Commission. The prefiling process is what you can enter into which allows for early outreach to agencies and land owners that a project is coming. We've chose to enter that process and did so very early on.

We filed a draft application for certificate from the Federal Energy Regulatory Commission in December of 2010 and our certificate application was filed in March of 2011.

Through that process there are open houses that we as a company will hold, and FERC as well held scoping meetings to get comments on the project. And those have already happened.

And as I stated, part of the certification application is a draft environmental report and then a final environmental report that we as the company prepare. And then when a certificate is issued, FERC will issue their environmental assessment on the project.

So through the process we started survey work in 2010. As I stated, we filed the application. We commenced permitting processes with local, federal and state agencies. The FERC MEA that I mentioned, the environmental
assessment is anticipated to be issued in the
fall or winter of 2011 and certificate, if
issued, is being requested in January of 2012.

This will allow us to commence
construction and be in service by November of
2013.

So tonight we're here to discuss the state
parks that the Northeast Upgrade Project is
proposing to cross.

First, I'm going to go into High Point
State Park and mention there. We have a map --
oh, I'm sorry.

This is an overview of the two loops and
the three parks or four that we'll be talking
about tonight. So on the top left corner of
the map, you can see High Point State Park.
That's Loop 323 that I mentioned. That crosses
on the bottom right of the map.

You see the two parks, Long Pond Iron
Words and Ringwood State Park and then Ramapo
State Forest where an access road crosses
through. And we'll get into more detailed maps
of each of these areas.

Here is the map of High Point State Park.
The pipeline loop that's being proposed is
there in yellow and it has numbers depicting what's starting with an "MP," those are mile posts. That's how we designate moving along the pipeline where we give it a mile post designation starting at zero and going through. All of our reports will tie those areas to that mile posting to reference any area along that pipe or work space.

These maps, if you look at them in the report, layout the lots and blocks that are on the Green Acres parcels.

These are tables that will outline proposed impacts of the projects on each of the lots and blocks in these state parks that are being crossed by the project. We break out the impacts, as Judeth mentioned, in the new lease area or right of way that the pipeline will need versus temporary or additional temporary work space that's needed for the construction of the project.

Those areas will be restored and will not be kept as a lease if a lease is granted on the property. They will be temporary in nature. They will be restored and monitored until they are successfully restored and revegetated and
will not be returned to.

The numbers in green are the summary total numbers for the lease areas that would be a right of way that would be maintained for the pipeline once it's in service and then the number or temporary impact acres that would be proposed.

The next table shows access roads in High Point State Park that we are proposing to use for the project. All three of these roads are existing. We're not proposing to build any new roads for the project, so we'd be proposing to just utilize existing access roads. And so we've identified the acreage that would be needed to do so in these tables, and the length for linear foot.

The next slide goes over a high level of environmental aspects in the park that we've identified and reviewed the environmental impacts to the project. I've summarized for each of the state parks all the parcels that we'd be crossing, how many water body crossings there are, how many wetland crossings, including estimated acreage of impacts.

The project is proposing to cross two
natural area priority sites in High Point State Park. Both of those have been designated in our project crossing area due to rare plant species. And those species have all been surveyed for and none were found during our field surveys.

At the bottom there I've just done a high level summary of federal listed species that were surveyed for in High Point State Park; bald eagle, bog turtle, dwarf wedgemussels and Indiana bats. We did analysis of the habitat. We did consult with federal and state agencies and conducted field surveys as needed and the results are outlined in the report as well as on the slide here.

We are proposing to -- I don't think it's mentioned on this. Oh, yeah, it is mentioned on the slide.

In general the entire project, tree clearing activities will be adhered to recommended tree clearing windows to avoid impacts on migratory birds.

So regardless of any survey work that was conducted, we will be clearing all trees for the project if it's approved within recommended
clearing restriction dates with migratory birds. That means that we won't be clearing trees before the fall when migration periods have gone through.

I'm going to go through similar maps and slides for each of the other state parks. Long Pond Iron Works, Ringwood and Ramapo Mountain State forest.

Here's a slide that shows a closer overview of Long Pond Iron Works State Park and Ringwood State Park.

As with High Point, the lines in yellow depict the proposed pipeline loops with the mile posts and lots and blocks outlined.

Here's a summary table for Long Pond Iron Works State Park that show the proposed acreage of lease area as well as temporary work space acreage.

A table was also prepared for Ringwood State Park.

And for Long Pond Iron Works as well as Ringwood State Park, we've shown here the six access roads that we're proposing to use in those parks. Again, these are existing access roads. We're not proposing to build any new
access roads in the state parks.

For Long Pond Iron Works, I've outlined some of the high level impact there. Only two water bodies are proposed to be crossed. Monksville Reservoir we're proposing to cross via horizontal directional drill. The Wanaque River is only approximately 13 feet crossing width there. We're proposing to cross that dry, which means we would either dam and pump or flume the crossing as feasible.

I've outlined the wetland crossings. There are no Natural Heritage Priority sites on these parks. On Long Pond Iron Works State Park we did similar state and federal threatened and endangered species habitat reviews as well as extensive field surveys. And no bald eagles, bog turtles, dwarf wedgemussels or Indiana bats were identified in the survey.

We're looking at the potential of using an existing area for a pipe yard that's on Long Pond Iron Works State Park. It's referred to as Jungle Habitat. The majority of that area is an existing paved area, approximately 35 acres. 27.3 of that are paved and not
forested. That is the only acreage that we'd
be proposing to impact any trees on that site,
should we use it.

Here's a map just depicting where jungle
habitat is. The top right corner of the map is
the beginning of Loop 325 and that's where
Monksville Reservoir is, so just to give you an
idea where the pipe yard lies.

Ringwood State Park, there are seven water
body crossings being proposed. Five
intermittent, two perennial, 17 wetland
crossings, there are no Natural Heritage
Priority sites. Federally listed species that
were surveyed for, I have a summary here.

Ringwood Creek is one of the creek
crossings there. We've done preliminary
surveys for dwarf wedgemussels, but additional
surveys will be ongoing for that stream, so a
determination of final presence has not been
made.

That brings us to Bear Swamp Road. We're
proposing to use Bear Swamp Road for access to
the Mahwah meter station area and the end of
Loop 325.

Approximately 7,000 linear feet of that
road runs through Ramapo Mountain State Forest.

We've estimated that we would be using approximately four acres of that access road through that forest rest.

Minimal use is planned on this road.

We're not planning on utilizing Bear Swamp Road for major pipeline construction equipment to be accessing. It would be only planned for minimal use. Improvements to the existing road bed would be made as needed. Side trimming of woody vegetation would be done as needed.

The next slide just shows a little more zoomed in view of Bear Swamp Road, which is the yellow and black line there. And the box there with Ramapo Mountain State Forest is where it crosses and it reaches the proposed pipeline there between the two state parcels.

In High Point State Park, we're proposing to cross the Appalachian Trail. We've prepared a site-specific Appalachian Trail crossing plan, provided it to the New Jersey DEP for review. In that plan, we go through where the crossing is. It's approximately at Mile Post 14. We go through a work space reduction that will be made at that site to limit any impact
to the trail itself.

It goes through what we'll be doing to ensure that the recreational use is kept open as much as possible and what safety measures will be taken to be able to do.

In times when that cannot be done, we'll have alternate trails that will be used to reroute the hikers as we're proposing and the plan also goes through that.

We're also in the process of preparing a general trails crossing plan to cover the other trails that are crossed by the project. Other than Appalachian trail, we have a preliminary list of trails and we requested an official list from the New Jersey New York Trail Conference.

So as we finalize that plan, we will also be finalizing the list of trails that are crossed.

We've approximated that two trails will be crossed on to Loop 323 and approximately 16 on Loop 325.

The general trail crossing plan will go through the mitigation measures that we'll also be using for those trails so that we can make sure to keep those trails open as long as
possible during certain times of construction
where it won't be safe for the trails to open
when there's active construction of the pipe
being put in the trench. We'll go through
those specific times lines when we estimate
that those trails will need to be kept closed.

I put this slide in, and I apologize, it's
not in the presentation, but I wanted to make
sure that we noted that any work space that we
are requesting to use on state lands is subject
to the No Net Loss Reforestation Act. So we've
prepared a No Net Loss Reforestation plan and
we had public meetings to present it. We've
presented it, we've provided it to New Jersey
DEP for review and the Forestry Council is
reviewing it as well as other divisions of DEP.
There were comment periods, and the plan goes
through the reforestation that we are proposing
for the temporary and additional temporary work
spaces proposed for the project and any
mitigation that we would be doing for the
leased areas where the pipeline will be
installed where trees cannot be replanted due
to safety and maintenance requirements of our
pipeline system.
As part of the FERC process as well as several of the permitting processes that we go through, we look at the alternatives. As Judeth said, part of the FERC process is approving a route or not approving a route that we've designed or proposed.

So from the time that this project is brought when we start looking in the field, we go through what we think has the least impact. We've proposed for this project to loop an existing easement. So by paralleling and utilizing an existing easement, we can reduce impacts to residents and the environment.

Now, as we go through this, there are several analysis that FERC requires us to do. One of them would be a no action alternative. That would be what would happen, how would we meet the customer need if no project was built.

Others as system alternatives, can we use a system that we have in place to meet the needs of customers? The route alternatives would look at, can you do this project in another way by building alternative routes?

Alternative water body crossing methods, for example, drilling, resources, as opposed to
open cutting or trenching through and then
construction alternatives.

    As I said with the trail, for example,
work space reduction in some areas or maybe
going around certain resources. We'll look at
those alternatives as well.

    So here is a map just to show you. We
looked at comparing the proposed route through
High Point State Park to a route that would
completely avoid to the park to the north as
wells as to the south. So can we build this
pipeline loop and avoid the park completely and
what would the compared impacts be.

    So we have tables that outline those two
routes and the impacts that it would have on
landowners and environment, forest, wetlands
and streams, things of that nature. And we
compare those acreages and mileages to show
that the proposed route, by looping an easement
significantly reduces those impacts to going
around a green field route.

    We've done the same thing for Long Pond
Iron Works and Ringwood and we have tables that
also show those numbers as well.

    I'm going now turn this over to Dan
Gredvig and he's going to discuss with you some of the other work space alternatives that we're proposing for the project.

MR. GREDVIG: Good evening and welcome.

My name is Dan Gredvig, manager of right or way and permitting for El Paso Corporation, Tennessee Gas Pipeline.

As the slide shows, Tennessee is looking at and has been discussed here tonight, Tennessee is looking at trying to reduce the impacts to New Jersey state lands. A couple of the ways that we're looking at successfully completing that reduction is by shifting our work space, reducing our work space. Not only in our total actual permanent and work space right of way that we're proposing but also in repairing areas going back from 100 feet wide to 75 feet wide.

One thing that we need to look at where we have road crossings and steep slide slopes, we need to make sure that "we," from a safety perspective, that we're keeping the appropriate amount of space available so we can safely construct the pipeline.

Our plan has to work through the LURP and
threatened endangered aspects of the project. They need to be considered and then we also need to do a construability review. All of that goes in together so that we can create a plan that we will be able to take to the DEP for review and request authorization.

The thing that the plan needs to do is it needs to maintain its economic viability for the project and at the same time we're looking to reduce those environmental impacts to the state land.

The next two drawings that you see on the screen show how we will apply that reduction, and what we're looking to do is to shift our construction work space over so that we're overlapping our existing pipeline that Judeth mentioned earlier that we will be parallelling.

We will be able to co-share or use part of that existing right of way overlapping the existing right or way with some of our work space or storage material so that we can effectively reduce our impact to previously undisturbed vegetation.

We have that typical construction footprint showing as well as a wetland riparian
zone shown on the slide.

Another component of our project is to work through the conservation restrictions for parcels that are acquired with Green Acres nonprofit acquisition funds. The NJDEP holds a conservation restriction on properties in accordance with the New Jersey Conservation Restriction and Historic Preservation Restriction Act.

In addition to our proposed 25-year lease that we're requesting from NJDEP, the state owns this conservation restriction and we're seeking to have that released so that we can install our pipeline. That release needs to go before the commissioner of the DEP. We are going to be complying with the legal requirements for the partial release in accordance with the Act.

The tracts that we're talking are owned by Passaic River Coalition. They are encumbered with the Green Acres restrictions and Tennessee is in negotiations with Passaic River Coalition for the easement and the release of their interest in that restriction. Compensation for that partial release of the conservation
restrictions across the Passaic River Coalition properties will be satisfied by the Act requirements.

To give you a framework of the properties that we're crossing, we show on this next slide, the TGP mile posts, the tract numbers that are our internal tract numbers and the Green Acres block and lot numbers that are affected.

In the next slide we show the impacts, both for what we're requesting in a permanent right of way across the tracts, the temporary work space, additional temporary work space, and at the far right you'll see the total impacts to that Green Acres conservation restriction.

As closing for our presentation, I'd like to just remind you that for this hearing, for this public hearing for the Green Acres process the hearing record will close on September 1st. We ask that you submit written comments to the -- besides your comments that will be heard on record tonight that you want to verbally provide, we ask that you provide written comments and submit them by September 1st to
Kevin Koslosky, Bureau of Legal Services and
Stewardship, Green Acres Program located in
Trenton.

If you need or want additional information
about our project, it is available at the
FERC.gov web. You will see the docket number.

It was brought to our attention last night
that by putting the three zeros after the
docket number, which is a sub number is
confusing to the database, so if you just, when
you get to the FERC web site, just put in
CP11-161 and that will bring you to the
Northeast Upgrade Project.

As Judeth mentioned earlier, there is a
Green Acres web site where you can get
additional information and then the Northeast
Upgrade Project has a web site that would also
be available for additional information if you
so desire.

To bring you to the conclusion is to just
to remind everybody that the last meeting is
scheduled for Wednesday, September 7, at
four p.m. at the DEP offices in Trenton.

So with that, Judeth.

MS. YEANY: Before we open up the session
to public comment, I just wanted to talk about
another topic that's covered in the report,
which is what we anticipate the compensation to
the state would be if we do go forward with
this lease.

I mentioned before a figure in the range
of 7.8 million to 8.6 million as a rental over
a 25-year period. That is what we would
consider to be the ground lease for the
pipeline right of way and it also covers the
company renting the temporary work space from
the state for the initial two-year construction
period that would be needed for the project.

So the rental is calculated based on
15 cents a square feet in year one of that
lease. There's a 2 1/2 percent annual
escalator that would be applied to that, and
when it is multiplied out to the end of the
lease you get that range of 7.8 to 8.6. As I
mentioned, that number could go down if the
company ends up not leasing as much right of
way from us. But the calculation would be the
same.

One of the things that came up at last
night's hearing is someone asked what the
number equated to as far as a per acre value.

Generally from an appraisal standpoint, rental
is roughly 10 percent of fair market of a
property, so that 15 cents a square foot, if
you take it out to the end of those
calculations, equates to roughly $65,000 an
acre. And it's intended to be a commercial
value for this property, it's not a preserved
value for the properties.

And we mentioned last night and mentioned
in the project itself that that methodology for
calculating that rental is based on the
methodology that we've been developing for
leases of linear projects on state property,
and the report on that subject was issued by
the Department today and is available on our
web site.

The second component of the compensation
for this project, if we go through with it,
would be that even though we have not proposed
to permanently convey any right of way to the
company, the history here is that the existing
pipeline as been in the ground for over 50
years and we would not anticipate that we would
be requesting that the company pull the new
pipeline after 25 years.

We would anticipate renegotiating the lease at that point if we do execute it. But we anticipate that the life of your typical natural gas pipeline is more than 25 years.

So we have informed the company and as we have done in the past, that we expect that any areas of what they would call permanent right of way, they would have to come up with replacement land at a four-to-one ratio for any of the areas that we would lease to them for the 25 years.

So the example I used last night is in very rough terms, if they end up with 30 acres that we lease to them, they would have to purchase 120 acres to be turned over to the state and added to our state park system.

And our objective alternative with that purchase would be to find land that's comparable as far as ecological value that's in a location that we find to be desirable as far as adding it the state parks and managing it from that point forward. So that would be a requirement depending upon what the final acreage is.
The third component of the compensation has to do with the fact that if they're not able to avoid state property altogether, we do still expect that the company mitigates for any construction-related impacts of the project on state property. So there are measures such as invasive species control and No Net Law applies to the project regardless, but there are construction-related mitigation measures that we would expect the company to perform to compensate for those impacts on our property.

The list of what those measures would be is still being developed and that's something that we would welcome input on.

Dan mentioned that the public common period for this hearing technically closes on September 1st. We do have that hearing in Trenton on September 7th and realistically will accept comments, written comments on this project for two weeks after that September 7th hearing. So anything that comes in between now and roughly September 21st, we would consider to be part of the record for this report.

And I would encourage you, if you have a written statement you can give it us today for
the record. If you think of something you want
to say afterwards, send us an additional
comment.

We did want to ask for those who
participated in last night's hearing, we do
have a transcript of the hearing. We'd ask
that you summarize your comments, if you can,
or focus on new issues that you might want to
bring our attention.

And again, if you have a written
statement, we'll take that. There isn't a need
read it into the record.

We will try to accommodate everybody's
comments so at least initially we would like
you to limit your remarks to five minutes if
you can, and then if we have additional time at
the end, we'll take an additional comment.

I also, before we open it up, wanted to
introduce our other DEP representatives who are
here. We have Rich Boornazian, the
administrator of the Green Acres Program.
Scott Brubaker is here. He's with our office
of permit coordination. He's been pretty
involved in the permitting aspects of the
project and in interacting with FERC on our
comments on the project. And we have Donna Mahon from our assistant commissioner's office.

So I think we're going to try to push the podium back that way. I'm sorry. This is such a formal setup, but we all tried to sit up here to leave as many chairs out there as possible.

So I'm going to hand over the mic. We are going to try to answer comments on the record to the extent we can. If there's things we can't answer, we'll follow up in writing and we will post this presentation on the web site after this hearing is over.

MR. GREDDVIG: Anybody wish to comment?

FEMALE VOICE: Yes. I'll come up.

MS. DETTILING: When you comment, would you please spell your last name.

MS. NESHEIWAT: Sure. My last name is Nesheiwat, that's N-e-s-h-e-i-w-a-t, and my first name is Amanda. And I actually typed up my public comment if someone wants it here.

MS. YEANY: Sure.

MS. NESHEIWAT: I'll give it to you.

MS. YEANY: Go ahead.

MS. NESHEIWAT: Okay. So I'm actually from Secaucus. I'm the Chairperson of the
Environmental Committee there so I'm here representing the town. I'm also a college student at Ramapo College, so I'm here representing the college community, and I'm also the state leader for the Energy Action Coalition, so I represent all the youth in the state that are working towards a clean energy economy.

I just really want to say, from what I know about the project, the DEP knows that the decision I think they should be making with this and that obviously this pipeline is going to be detrimental to the environment and also to the health and safety of the people that are going to live around these pipelines.

And I think that I want to mention, especially on the campus community at Ramapo College that we're worried about the natural gas. That this is a step in the wrong direction. We're worried about the fact that, you know, this natural gas is coming from places that do hydraulic fracturing and we all know the adverse effects of hydraulic fracturing and we don't want it in the state anymore. And we're working very hard in
campuses all around the state who I communicate
with to work towards a renewable energy, clean
ergy economy.

And basically the Ramapo reservation is
our home. We hike there. We do our -- I'm an
environmental science major so we do our
research projects there and there's so much
biodiversity and the forest is very rich and I
would hate to see that at all -- you know, it's
very sad that New Jersey has more pipelines
than a hookah, so I would just like to not have
this project go through and I also speak for
the college students in the state, so thank
you.

Good night.

(Applause.)

MR. GREDVIG: Next speaker.

MR. SMITH: Hi. My name is Matt Smith,
S-m-i-t-h, and I'm a resident of Wyckoff, New
Jersey and lifetime resident to Bergen County.
And I am here for selfish reasons. I'm
concerned about the project.

I've hiked at the Ramapo Reservation and
Ringwood State Parks my whole life so the idea
of bringing -- you know, construction and
industry into -- you know, really the only

nature preserve in the area where you can get

away from it, is -- you know, it's disturbing,

but for less selfish reasons, there's three

centers that, you know, really I object to

morally.

The first is, you know, I've heard a lot

of about Tennessee Gas Pipeline and their

excellent reputation, but, you know, no where

in the plans do I hear of any monies being put

aside as a bond to protect our water shed in

the event that there is an explosion or there

is a leak in the pipeline.

I mean, we all know the effects of methane
gas. I mean, anyone that lived in New jersey
during the Edison explosion can attest to that

and the idea that there's no solid prevention

plan in place or bond in place to protect in

the event of a disaster is frightening.

The second is that, you know, two of the
great maps that were shown tonight, there was a

lot of blue on those maps and those are going
directly through our water shed. So the idea

that there could be a gas leak into our water

supply is another area of concern.
I also -- you know, want to just follow up on Amanda's point about the fact that, you know, I truly believe and -- you know, I would ask Tennessee Gas Pipeline to comment otherwise that the reason for that expansion is to be able to provide an artery for natural gas that's going to be hydraulically fracked out of the Marcellus Shale.

The majority of natural gas in that shale can only be accessed through hydraulic fracking, and if you look at hydraulic fracking, it involves hundreds of deadly chemicals being shot into the earth's crust thousands of feet and there's no way to control. There's already thousands of cases of contaminated water in New York state and if we as New Jersey allow this pipeline to be built, what are we saying about our neighbors that live 20 miles over the state line that are right on that shale that we're willing to watch as their water supply gets poisoned?

And the last of my concerns is that we all know that fossil fuels are a thing of the past. If we continue to burn fossil fuels, we will experience a climate change that's going to
impact not just our grandchildren's lives but
our lives and our kid's lives in negative ways.

In fact, the leading climate scientist,
former Nassau Goddard Institute leader James
Hanson says that the only way to avoid the most
disastrous impacts of climate change are to
move away from coal in 20 years and to leave
all existing fossil fuel sources in the ground.
That involves the Alberta Tarsands, the
Marcellus Shale natural gas.

And if we allow this and break our public
trust in New Jersey for our state lands to
permit an artery for hydraulically fracked gas,
not only are we throwing our neighbors in New
York directly in the line of fire, but our
atmosphere which is a sacred public trust we're
putting at severe risk.

So those are my three objections to the
project and I urge that the State and the DEP
to do everything that we can in our power to
avoid putting the people at New Jersey at these
severe health and safety risks.

Thank you.

(Applause.)

MS. FREY: Hello, good evening. I'm Wilma
Frey. That's Wilma and then Frey, F-r-e-y.

I'm the senior policy manager for New Jersey Conservation Foundation which is a statewide environmental organization and land trust.

We are extremely concerned about the proposed Tennessee Gas Pipeline Northeast Upgrade Project. Tennessee has requested expedited review of this application and wishes to have authorizations by December 15th of this year.

We urge the DEP, including Green Acres, the endangered and non-game species program, the land use program and any other affected programs, to take all the time they need to review the information on the proposal received from Tennessee Gas.

They right now, there is a need for more substantial, more detailed information, and we're seeing a repeat of what happened with the PSE&G Susquehanna Roseland proposal in which information was released. It kept being changed and it lacked appropriate detail.

Green Acres should not been forced by Tennessee and FERC into addressing a moving
We are concerned that the NJDEP report on the proposed conveyance of lands is inadequate as an analysis of the impacts of the proposed pipeline upgrade to state lands and other preserved and impacts to natural, cultural and recreational resources that are held in trust by the state for the people of New Jersey.

The facts provided and the analysis is sketchy, at best. The enormous impacts of this project are substantially under represented by the report. The report is, therefore, inaccurate as a basis for determining the appropriate compensation and mitigation for this project.

Let me describe several ways in which this report is inadequate at this time. The engineering and direct impacts of the construction access routes are not described or evaluated in any detail. It is unlikely that the access routes will be confined, quote, within existing access routes, paths or loggings route.

As a result, the access routes will, for intents and purposes, be new roads. This is
exactly what happened with PSE&G's. While they may talk about 16 or 20 width of the travel way, an area adjacent to the travel way will clearly be subject to vegetation, removal, grading, soil compaction, clearing and straightening and destruction of local plant and animal habitat.

And I cannot tell from the numbers whether that adjacent area is being counted a part of the impacts. I do not think it is.

A more realist impact to the extent of the direct impacts due to the construction access routes is between 40 feet in width, 16 feet of the actual travel way, plus a 12-feet disturbance on each side, up to 70 feet, the 20 feet for the Harden right of way plus 25 feet on each side. These are huge machines that are going to be used to do this project and they have big impacts.

So in order to get a realistic context within which to address these impacts, Green Acres should be requiring Tennessee Gas to provide them with detailed information about the size of the largest vehicles that will be required to accommodate the equipment necessary.
to do the construction, including their width, 
their length, their height, their weight, the 
number of axles, the length of segments and 
perhaps most importantly, the minimum turning 
radius because that's what determines how tight 
the turns can be and how much you have to cut 
down.

This must be fully-analyzed and examined 
by the DEP in order to fully evaluate the 
impacts.

Point No. 2. There is no recognition in 
the report of the long-term permanent impacts 
of the access route, which Tennessee Gas 
chooses to call temporary, the impacts on the 
eco system.

These access routes will facilitate the 
spread of invasive species of animals and 
plants causing long-term permanent degradation 
of the eco system. These impacts cannot be 
avoided or mitigated by reseeding the access 
routes. It just doesn't work anymore.

These decades long impacts are permanent 
and must be fully recognized in the leasing 
agreement and should be compensated for by 
replacement land preservation at the
four-to-one ratio.

The third point. There is absolutely no recognition in the report of the forest fragmentation impacts of the construction of the access routes on interior forest species.

The Highlands Council Eco Management Technical report defines Highlands interior or core forest as forest that is located more than 300 feet from altered land or a road.

In core forest areas, if you build an access route that destroys the forest canopy, you destroy interior forest at the rate of one acre per every 72.6 feet of access road length. You are fragmenting specialized habitat critical to rare, threatened endangered species.

These impacts are permanent or long term. They are not temporary.

And again, Tennessee Gas should be required to provide replacement lands at the four-to-one ratio.

Forest fragmentation impacts caused by construction access routes are not even mentioned in the gas application. However, the size of the construction vehicles and equipment
will clearly necessitate removal of tree canopy
creating these openings that fragment core
forest in addition to the impacts directly
adjacent to the access routes that I talked
about earlier. Calculations so that a 20-foot
wide access route within core forest impacts a
swath of interior forest habitat 600 feet in
width.

Every 72 feet of the access route opens up
an entire acre of interior forest and thus a
single mile of access route destroys 72.7 acres
of interior forest habitat.

For example, in Ringwood the length of the
project is approximately 3.62. Should this be
located in core forest, over 263 acres would be
permanently impacted as opposed to the 59.86
acres noted in the report on page 9.

No. 4. The assessment of the
environmental impact and the impact on plants
endangered and nongame species is entirely
inadequate. The presentation just given notes
only impacts on federal threatened endangered
species.

As you know, we have state threatened
endangered species is New Jersey as well. In
addition, the Highlands Act and the Ringwood area part of this project goes through the Highlands, the Highland Act protects rare as well as threatened endangered species. This report does not even mention this fact.

It also does not address the impacts of construction noise and ground vibration from heavy machinery and proposed tunneling on the earth on the behavior of species that will be probably affected, hundreds if not thousands of feet from the actual construction site.

So finally, the concept of a give back of 10 feet of the existing right of way as a way to reduce Tennessee's obligation for permanent impacts is without merit and should be rejected out of hand by the State of New Jersey.

We hope that our state's Green Acres Program and the DEP will stand up for citizens of New Jersey and it's precious park lands that have been worked for and fought for by the public. The trails have been worked for and the people love these parks.

So we hope you will stand up for us in this matter we will help you in any way that we can.
Thank you very much.

(Applause.)

MR. INGUI: How are ya? My name is Chris
Ingui, I-n-g-u-i. I am the New Jersey program
coordinator for the New York/New Jersey Trail
Conference.

Thank you for the opportunity to speak
again and I also thank your, Judeth, for
answering my question yesterday about acreage.

I did have some follow-up questions
regarding mitigation. I'm going to repeat a
couple questions just for the benefit of the
public.

First off, is it fair to say that the
$8.6 million is pretty much the cap at this
point? Would the state possibly be getting any
more?

MS. YEANY: We don't expect to at this
time.

MR. INGUI: Okay. Is it fair to say that
Tennessee Gas Pipeline Company finds the sum of
8.6 million fair?

MR. GREDEVIG: We're working through that
as part of the process of our reduction or our
impacts that we're still trying to come to. So
until we come to that conclusion of our
reduction and our minimization, that's when
we'll apply the formulas against our impacts.

MR. INGUI: Okay. So then it's a
possibility that Tennessee Gas would be willing
to pay more than 8.6 million for a 25 year
lease.

MR. GREDVIG: If our impacts came up to be
me more then -- it's still the application of
that formula against our impacts.

MR. INGUI: Okay. I appreciate the number
that you gave us, Judeth, but I did some quick
math and I just want to just break it down.
And please make this an open forum.

But according to my math, $8.6 million
dollars over 25 years comes out to $344,000 a
year for 15 miles of 50-foot right of way.

According to your presentation that comes
to close to 28 acres. $344,000 for 28 acres for
a year. That comes out to $12,300 a year per
acre. A little more, per month that comes our
to $1,025 per year per acre. That is less than
the rent that I pay on my one bedroom
apartment.

It's fair to say that a lot more people
than one person uses the parks. I would say
that number tallies well over the millions. I
think that the sum for mitigation should
reflect that.

My second question is, can someone please,
for the benefit of the public, explain what the
sum was in the 50s for the 1954 lease?

MS. YEANY: I don't remember but I can get
you a copy of that easement. We have it on
file.

MR. INGUI: I believe it was $45,000. And
anyone is welcome to correct me if that is
incorrect.

If it is true that $45,000 the was sum
paid in the 50s, I don't know if anyone here
could say that that was fair. I'd say it's
pretty close to say that's really unfair.

So considering that the original pipeline
was laid out for a song and a dance and that
the new pipeline is being laid out for a sum
that's less than a one bedroom apartment, I
believe that more money should be given to the
state, more so to the North Jersey park system.

Thank you.

(Applause.)
MS. YEANY: Just for the record, I mentioned that the DEP released a report today on the methodology for how we're going to value these types of leases, and so I would encourage you to participate in the process of reviewing and commenting on that report and anyone else that has concerns about the proposed rental, we'd like to hear your input.

MS. FREY: Ms. Yeany, did I understand you to say that we can give comments on the report that came out today?

MS. YEANY: I was actually up in this part of the state when the report got released so I don't know what the exact process is going to be for commenting on it, but it is available online.

MS. FREY: Well, I only printed it out. What's the web site?

MS. YEANY: That's on the main DEP's web site. I think if you were look to under our press releases, there's a link in the press release to the location of the report.

VOICE: If you go on the main DEP web site, just click in Google, New Jersey DEP. You'll see the main page and press releases is
the first one right on top and click to that
and there's a link to it.

MS. YEANY: Okay.

MR. PERRY: Hi. I'm Duane Perry. I'm the
Chief of the Ramapo Lenape people and the Muncy
people in the area. This is our ancestral
land. I just had a couple questions.

What, if any, remediation or protection is
going to be provided to the work done around
Bear Swamp Lake?

And just a little information, I'm sure
he's well aware being from DEP that the impact
on the water source that's been mentioned a
number of times here to our neighbors in the
north, New York is one of the seven sole source
of aquifers in the country.

I think if you contaminate that aquifer,
not only is it destroying a national treasure,
I think you're going to find a few million New
Jersians out of water.

And last, but not least, I was just
wondering if you guys have any examples of the
work you've been doing maybe in a local area or
close by somewhere so we can actually observe
what this work looks like, what the impact
looks like. Something we could sort of have a
hands-on approach to evaluate.

MR. GREDVIG: Jerry.

MR. CREEL: I can. Can you hear me or do
I need a microphone?

MR. GREDVIG: Just speak up, I think,
Jerry.

MR. CREEL: Okay. If you can hear me, I
think the two questions that I understood.

One, Bear Swamp Lake. First of all, our
project contemplates only use for access to the
existing meter station and to the existing
pipeline right of way by vehicles similar to
what use it today. And so we're not going to
have any significant impact on the access road
and so there should not be any impact on Bear
Swamp Lake or Bear Swamp Creek, which as you
know, the access road follows that for a
significance way.

We currently operate a meter station at
the end of Bear Swamp Road. We share that site
with a couple of other companies.

Who are the others?

MR. GREDVIG: Algonquin and Spectra.

MR. CREEL: Algonquin and Spectra also
have facilities there. "We," as well as they, currently use this road to access that meter station site and the access that we're going to be using for construction would be very much similar to that, so you won't see a big difference in the use of that road. And that is the only part of Ramapo mountain area that we're using.

The pipeline itself is actually on a Bergen County piece and then at Ringwood Park. The pipeline itself is not in Ramapo Mountain Park.

Okay. That was one. What was the other one?

MR. GREVDIG: Examples of local work.

MR. CREEL: Yes. Well, there are good examples. In fact, if you're familiar with the Monksville Reservoir area, starting at Burnt Meadows Road on the west side of Monksville Reservoir, pipeline construction is currently underway for about 16 and half miles, Dan, I believe is right.

MR. GREVDIG: Yes.

MR. CREEL: And if you would like to visit the pipeline construction, we'd be glad to
invite you to come. You'll have to get some
safety training and be oriented toward the kind
of activity that you'll see, but we'd be glad
to take you and show you exactly what the
construction contractor is doing, very much the
same as we'll be doing when we build the
pipeline we're talking about, so we'll be glad
to host you.

MS. FREY: Would you give that address
again please?

MR. CREEL: What I would ask you to do is,
I would ask you to contact the project
management team and, Dan, let's have them call
Pam's office in West Milford.

MR. GREDVIG: Yes.

MR. CREEL: And you want to give that
phone number?

MR. GREDVIG: We'll write it on the board.
We'll get it written on the board so that you
can contact -- one thing that --

MR. CREEL: Yes, if somebody wants to go
and visit and look at the pipeline construction
activity, you know, we'll want to coordinate
that with the construction contractor as a
matter of safety and coordination with all the
activities on the site.

MR. GREDVIG: And we have to remember also that it is an active pipeline construction. There are safety requirements that not only we have, but our contractor has, and we are dealing with private lands and so that's why we want to have that access coordinated directly with Pam and her office. She will get it set up with construction folks and we'd be more than happy to demonstrate what our ongoing construction activities are on the 300 line project.

MR. CREEL: And what it looks like.

MR. PERRY: One reason I had mentioned Bear Swamp Lake and perhaps DEP can answer it better, because it appears in my lifetime, and by no means am I an expert, but it looks like there's been an acceleration of the deterioration of the lake over time to include sort of a collapse of what might have been considered a rather old dam and I was just wondering if this nearby -- you said what's normally there. I don't know if that's ATVs or tractors and trailers.

I'm just wondering if that has some effect
because without question the lake is silting up
at an accelerated rate. And good will be God,
I'd like to know.

Thank you.

MR. CREEL: I'm not sure if there was a
was question there about siltation of the lake.
And I'm not familiar with the siltation that or
may not or may not be occurring in Bear Swamp
Lake. I'm not familiar with the particular
lake. We haven't done any hydraulic surveys or
anything to look what the depth is.

I am familiar with some folks over in the
West Milford area, I think Greenwood Lake is a
lake and certainly this has gone on over time.
There's been siltation in that lake to the
point where they are looking at a dredging
project to dredge it out. And that is
something that is occurring in a number of
water bodies around here, so I wouldn't be
surprised.

But, you know, as you can tell, just
by the distribution of that, it certainly doesn't
appear related to the construction of pipeline or
any of that activity because it's not in the same
place and it's not in the same town.
MS. YEANY: I think we're going to have to follow up on that question for you. We'll give you some contract information so we can exchange emails about that.

MR. AXELROD: Do you mind if I don't get up? I'm having some trouble. My name is Earl Axelrod, A-x-e-l-r-o-d. First name is Earl with no E at the end. I represent no one but myself.

I do have a follow-up question on what the chief was asking. There was an article in the local newspaper, the Bergen Record. You may have heard of it. And some woman complaining quite perspicuously that you guys were digging and you put piles of dirt that you had dug up behind some kind of restraining fence. We had some heavy rain and there is a number of brooks that are now full of dirt and are polluted.

I'm just wondering, I assume it was you guys because I know the site where she was talking about and I'm familiar with it, and I'm just wondering, is this an example that the chief will not see when he goes up there?

It appears that maybe you guys have these great fences that work when it's not raining
but when it rains, you get the streams polluted.

Now, I don't know if these streams have trout in them or salmon or anything, but still the thought of the dirt in those streams that are now going into the Wanaque Reservoir -- I don't think you're from New Jersey, I'm from New Jersey and I'm probably going to have to pay a little extra to get that water cleaned up now.

So what's going on here now?

You're telling us you guys are squeaky clean and the thought didn't even occur to me until the chief asked the question.

Good question, Chief, and I didn't even think of it and I remembered that article. What's is going on?

I don't represent anybody but myself, but what's going on?

MR. CREEL: Okay. Well, I'll try to answer that. I don't know what specific location --

MR. AXELROD: I don't have the article, I apologize.

MR. CEE: It's called Lake Look Over.

MR. CREEL: Okay. I'm very familiar with
Lake Look Over.

I am very familiar with Lake Look Over. That is a subject that's been very much on our focus of the last few days since a pretty significant rain event happened over the last week or so. A number of problems around the state and in the area has been flooding, a number of things have occurred as a result of the pretty significant rainfall.

What I would say about muddy water, okay. We put, install environmental controls, environmental control devices, silt fence, hay bales, filter claws, turbidity curtains, you know, any number of environmental controls that are prescribed for the purpose of mitigating against having turbid water in our water bodies; okay.

We're talking about building a pipeline so this a significant amount of land disturbing activity. And if you see our footprint in wetlands, 75-foot wide generally, in upland areas, a 100-foot wide footprint. And so as you can see in the acreage numbers that Dan has put together for the Green Acres Program, there is a fair number of land disturbing activity,
and when you do that, you have the potential to
generate storm water runoff that will take soil
and muddy downstream water bodies if the proper
environmental control devices are not installed
and maintained properly to mitigate against
that.

In this particular case, and it's not the
only time or issue that has arisen out of this
pretty significant rainfall event. We had
environmental controls in place. In fact, we
had gone back into the agencies and requested
and had to get approved, additional over and
above normally required environmental controls
because of the sensitivity of the lake, which
is Bear Fort Waters crossing. Downstream of
the Bear Fort Waters crossing, the water goes
over a spillway and it enters Lake Look Over.

And it's a very active residential area, a
homeowners association and they're very much
interested and concerned about the quality of
the water in their lake. And we were very
sensitive to that as well, which is the reason
why we installed even more environmental
controls as an effort to prevent the kind of
turbid water getting into the lake.
Unfortunately over the last weekend we had really significant rainfall activity and the turbidity curtains in the stream, the Bear Fort Waters waterway, while we were ditching in the stream, the additional water overwhelmed the environment controls that we had in place and it resulted in water going into Lake Look Over which is cloudy. Not what we wanted.

MR. AXELROD: Excuse me, sir. I think that most of the reporting, not cloudy. I believe the word was muddy. But go ahead, I didn't mean to interrupt you.

MR. CREEL: Okay. Well, we went out today and I would characterize it as cloudy. You could look and describe it for yourself. But one of the things that we're doing, in addition resolving the issue with the environmental controls that failed, we've addressed that issue to get those things back to place.

In addition, we're bringing in special equipment for Lake Look Over. This is equipment that will be filtering about a million gallons a day of water to accelerate the clearing the water in Lake Look Over.

And so the way I would answer that for
this particular instance, it's a case where we
made every effort to do the right thing and
have the proper controls in place.

We, in fact, try to go above and beyond
because we were beforehand aware of and
sensitive to the fact that this was a sensitive
location for the landowners involved. And once
the incident occurred and we had the DCD
failure, we reacted immediately to make
repairs.

In addition, we moved really expeditiously
to accelerate the cleanup of the lake.

So for that particular instance, that's
exactly what happened.

MR. AXELROD: Excuse me, can I ask another
question. You're going to be putting in a
30-inch pipe, and I don't know if there's
anybody here who can answer this question for
me or not, but I assume from what -- I am an
engineer, or was an engineer many years ago.
You're going to be putting in below the frost
line so it won't buckle or heave when it's
freezing.

Now, I don't know what the depth would be
in this area, but you're not always going to be
able reach it every single time, there's going
to be rock, so I assume you're going to be
doing what they used to call in Brooklyn,
blasting or blowing, or whatever, blasting to
get down that far.

Now what effect, do you have idea, does
the DEP, does anybody have any idea what that's
going to do to the water table? I mean what
effect has it had in the past?

Okay, I shouldn't answer that question,
which you're never going to tell me, but I'm
sure it's going to have an effect.

I know I did a little blasting just to run
a simple pipe by my house and it took me years
to stop the water flow, so I'm assuming we're
going to have all kinds of interesting side
effects on that blasting and I'm just wondering
if anybody can put my mind to rest on that.

MR. MANN: Before you answer him, I just
want to add to what he was saying, out of 7.
something miles, 5.6 miles of it you --

MR. GREDVIG: Can you identify yourself?

MR. MANN: My name is Chief Vincent Mann,
M-a-n-n. Ramapo Lenape Nation.

I just want to state that three-quarters
of it is going through pure rock by the web
site for DEP.

MR. CREEL: Well, actually we're in the
middle of having a rock study done to determine
exactly how much rock is in the area. There is
probably a mile and a half section up in higher
parts of Ringwood Park where there is a
significant amount of what we would call grade
rock. That's rock that's set to surface and
certainly that's a concern for us in our
construction activity.

I don't recall how much the anticipated
trench rock is, but to answer your question,
the pipe will be buried to obtain, at a minimum
a 3-foot cover, so with a 30-inch pipe, that
would take a 6 to 7 feet deep trenching. And
so to the extent that the pipeline ditch is 6
to 7 feet deep and rock is encountered during
the trenching activity, some blasting may be
required to -- in certain places you may not
blast. You may actually hammer the rock out or
use mechanical means to get the rock out.

But what I would suggest to you to is the
amount of blasting and the charge and weight of
the blasting activity is such that we have to
insure that it is safe to protect against
having any impact on the existing high pressure
natural gas line, which will be about 25 feet
away.

So obviously, we're not going to do a
whole lot of significant peak particle velocity
impacts, as a matter of course, just to protect
our own facilities.

Now, the blasting process kind of goes
like this. We will have, first of all, a
blasting specification for our contractor. Our
contractor will be required to hire a certified
-- a qualified blasting consultant to conduct
all blasting activities.

In addition, we will have our own
third-party blasting consultant who will review
and help us approve or deny the contractor's
blasting plans. Once the blasting plans are in
place and approved, prior to construction we
will do a pre-blast survey to ensure that
existing structures and facilities are examined
prior to blasting and during blasting
operations blasting activity will be monitored
to insure that the impact of the blasting
activity doesn't have any detrimental effect on
adjacent structures.

That's kind of the program in a nutshell.

Certainly we have done a lot of blasting on the 16 and a half miles that is being constructed now. In fact, they have more blasting on that 16 and a half miles than we will have on ours. And I believe we have been quite successful at conducting that blasting activities without generating problems with the water.

MS. WIELAND: Hi. My name is Rachel Wieland, W-i-e-l-a-n-d. I just want to make a general comment.

I'm an educator in this community and I'm really embarrassed. I've been embarrassed to look at these students for the past couple years because at the rate we're trashing the planet is beyond disturbing and it's really hard to look at these young people for me and to educate them, and I appreciate your math because I'm a math professor, and that was right on, thank you.

I'm amazed at how we don't do more to invest our money in long-term renewable energy and not this stuff that is just going to last very long and it's going to destroy their
future.

I'm also the vice-president of NJ HEPS, which is the partnerships for higher education for sustainability in New Jersey. And us professors are just overwhelmed. I mean you can probably see from me standing here, we're just overwhelmed with what we're passing down to this next generation.

We are a very intelligent species but we are not very wise and it's hard for me to just watch all of this.

I'm very lucky to be working at a college that's getting $8 million worth of solar panels. We have electric car pumps. We've been converting our lawn to a meadow. So in my immediate vicinity I'm seeing a lot of leadership, a lot of honesty, a lot of positive growth that I can sleep well at night with integrity and look at the faces of people like Matt and Amanda and not be too embarrassed to be an elder in these communities.

So I just want to say for the record that some of us are working very hard to do the right thing to make the world sustainable.

My father lives on the Marcellus Shale.
He's very upset about what's happening. My sister lives in Kentucky with all the mountaintop removal. She is a physician. She sees all the diseases from Ohio County, okay, so I just want to say that we should be doing things better.

We could be doing things better, and we're not. And I think if we love our children and life on this plant we need to step it up.

Thank you.

(Applause.)

MR. L. MANN: My name is Lehman, L-e-h-m-a-n. Middle initial A. Last name is Mann, with two Ns, Senior. I'm a elder of the Lenape tribe.

I've been listening to all this for quite awhile and I'm listening to you. My question is directed at you, Judeth, because it's about the permitting process.

According to you, the permit to have this line go through has not been issued; correct?

MS. YEANY: Correct.

MR. L. MANN: Now, this line is being constructed as we sit here.

MS. YEANY: No, it's a separate project.
MR. L. MANN: Well, that's what I want to know. Is this by project permitting? You know, I've been to meetings and I haven't heard that -- can I clarify? Could you clarify that?

MS. YEANY: There is a separate project, I believe the company calls it the 300 Line Project, not to be confused with the original 300 Line that's already in the ground. But there was a separate project that received all the federal and state approvals back in 2010 and is currently under construction. It does cross different state parks than this one is proposed to cross.

So when Jerry refers to the project being under construction, it's not what we're talking about leasing to the company now, it's a separate project that was approved last year.

MR. L. MANN: You know, we've all been sitting here and I don't know if anybody's like me but it was just not very clear.

MS. YEANY: Sorry about it. And I think in very rough terms, this project goes from the Pennsylvania border to the Mahwah station.

MS. DETTLING: There's a gap between.

MS. YEANY: And the project that's under
construction is to the east of that? Correct me if I'm wrong.

MR. CREEL: In between that.

MS. DETTLING: It's in between ending before the Monksville pipeline.

MR. MANN: It's not on the same pipeline?

MR. CREEL: Yes, this is the same corridor.

MS. YEANY: It parallels the existing pipeline.

MR. MANN: And it is part of the loop?

MR. CREEL: Yes.

MS. DETTLING: It's separate loops.

MS. YEANY: Well, the loops are all separate is my understanding.

MR. L. MANN: It's really strange.

MR. CREEL: Let me help you with that.

MR. L. MANN: Can you make it like short and clear?

MR. CREEL: I'm going to try. Okay.

There is an existing 24-inch pipeline.

MR. L. MANN: Yeah, I know that.

MS. DETTLING: Bob, go back to the map.

MR. CREEL: Over time, short pieces of looping have been added to increase the
capacity and the 300 Line Project, which was
just referred to, the one that's in
construction now adds some loops along that
300, that original 24-inch line; okay.

Our project, that will be the next project
essentially fills in the spaces that were left.
Wherever the 30-inch pipe did not extend to the
loop, the existing 24-inch, those spaces in
between the loops that were already built,
that's what we'll be filling in to finish out
the two pipe system that will increase the
capacity for the system.

MR. L. MANN: Okay. Because just
listening to you, you know, I'm just a normal
guy, an ex-engineer and I'm listening to you,
and if you just listen to this verbatim what's
going on, you would assume that this is one
project; okay. It just wasn't clear to me and
I just wanted to make sure it's clear.

MR. CREEL: Well, let me see if I can help
with that. Each project has to be justified on
its own merit. In terms of the need, the
justification for the need of the capacity and
as the need arises for pipeline capacity, when
a project is proposed to fulfill the needs of
that requested project, we're only able to
build what is required to meet that need. And
it's not until later when additional needs are
identified that we can build something else.

So it looks like it's a piecemeal
operation where we're breaking one project down
into just multiple segments over time, but each
of those different projects has to justify
itself based on need.

MR. L. MANN: So pretty much what you're
saying is for some reason FERC says you cannot
go to the next project, then you're stuck where
you are and you have to continue with a 24-inch
pipe?

MR. CREEL: If the need for our project is
not approved by FERC, then it will not get
built. And we, in our FERC filing, if you'll
look on the FERC's web site, and this is kind
of how the jurisdiction for the process works.

We make our case based on demonstrated
need for gas. Supported by contractual
arrangements for customers. We make our case
for the need for the additional capacity for
the pipeline.

Others who may feel like there is no need
for that are certainly welcome to make their case and put that input in FERC.

So, you know, if you look at the application you will see how we describe the need for the project. It will be FERC's decision to determine whether or not the need justifies a certificate of convenience of public necessity.

If you have a different opinion on the need for the project, then certainly make your case.

MR. L. MANN: The only last comment I have is that, so you already have gas contracted for it. I mean you actually made that statement.

MR. CREEL: Certainly it is, it is contracted, but certainly the project doesn't get built unless it gets approved.

MR. MANN: Are you saying that that little red spot that's on the right-hand side, is that one continuous pipe? Are you saying that on the right-hand side?

MR. CREEL: This small piece here?

MR. MANN: Yes.

MR. CREEL: This is seven and a half miles plus, this.
MR. MANN: Right. The 7.6 miles, are you saying that that is one continuous pipe or that is multiple loops that are being done in the middle of that?

MR. CREEL: There's an existing pipe there. The red pipe is one more pipe to loop.

MR. MANN: That's about 3,000 feet.

MR. CREEL: 7.6 miles.

MR. MANN: And there's no other small pipes that comes off, a 30-inch pipe that comes off in between that?

MR. CREEL: I'm not sure I'm following you. We can look at the map after if you like.

MS. DETTLING: The system in blue is the entire system, is that one continuous 24 and then the red sections, each red section up there with the mileage is just one piece and if there is an existing loop in blue where you see two lines in blue paralleling each other, there's an existing loop, the red will just tie into the existing blue line that's double.

MR. MANN: Okay. So right now to the far left of the 6.6 mile pipe that you're going to put in, where is that starting at?

MR. CREEL: Let me just -- you see the
blue line here, this second blue line?

MR. MANN: Yes.

MR. CREEL: That second blue line is the
thing that is being constructed right now.
That's in construction.

MR. MANN: Where does that end though?

MS. DETTLING: Before Monksville
Reservoir.

MR. CREEL: This starts at Monksville
Reservoir on the west side --

MR. MANN: -- reservoir.

MR. CREEL: And this goes over through

Vernon and that was mentioned where Look Over
Lake is, to a point downstream to that existing
compressor station. I think it's 16 and a half
miles of blue and there was a little piece that
was previously looped years ago.

MR. MANN: Thank you.

MS. SCHRAMM: Please hold that picture,
because that's what I was going to ask you to
put up.

My name is Jackie Schramm, S-c-h-r-a-m-m.
I'm the director of Social Justice Ministry in
a Franciscan parish in Pompton Lakes, New
Jersey. It's a huge parish. It serves over 18
communities, including New York State.

We are the ones that everybody comes to for flooding or any kind of environmental problems. We provide service to many communities.

Social justice means looking upriver, and I really like this image of, you know, why the expansion of the pipelines? Why are we predicting this large influx of natural gas requirement in the next ten years. And, you know, the word "hydraulic," you know, hydro fracking, it's a new term for me, but clearly that Marcellus Shale is the reason why this is happening. And I'm very new to this issue, I admit, but I lived in the Philippines for 11 years, and what's happening trumps what happened during the Marcos dictatorship.

Americans, we're in a democracy. This is supposed to be freedom. People don't know what's going on. Long time environmentalists from West Milford who were instrumental in preserving this land didn't know these pipelines were coming through, you know, so there's -- you know, talk about the muddy waters. That's a beautiful metaphor for what I
see happening right now. And I just would like for the record, for the DEP to know that we are beginning to get on to it.

I'm going to be having the director of Gas Land coming to St. Mary's on September 14th. We're inviting the governor. We're inviting the authors of the bill in New Jersey, assembly women and senate that just put a bill to ban fracking in New Jersey awaiting the signature from Governor Christy.

I mean this is an issue that suddenly, it has no regulations, it's been exempted but it's on the radar now.

And I just ask that you look at why are we expanding these pipelines in the first place is because of this hydro fracking. You know, and even if we ban it in New Jersey, you know, if we have these pipelines coming through and where's the water going to be used for the fracking and what are the water treatment plants -- you know, who is going to treat all this used water and water knows no bounds?

So thank very much for your attention. And I invite anybody here to attend the screening and Josh Fox will introduce and he
will lead the discussion and we expect to have
a lot of political leaders present as well as
community people and environmental people. So
this a cordial invitation.

Thank you.

(Applause.)

MS. BUDZ: Good evening. Beverly Budz, B-u-d-z. I'm from Vernon and my town is a
result of the 300 pipeline. And sir, I don't
know your name.

MR. CREEL: I'm Jerry. I'm sorry, Jerry Creel.

MS. BUDZ: I'd like to ask you, these two
hay bales with the four sticks in it, is this
our high tech filtration system that you speak
of?

MR. CREEL: No, that would not be the high
tech filtration system.

MS. BUDZ: Because that didn't hold back
the mudslide from Vernon. You can have that
paper.

MR. CREEL: Thank you.

MS. BUDZ: Chief, I have some information
for you. I can show you what you're asking and
what you're looking to see. You want to see
some finished product. I can give you that.

MR. L. MANN: Thank you.

MS. BUDZ: And I have some for you, and I have one for anyone else who might like one.

After reading the Herald today, I would hope the town’s fighting to preserve the integrity of their state parks will not lose hope. You may not be able to stop the so-called need for progress being shoved down our throats by the government but you can make sure as individuals you get involved. Ask for a copy of this final mitigation plan. Ask to see the insurance contract that they committed to.

Find out from El Paso when the next safety course will be offered on Burnt Meadow Road. This will allow you walk the work site safely and legally giving you the ability to be eyes and ears for your town.

Form small volunteer groups that can record the progress from beginning to end, and be on the lookout for everything that doesn't look right.

I was quoted in the Herald as saying "Vernon has been destroyed." I cannot say for
sure if I chose that word, but for the record,
I live in one of the most beautiful towns in
New Jersey, rich in resource and wildlife. But
don't get me wrong, Vernon has been permanently
scarred and we in Vernon will watch this
project going forward to make sure that
complete mitigation is rendered.

    We must remember, we are the stewards of
this earth. It is our responsibility to watch
over it.

    Thank you.

    (Applause.)

    MS. YEANY: Thank you.

    MS. SULLIVAN: Hi. My name is Judy
    Sullivan. I live in Oakland, New Jersey.
    Actually my home fingers into the Ramapo
    Mountain area.

    I spoke at the last meeting so I'm not
going to go into a whole bunch of the same
questions, but I had some just additional
follow-up questions. And I'm not really good
at the excellent statistics. I was so
impressed with the environmental issues, but
I'm learning very quickly.

    I was fooling around on New Jersey GIS the
other day and I saw that there are two
earthquake epicenters inside the park very near
the pipeline and I wondered if anybody knew
about that from Tennessee and if anybody has
taken that into consideration.

MR. CREEL: The answer is yes. And I
think you will find in our filing, the seismic
activity addressed in our resource reports.

MS. SULLIVAN: Okay. Thank you.

What is going to happen to the abandoned
compressor station, will it just be left in
place?

MR. CREEL: Well, there's not going to be
an abandoned compressor station.

MS. SULLIVAN: Well, if there was an
abandoned meter station, I'm sorry, at the end
in Mahwah, is that just going to be left there?

MR. CREEL: The Mahwah meter station will
be upgraded and replaced. So there will be a
new facility in place of the existing -- it's
generally a piping arrangement with some long
straight tubes which are used to meter.

MS. SULLIVAN: So when they use the word
"abandoned," what does that mean when they
refer to that meter station?
MR. GREDVIG: It's part of the regulatory process through FERC.

MS. SULLIVAN: I see. So it's a term-of-art.

MR. GREDVIG: It is, yes.

MS. SULLIVAN: Got it. Okay.

The acreage that's in your reports that you talked about tonight, is that based on permanent or temporary clearance?

MR. GREDVIG: Both. There's a combination, and as an Judeth has reminded us, we're looking at a 25-year lease and not at permanent grant, and so what we term as permanent is what we're going to be asking for the permanency of the lease term.

MS. SULLIVAN: Got it. Okay.

I tried to very quickly review that report that you talked about. The link is broken on the State of New Jersey web site, so if I have some additional questions maybe I can email them. I actually spoke to Kevin today so maybe I can email them to Kevin.

MS. YEANY: Okay.

MS. SULLIVAN: When you say dam and pump the river or reservoir, I think I'm not sure
what I heard some people were trying to correct me. Is it dam and pump the reservoir?

MS. YEANY: No.

MS. SULLIVAN: Okay. It's dam and pump the river; right?

MR. CREEL: Let me give you that. It's a stream crossing technique. In order to minimize the impact to the water body, in order to prevent having the turbid water go downstream and have an impact on downstream resources, the technique is to conduct what's known as a dry crossing, meaning that you divert the water either by way of flume pipes installed and then you dig underneath the flume pipes between the dams or you -- with the stream down you have pumps that pump the water around the activity so the clean water circumvents the construction activity to keep it from becoming turbid.

MS. SULLIVAN: So you haven't really decided? You're not sure. Who said that you aren't sure?

MR. CREEL: Well, depending on the size of the stream and the location, the application may lend itself better for a flume pipe method
or a dam and pump method, but generally speaking, all streams, particularly all streams that are high value streams are going to be crossed by the dry crossing method in order to minimize the impacts.

Now, other water body crossings will be done, for example, the Monksville Reservoir will get a direct drill possibly, which is a longer, more sophisticated crossing path.

MS. SULLIVAN: And is that above the water?

MR. CREEL: No, it's below.

MS. SULLIVAN: And I'm assuming there's a gazillion permits involved that the DEP is going to supervise with respect to that?

MR. CREEL: Well, "a gazillion" is probably not what I would say.

MS. SULLIVAN: That's what I would hope.

MR. CREEL: A lot of permitting requirements have to be met.

MR. GREDVIG: Also, by the US Army Corps of Engineers.

MS. SULLIVAN: Okay. I was also fooling around the other day and I was looking at the New Jersey Landscape Project. You know, that
project talks extensively about, you know, the
bald eagles and the bog turtles and there was
one other thing that you said you couldn't
find, the Indiana bats. So I'm confused
because that report talks about, you know, it's
not just sort my latest and favorite word,
siloed approach. It's, you know, there's
kilometers of space that these animals need.

So when I seen on the screen it says you
didn't catch any Indiana bats through the mist
nets, but that is the end of the discussion or
is there something else I'm missing? I mean,
has anybody really come in there?

It seems a little -- it seems like oh, my
gosh, then they read the landscape report.

MS. DETTLING: Yes, we did extensive field
surveys. We do habitat analysis on a much
bigger corridor than what we're proposing to
you.

MS. SULLIVAN: Right.

MS. DETTLING: We also consult with
agencies within a quarter of the mile of any of
the work space we're proposing to use.

MS. SULLIVAN: We go through that process,
whittle down, identify a potential habitat as
opposed to a habitat that's not likely to be
used, for example, for a species, you know,
species dependent. And then from that we
consult with the agency to determine the place
where they would like us to do additional
surveys or that's for your fish and wildlife
service, they've identified areas where they
think are most likely where they'd like us to
do mist net, for example, surveys. And we do
several of those and they have survey protocol
that they approve. And once those surveys are
done, no, that's not a determination, for
example, that there are no bats in the state or
that there are no bats within miles of our work
space.

Fish and wildlife service will make a
determination whether our project is likely or
unlikely or not going to have an adverse affect
on that species, and then they make that
determination as part of the their
environmental assessment process.

MS. SULLIVAN: So let me ask you, have you
ever read the New Jersey Landscape Project?

MS. DETTLING: I have not.

MS. SULLIVAN: Has anybody on the team it
read it at El Paso?

MS. DETTLING: I can't answer for anyone else on the team.

MS. MAHON: The Department relies on that Landscape Project and it's developed by DEP so the endangered --

MS. SULLIVAN: Yes, I know, it's a great document.

MS. MAHON: -- rely on that when they're working with our land use regulation program.

MS. SULLIVAN: Excellent.

MS. MAHON: So our CNE species experts coordinate with our department's land use regulation program.

MS. SULLIVAN: Okay. I got a little worried because -- so what is the value then of them going in and doing these mist nettings? It seems like it's so comprehensive and so valuable that that report, it just seemed...

MS. MAHON: I think it's in a combination with the surveys, the ground truthing and so forth with the landscape plan.


MS. YEANY: I think it ends up being multiple layers of environmental review. I
mean part of what FERC does is they're essentially going through the eco process, the federal level environmental review. You have the US Fish and Wildlife Service involved in this one and then you have the Threatened Endangered Species review as part of our --

MS. SULLIVAN: Okay. Excellent.

One last question. Could I just have the name of the person at FERC who you ultimately report to? Is there one regulator that sort of supervises everything?

MS. DETTLING: We have project managers that are assigned to our project but there is no one that we report to.

MS. SULLIVAN: There's no one FERC person?

MS. DETTLING: If you go on the FERC web site under the docket --

MS. SULLIVAN: I don't want to do that. I did that. I spent six hours. I'm 25 years a lawyer. I don't even know how anybody in their right mind can expect a layperson to understand that site. I was embarrassed.

MS. DETTLING: There are a team of reviewers --

MS. SULLIVAN: So there's no one FERC
person that you can give me any name, any
superior, anyone that's in charge of the
project?

    A VOICE: There are five commissions.

    MS. SULLIVAN: Yes, I know that. But is
there somebody who is in charge of this
project? I don't know the structure, it's not
an area I practice in.

    MR. BRUBAKER: You do have a project
manager in the DEP --

    MS. SULLIVAN: Right.

    MR. BRUBAKER: -- in contact with the
project manager at FERC for this project.

    MS. SULLIVAN: Okay. What's that person's
name?

    MR. BRUBAKER: David Hanobic.

    MS. DETTLING: H-a-n-o-b-i-c, but he's the
environmental review only. There are several
FERC reviews for the project.

    MS. SULLIVAN: Okay.

    MS. DETTLING: He's the environmental
project --

    MS. SULLIVAN: I spoke today to a guy at
the DOT who's in charge of pipeline safety and
he didn't know anything about the project.
He's like the -- supposed to be the community liaison person, so I'm supposing that DOT is involved.

MR. BOORNAZIAN: Federal or state?

MS. SULLIVAN: Federal. Federal. His name is Alec Canaverich. I can get you his name, but it just struck me funny. A part of the take away on this whole thing, you read in the newspapers articles is that, you know, there doesn't seem to be, and it sounds like there is.

You know, there doesn't seem to be enough transparency in terms of how many people really know. Like the mayor of my town didn't even know about the last meeting. I think I mentioned that last time.

But if there are people, you know, that are talking about this and supervising it and reading the Landscape Project reports and that should be more forthcoming because I think it will give people, you know, to the extent possible a little more confidence in the process.

So, but that worried me a little bit that he didn't know about it. So I can get you his
name. But that's all I have.

MR. GREDVIG: There's a sequence in steps, though, to our application process.

MS. SULLIVAN: Yeah, I understand it's once the pipe is constructed as I understand, he's sort of the -- DOT sort of supervises the safety thereafter; right?

MR. GREDVIG: Through the construction.

MS. SULLIVAN: Some parts of it, yeah, yeah. I mean he wasn't really interested in knowing about some of the concerns that we had. But okay, thank you very much.

MR. BRUBAKER: Could I just also add --

MS. SULLIVAN: I'm sorry, I have an eight year old outside who's having a complete conniption.

MR. BRUBAKER: As far as the DEP is concerned, although we do have contact with FERC throughout this process to insure that New Jersey's interests are looked after, this project has not even applied for permits from the New Jersey DEP yet.

MS. SULLIVAN: Yeah, I did read that.

MR. BRUBAKER: It's very early in the process. There will be another complete, more
detailed analysis of this pipeline.

MS. SULLIVAN: And will there be public comment and that stuff?

MR. BRUBAKER: Yes. There's public comment on all the permits that will have to be issued, so just beginning this process, there's a long way from the process being approved by New Jersey DEP. They haven't even applied yet. We haven't even started our environmental review, which will be more in detail and much more, in my opinion, demanding, than the FERC review that they're going through now with it...

MS. SULLIVAN: Wonderful. Thank you.

MR. BRUBAKER: So please understand that.

MS. SULLIVAN: Thank you very much.

MR. MANN: My name is Chief Vincent Mann, M-a-n-n. I'm a subchief of the Ramapo Lenape Nation. We, again, also were at the meeting in Bergen County. The first part, I understand it now, but I'm just going to say this but I know the reason why now.

When we were at that meeting somebody was there had actually asked you, Jerry, if you guys were working in West Milford and you said
to them, no.

Now, I'm assuming that you're saying to them no meant that you're not talking about this pipeline, that you were referring to the 300. I'm assuming because I don't know.

MR. CREEL: Well, I don't recall the particular question, but certainly if we were addressing the Northeast Upgrade Project, it's not in Milford. The other project, the 300 Line Project is in construction and I'm very much aware of that so I certainly would not have intended --

MR. MANN: Like I said, I imagine that it was because you were probably thinking the 300 Line, but nobody was saying anything to anybody that was there asking that question. They wouldn't have known that until today.

We were there and we didn't know until you explained it to us.

MR. CREEL: That the other project was under construction in the West Milford area.

MR. MANN: Right.

MR. CREEL: I have to be careful because our project also goes through New Milford. West Milford is actually east of Milford. So I
don't always keep that straight.

MR. MANN: I'm going to try not to go over
five minutes, but I don't know, Rachel, maybe I
can have your five minutes if I have to. I
don't think I will but...

HDD drilling, that is a type of hydraulic
fracking; is that correct?

MR. CREEL: No, it is not. It is a
directional drilling technique that uses
drilling mud to facilitate the drilling process
with mechanical bits to drill. But the mud
formulation for those drills is primarily a
bentonite clay with water with some additives.
Those additives are, and we will proscribe as
being suitable for use for water wells.

MR. MANN: Can you tell me what that is?

MR. CREEL: I can't quote the
specification for that, but there is a
specification that says that these materials
meet the drinking water standard for use.

MR. MANN: Not to cut you off, but I
imagine that they probably say that about
fracking also.

MR. CREEL: I do not think so. It's a
different operation.
MR. MANN: So I understand, what do you do with that mud mixture after it comes out?

MR. CREEL: During the process of drilling, you'll have drilling mud, the bentonite clay essentially and, of course, while you're drilling you'll generate some materials that's being excavated from underneath and the rock fragments and dirt that's coming out of the drill.

During the drilling process there's a recycling process to reuse the clay, and once that has run its course, the material then has to be -- in New Jersey, actually in another parts of the country it's allowed to be land farmed because the farmers find it beneficial fertilizer. But in New Jersey there is no land farming of this material. It has to be disposed of properly and I believe it will be in a benign or inert facility that's approved for the purpose.

MR. MANN: Okay. The reason I asked that is because in reviewing the Northeast Upgrade Project on line, the big 10 million files, they have a contingency plan in there, I guess, the federal government does, to actually have
oversight when you're doing that. From what I read in there, basically what I got out of it was that they will be there monitoring that part of it because if it does fail, then you have to find another way to go.

MR. CREEL: Well, what I would say about the federal monitoring activity, take for example, the existing construction activity on the 300 Line to the west of here. There are FERC monitors who are on-site who are on the project on a full-time basis who inspect and oversee the activity on the project to insure that what we're doing is in compliance with federal rules and regulations related to the construction of pipeline. And I would say that periodically I think there's the other agency inspections as well as.

MR. MANN: Okay. Long Pond. You say that you're going to be coming across Long Pond and obviously we've had some discussion before at the other meeting. We actually have a burial site at Long Pond that's not marked, for obvious reasons, because we don't need people going in there digging up the remains of our ancestors.
MR. CREEL: Well, let me say that I appreciate the fact that it's a sensitive resource and confidential in nature and some things you don't want to publicize. And what I would add is that as part of our process for identifying resources on the project, we have an archeological consultant who had examined all the work spaces and some of the reports where resources have been identified are not published for public consumption because, for obviously reasons, just as you would say.

And so what I would say is we've been through that whole process and maybe Melissa is better at this than I to explain, but we've been through the cultural resource study effort. Certainly part of the effort ought to be consultation with any tribes and we attempted to do that. I don't know if anybody has followed up from previous...

MR. MANN: Ms. Sullivan obviously has been talking with you folks, but we still haven't, not to this day, received at least not even one phone call from El Paso, Tennessee, the State of New Jersey, the federal government, no one. And regardless of the fact that whether or not
we're federally recognized or not, we are who
we are. And you can ask anybody that's here,
especially this area you're coming through now.
You know, these mountains are sacred to us.

We come along with this because it's
important to everybody, but our cultural
resources that are out there, you guys don't
know about. There's some that we don't even
know about.

You know, I talked to an academic from
Georgetown University that even said that just
by your blasting or just by your pounding that
rock with those machines, that any artifacts
that are from our ancestors that are buried in
the ground are going to be destroyed.

When there's old trees that are sitting
there outside of where your guys are actually
working, that ground shakes, those trees come
down. Maybe there's an eagles nest there, you
know. Maybe there isn't. Maybe there's one of
your employees that's sitting there. Maybe
it's one our family member that tramps through
this whole upper Ringwood and Ramapo mountains
from here to one other side, maybe it's not
even a Ramapo.
You know, maybe it's your grandson because you brought him along with you up there to see the big machines. It could be any of those things.

So yes, these mountains are sacred to us. You know, you're talking about my family, the tribe who has been here in this area from before somebody came with a pen and started writing. Our families are the ones that helped build these mines, you know.

Did you know that the Capitol building, the dome, do you know where the steel came for that? From right here.

You know, your pipeline is going to come right between this building and that little river over there. That's what you showed up in Bergen County when I asked you to zoom in, I asked you to tell me how far we were from those mines. You said it's less than a mile.

MR. CREEEL: Are you talking about the Ford site?

MR. MANN: That's correct.

MR. CREEEL: Yeah, it's about nine-tenths of a mile.

MR. MANN: That's correct. Regardless of
how far away that is, how the bird flies and stuff, given all those years, those contaminates aren't only located there, they're located all the way down here and it effects -- if they could get into the river, they go into the Wanaque Reservoir. You guys are going to be working with the Wanaque River which flows into the Wanaque Reservoir. There's actually a mine that's inside of that river also.

I don't know how close you guys are to that, but how could you even know whether or not that you're going to damage something that's below there with 17 layers of mine shafts that are there. It's 20 something hundred feet deep, you know.

I mean, I don't know how you could ever replace what would happen if you guys have a catastrophe like that.

And not only that. If you run into an area over here that you have to blast, you know, my family members live up there. They're already dying. There is already been mine collapses. Kids have been lost, there's been sink holes in yards, people have had to get to rid of their homes.
It won't take much for you to cause one of those mine shafts to open, and if one of my family members dies because of that, who's going to be responsible for that? You, Ford, Ringwood Realty Company that bought that for Ford, the federal government?

You don't have to answer to any of that stuff but I want it to be on record because it's very important. You know, all those things.

You showed the other stuff over there about the big runoffs. You said something about a big project, big footprint, significant land disturbing. That's what we're here for because you are going to do that.

All these pictures, aerial photographs, some of that are up there, they show you where you have failure and it's not cloudy, it's muddy. And that's a big lake.

I mean, this stuff right here, you know, that's sacred ground and it has a scar that runs right through it and it runs through us and all these people that are there also.

Other than that, one of the biggest things is our people and I would think that you guys
have to do some kind of surveying, something to
make sure that they're safe, because you guys,
one mistake with that and those mine shafts
collapse, there's 40 something homes up there.
You know, they're already being killed.

(Applause.)

MR. PERRY: So now that we're sort of
adjusted to reality in a little closer nature.
I'd like to follow on what I spoke of before.

It's quite apparent after the -- and I
realize you're all good people with good
conscience, but after the EPA and the Ford
fiasco, this continuing of no one's responsible
but it's okay if a few people die, which is
exactly what is happening. The State not
responsible. Ford's not responsible. EPA's
not responsible. The federal government, don't
know where they are, okay, no problem.

Let me suggest that until -- and I asked
this before, no one here is directly
responsible, I understand that. So let me ask
personally, Chief Duane Groford Perry of Ramapo
Lenape, Muncy, that you provide your decision
makers with the fact that there is a question
of health and safety to the point that it could
be critical and/or lethal and those decision
makers would like to sit with the tribal
people? I know it's going to hurt the
Americans, and come up with a comprehensive
plan that is going to suitably house my people
in the event of El Paso isn't responsibility.
The EPA was not there and God help us if the
governor knew.

So I'm asking for a moratorium until we
can put together a comprehensive task force to
develop some sort of suitable housing and
safety for the remainder of my people that live
in upper Ringwood.

Thank you.

(Applause.)

MS. DETTLING: I just want to comment
really quickly, we are going to be reaching out
and we have attempted to contact you. After
the last meeting, I specifically went and
looked. Two letters were sent out. One as
early as last year -- I understand. I'm not --
what I'm saying is, you know, we made attempts
and I want to speak with you about it. We have
the letters, we could show you. If there's an
error in the data that we've received in how to
reach you. We have numbers.

MR. PERRY: It must be the address.

MS. DETTLING: We've attempted phone calls as well. And so we'd certainly like to talk to you and I'll get with you after this.

MR. PERRY: Yeah, I can bring a card, but I'd like to say this.

I believe you've made an attempt, but to date, we have had no contact. And I'd like to say this directly to those people who are hopefully carrying this to the decision makers. Do not go to upper Ringwood and start picking out my people one for one. If you want to talk to the representative of the tribe, I'm the representative.

This is not an individual issue. It's more than disingenuous that you go to an elder and start talking foolishness about dust particles. I'm livid about that. The tribal council is livid.

We have stood back for about five years looking at this, whatever you think you call it, but I'm sure you wouldn't allow it to happen to your own families.

So I'm asking you people to have your
decision makers, when they pull up their pants, wherever they've pulling up, to contact our tribal office directly and we can sit down and work in a collegial manner to develop a comprehensive program, okay.

I think anything short of that is continuing with this fiasco we're living with now, which is dead elders and children being affected.

And Vinny can give you my address. I didn't bring a card. I didn't think I would need it.

MR. DEGROAT: My name is Chief Richard Wolf Paul Degroat.

THE REPORTER: Spell the last name.

MR. DEGROAT: D-e-g-r-o-a-t.

I've been listening. I'm a graduate of Columbia University School of Architecture and I've seen many, many reports. I'd just like to, from listening, to say one thing.

From a first nation indigenous people, I read that Tennessee, this is you folks here. Tennessee Gas and Pipeline, with over 50 years of experience cannot, and I say cannot compete with the billions of years that it took the
creator to create the majestic mountains, the Ramapo Mountains.

And in closing, everybody, if they haven't heard this, every action has an equal and opposite reaction as it relates to the proposed pipeline.

So again, I look at the big picture of what's is going to happen in the future for our children. I would hope that you would think about that.

Thank you.

(Applause.)

MS. VAN AUKEN: Thank you. My name is Erica Van Auken. That's E-r-i-c-a V-a-n A-u-k-e-n.

I'm the campaigning Grass Roots coordinator at the New Jersey Highlands Coalition. As an organization that works specifically with environmental, cultural and planning issues that impact the Highlands, we have a vested interest in the conditioned preservation of protected land in the Highlands because our research has shown us that the negative impacts of construction consistently outweigh any benefits.
We request that you not trade priceless public land for a comparatively small fee for the construction of an unnecessary and unwanted pipeline. We recognize that the DEP is negotiating the reduction of the proposed right of way for construction and other mitigation measures, but the right of way and temporary work space for the pipeline will require the deforestation and fragmentation of critical forest resources, a permanent loss of ecological services, the loss of forest activity and threatened and endangered species habitat.

Long term maintenance of even a reduced right of way would prevent these resources from being restored and will further encourage invasive species infestation. All of which will detract from the natural integrity of the Highlands.

With such a long list of negative side effects, it will be far easier to avoid environmental degradation than to mitigate for it.

This proposal leads us to believe that all damaged caused by construction could be
mitigated through a four-to-one land compensation ratio.

First, such mitigation is meaningless if the land is not adjacent or at least very close to land lost.

Second, the negative impacts within the temporary work spaces are not addressed in this proposal.

We are to assume that permanent damage will only occur along the right of way, however, damage caused to these temporary work spaces will never fully recover after the construction equipment is gone.

These spaces should receive the same mitigation as land along the right of way.

DEP's proposal states that TGP will only have to, quote, purchase replacement land for any areas of temporary work spaces that must be blasted in order to install new pipeline, end quote. Not all of the permanently impacted temporary work spaces.

In addition, the proposal to give back 10 feet of the right of way in exchange for reduction in mitigation obligations lacks merit. Why not make TGP give back the
additional 10 feet and purchase land on a four-to-one ratio. These two mitigation proposals are not equal and should not be treated as such.

So if it all falls into place, we are giving away our valuable and increasingly rare natural resources, the integrity of our communities and the quality of our lives for a few dollars in right of way fees, a few more dollars lands in land leases.

It is for these reasons that we recommend that the value of a land recognized as such and preserved accordingly remain protected from this pipeline and any future projects.

Thank you.

(Applause.)

MS. REIK: Good evening. My name is Linda, R-e-i-k. And I want to say that I completely agree with previous speaker who said that we should and we could be doing things better. And what I'd like to do is tell you about the information session from a few weeks. It was not a hearing as we have tonight. But some things were revealed that night about behaviors and operations of Tennessee Gas that
were appalling to me and if not even illegal.

I see Tennessee Gas representatives here
and I'm speaking now to relay those incidents
that I learned about that night to be on
record, and for the DEP representatives to know
that it's possible that the best workmanship is
not being done already.

It's possible that a gas company proposing
this needs to be highly regulated and monitored
with a fine tooth comb. That scepticism is
actually widespread. If you drive through the
Catskills you'll see plenty of billboards and
signs that say, "They said it was safe to drill
in the Gulf too."

So my points that I learned about that
night at the information hearing and I'll try
to be brief and I may be entirely 100 percent
accurate. But basically the gist was that
Tennessee Gas said that they had been working
on this since 2009, surveying the area and
they've talked to just about everybody that
they needed to.

Well, as you heard tonight, the Ramapo
Lenape Nation had not been contacted since
2009. Still have not been contacted in the
last couple of weeks. Does that make sense?

Is that legitimate? Is that the best

workmanship on the part of a company that's
going right through hundreds of years of their
land?

Secondly, I learned that there was a
resident from Mahwah who got up and spoke that
night, an elderly man. His family has owned
thousands of acres in the Ramapo Mountains
since 1939. No one had contacted him since
2009. All the work that the gas company had
been doing up there, he only learned about it
because surveyors were walking all over his
personal home residence. He owns Bear Swamp
Road, the road that the gas company was
proposing to access. He didn't even know about
it. They hadn't even researched the deeds well
enough to know about it. Is that the best
workmanship?

DEP, please, get on it, stay on it. It
needs really good management and regulation.

Let's see. I also would like to let DEP
know that in October of 2010, Bergen County
Department of Parks hosted a meeting up in
Ramsey, I think it was, at a hotel for Bergen
County residents to attend and to discuss. We actually broke into work groups to discuss what kind of recreation use should be allowed in the Ramapo Reservation, because, for example, currently no mountain bicycling is allowed in any Bergen County park. And there were groups there from every facet of outdoor recreation. And I have to tell you that not one sentence was spoken in October of 2010 about a gas pipeline going through the Ramapo reservation.

Who is responsible for not communicating to hundreds of recreation people who were there that night?

And I would ask you that since the information has not been communicated, that no fast tracking be done. The population in Bergen County deserves to be educated about this, to become aware of it, and as you say, have a chance to really give feedback in a public session. We're nowhere near that.

Also, I'd just like to relay another incident I remember from that night when there was discussion about how the need for natural gas is going to increase and that's why Marcellus Shale is being looked at. And one of
the members of the audience asked Tennessee Gas, so who are the people that need this gas? Who are you contracting with? And not one of the people that's sitting here, and I think you were the one that answered the question, said, I really don't have their names.

Well, if this is as such an important source and need for this gas, why doesn't Tennessee Gas know the names of the contractors and give it to the public when they're asked.

And finally, I would like to comment on the question tonight about where is current activity that could be seen, and the Milford, PA office phone number has been given over there. That night a few weeks ago I gave the example of Uniondale, Pennsylvania, which is a small town in Northeast Pennsylvania. The second weekend in July, I happened to be there.

The Tennessee Gas pipeline is currently being laid there. It's wide open, the pits are open, you can see it. And I was there on a Saturday night when the fireworks had ceased from the annual picnic. It was about 10:30 at night, and after that I said to my host, what's that noise? And they that's the chippers. The
gas line is working 24/7. So at 10:30 on a Saturday night we could hear the chippers from one to two miles away where that pipeline is going in.

Also in Pennsylvania, very close to Milford, there's an active site of installation of this line going under the Lakawaxen River. The Lakawaxen River is a beautiful piece of river. It was damned up to make Lake Wallenpaupack and it has been known for years to be annual visits by bald eagles and nesting habitats there.

So I'm lucky I don't live in Pennsylvania or I'd be really upset that that pipeline is going under the Lakawaxen River and this kind of construction is being held in that kind natural territory.

So those are the little snippets of stories that I have of things that are already been done. It really makes me skeptical and frightened for what could happen in the future if this is not highly regulated and closely monitored.

Let's not have any other similar incidents to what we've seen with gas and oil in this
country. Thank you.

(Applause.)

MS. GEISEL: Good evening. My name is Amy Boyle, B-o-y-l-e, Geisel, G-e-i-s-e-l. I'm a homeowner in Ringwood, I'm the parent of two small kids. An attorney admitted in New York state with a background in litigation. I'm here to get some information. So I appreciate all the information you all have given us.

Just so you know where I'm coming from too, I'm a member of New York/New Jersey Trail Conference, so I worry about the hiking trails.

I'm a member of the New Jersey Botanic Garden. We go to the state park every weekend. And we're also member of the New Jersey Audubon Society, specifically the Y Center here in Ringwood. We moved to Ringwood because it's beautiful, open spaces, great place to raise kids.

I'm concerned tonight, I'm trying to keep an open mind as I'm taking in all the information. I appreciate the presentation, the maps and everything. There's a few questions I have because I'm getting a lot at once.
The first thing I'm concerned about, has this application, in fact, been fast tracked for this particular part of the process for the New Jersey approval? Because I've heard that at least four times. Has the State placed this on a fast track for this part of the administrative process?

MS. YEANY: I wouldn't say that, no.

MR. BRUBAKER: Again, because they have not applied to DEP for permits.

MS. GEISEL: Okay. So this is the first tier of state approval.

MR. BRUBAKER: Well, they're still in the federal process and they'll finish the federal process and then they'll go through the state process. So they haven't even come to DEP.

MS. GEISEL: I appreciate it, Mr. Brubaker, because you responded to an earlier e-mail of mine, because I'm confused too about there was activity in West Milford, which has been discussed tonight.

In my mind, I take my kids to day camp and I passed twice a week for two weeks in July and it's Greenwood Lake Turnpike to Marshall Hill Road where the West Milford airport is and it's
right in back of the paint guy. You know,
instead of shooting guns they shoot balls of
paint at each other.

MR. BRUBAKER: Paint ball.

MS. GEISEL: Is that the 300 project or is
that part of this project?

MR. CREEL: That would be the 300 project.

If I understand where you're -- I'm not a
local --

MR. MANN: Yes, you're right.

MS. GEISEL: So that's west. I thought
that was part of the Long Pond project phase of
this particular project. So that's separate.

MR. CREEL: The project in construction is
not part of the project that we're discussing.

MS. GEISEL: We're talking about tonight.

So that's the 300 Pipeline Project.

MR. CREEL: Yes.

MS. GEISEL: Is that the same kind of
configuration you're using, same size of pipes,
same trenching process?

MR. CREEL: Yes.

MS. GEISEL: So is it realistic for us to
expect that kind of construction site in like
Ringwood State Park?
MR. CREEL: Yes.

MS. GEISEL: Okay. So if anybody wants to see it, you can see it, it's really close. If you take Greenwood Lake Turnpike to that split towards West Milford, it's right there? It's right next to the West Milford airport. So I went by that twice a day for two weeks from July 18 to July 29.

What struck me was they took the topsoil down a lot farther than I anticipated. So if you're talking about trenching and you're getting this pipe below freezing, first they're taking off the topsoil; am I right? You've like graded it.

MR. CREEL: It's being graded.

MR. GREDVIG: One clarification, we do not go below frost level.

MS. GEISEL: Okay.

MR. GREDVIG: There's no need to that.

MS. GEISEL: So first I saw that, because I saw two weeks of this which was kind of fascinating to watch as you're driving back and forth two little kids is you're seeing the topsoil is being taken off; right? There's no rocks, there's no shrubs. Then I saw the
trenching process, which is you're talking 6 to 7 feet of trenching across, which is 25 feet away from the first pipe; right?

MR. CREEL: Yes.

MS. GEISEL: So you have your first pipe which is laid 25 years ago?

MR. CREEL: 1955.

MS. GEISEL: 1955, 25 feet across, you're trenching down 6 to 7 feet; right?

MR. CREEL: Right.

MS. GEISEL: But meanwhile we've taken what, if you know, in the plans, like 4 inches of topsoil off before we start the trenching process?

MR. CREEL: Well, it depends, it depends very much on the location and what's there. For example, in an agricultural area, you know, the topsoil would be taken off and segregated and saved to put back on top later.

MS. GEISEL: Okay. Right, to regrade it.

MR. CREEL: Yeah. And in upland forested areas where it's not an agricultural area where it's mostly rock, what you may have simply seen is the cut being made to level the work space so that the equipment and crew can safely
install the pipe.

MS. GEISEL: Okay. So in two weeks the pipe was being installed at that particular West Milford spot. So it's trenched out, were starting to lay pipe and I saw even night lights, so they're working at night, I can assume, because I saw what to me looks like lights they use on the highway construction projects.

MR. CREEL: It's very likely that you saw a light plant of some type to provide lights for working after hours.

I can tell you that generally speaking the construction schedule is six 10-hour days.

MS. GEISEL: Okay.

MR. CREEL: Six days a week, Monday through Saturday, ten hours a day.

Depending on the construction activity, if there is some particular need to continue a process until a logical completion or a safe completion point, then they may, you know, extend their hours, you know, into the evening to do that, but there's -- certainly it's not an intent and the normal work schedule is just six 10s and it's generally from seven to seven
in between that.

  MS. GEISEL: Okay. So then the removed
the topsoil with the rocks, the shrubs, we're
going to grade it back, bring it back up to
surface grade.

  MR. CREEL: Yes.

  MS. GEISEL: Because my concern now is
there's certain lease terms that appear to not
have been negotiated. Like we have a lease
with big clauses that simply don't exist yet.
We haven't agreed to the term mitigation;
right?

  MS. YEANY: Correct.

  MS. GEISEL: We haven't agreed to what's
going to happen, when you guys are going to put
this big, what looks like to me like a ski hill
that now looks like clay back into the
condition before we trenched and put the
pipeline in; right? So we don't have a
definition for the word "mitigation".

  MS. YEANY: Well, I would say that most of
what you're talking about there is covered by
the federal approval. And regardless of
whether this happens on state property, they
have to bring it up to a certain standard. And
that's not one that we specified. What we're talking about are impacts above and beyond that. Because of the fact that this is a state park or --

MS. GEISEL: Right, because now I see, we go hiking in Ringwood State Park and I see the surveys flags and I see this huge swath of land that it's going to go. The trees are going to go. It's going to go below grade. We're going to get big trenches in there and I'm wondering what their legal obligation is going to be to restore that land after they finish trenching and bring everything back up to grade.

MR. GREDVIG: It's our requirement, both federally and through our right of way permits with the private landowners, with the DEP, to restore that right of way back as close as possible to its original condition contour and to do the reclamation.

MS. GEISEL: Okay. So "contour" means back to grade; right? So you're going to restore the hiking paths, but in Ringwood State Park there's big tracks the old growth, so that's what I get concerned about. What are we going to do about those old growth trees?
Because it's a mixture of pine, you know, old growth oak. They are big, so how do we mitigate that kind of track?

MR. GREDVIG: That's part of the compensation both for the lease of the property and then also for the mitigation that Judeth was talking about earlier, to offset the impact to those trees, and so we're looking for replacement lands that have the same type of resource that's being removed.

MS. GEISEL: Right.

MR. GREDVIG: And then we're also doing reforestation.

MS. GEISEL: So that is sounds reasonable. What we're talking about is you're going to provide, at some future date, parcels, you're going to identify hopefully throughout New Jersey that are close to these impacted state lands that Tennessee is going to transfer to New Jersey, free of charge; right?

But this too is not incorporated into what we're discussing tonight, which is a proposed lease.

That is a big lease term, a contract term, and we haven't, you know, had a meeting of the
minds of it yet. So that's what concerns me like sitting here tonight what I'm hearing, what I think I'm hearing from the audience tonight is like we are going full steam ahead, and I can recognize in this economy that New Jersey needs money and we need big chunks of money from deals like this, but do we have enough information and have we negotiated enough of these terms to make sure that New Jersey is protected?

MS. YEANY: Well, I said this last night and I'll repeat it. I mean, we're not approaching this project in any way it's a revenue opportunity for the state. I mean, we're in the proposed path of the pipeline and the discussion is about how we would handle that if the project ends up being approved.

MS. GEISEL: Right.

MS. YEANY: So for us the revenue is really secondary, even though, if the project happens, it would certainly benefit our state park systems.

As far as the lease not being drafted or negotiated yet, you know, I don't think we feel it would be would appropriate to prevent a
negotiated lease when what we're here to
discuss is whether we should lease the property
at all.

What we indicated in the report is that
four-to-one mitigation for the perimeter, what
ey they call the perimeter right of way,
four-to-one land compensation would be a
component of the lease, and the lease, if it's
ever drafted would certainly specify that.

MS. GEISEL: You know, those are concerns
that I have too because it's -- what are they
going to do in terms of like remediation and
compensation if they don't fulfill some of
these terms of the lease. Like if they start
encroaching on some of this land that's
protected by that Act and then don't compensate
the state or don't come up with a four-to-one
ratio on acceptable land for New Jersey?

MS. YEANY: Well, ultimately this
transaction, which has to be approved by our
commissioner and the State House Commission,
which is a legislative body, they would both
impose those conditions as a condition of their
approval and that would then be reflected in
the lease.
You know, we have every recourse that's normally available to us when it comes to dealing with encroachments or people not complying with permit conditions if the company doesn't live up to its obligations.

MS. GEISEL: Is it normal to hold any money, like to demand a bond or any kind of money in escrow in case they do default? I mean, because is, as I'm looking at it, this is a permanent, you know, 25, 50 year lease.

MS. YEANY: No, I do understand the concern. I can tell you in the past I don't think we have required a bond but, you know, part of this exercise is for us to do better for this project than we have the previous projects as far as protecting the public interests, so we're opened to suggestions and we have to discuss those issues with company.

MS. GEISEL: Thank you. I appreciate that, and I know this is a late night for everybody, but there are certain terms that I just don't understand as a lay person, so I have to ask you because I've heard them, you know, reading your literature tonight.

The thing that kind of spooks me is the
HDD. When you're talking about the horizontal
drilling and then I see it in your literature
that you're going to use it to go under the
Wanaque River and the Monksville Reservoir.

MR. CREEL: Horizontal direction drilling, HDD--

MS. GEISEL: Right, so you're talking
about--

MR. CREEL: -- that crossing technique is
going to be employed at the Monksville
Reservoir.

MS. GEISEL: Right. The largest probably
body of the water in the area that you're going
through.

MR. CREEL: Yes.

MS. GEISEL: So you're talking about
adding, and please correct me, big mine clay?
You're using clay.

MR. CREEL: Bentonite clay.

MS. GEISEL: Bentonite, thank you. See.
As a layperson, I don't understand these terms,
with additives to make the bit go through
different surfaces? You're going under a body
of water.

MR. CREEL: The Bentonite clay and
additives that are used as a mixture of
drilling mud is used to facilitate the drilling
operation.

    MS. GEISEL: What is that? What is
Betadine clay, it's a lubricant?

    VOICE: It's a natural clay that for the
most part they recover from mines in Wyoming.
    MS. GEISEL: Oh, okay.
    VOICE: It's a natural clay.
    MS. GEISEL: It's a natural substance but
you're bringing it in there from someplace else
to lubricate the bit, the drill heads; okay.
So you're only using that for the larger
bodies of water, you're not using that in the
Ringwood section which goes under --

    MR. CREEL: We're doing that for the
Monksville Reservoir and the Delaware River and
the Susquehanna River.

    MS. GEISEL: Okay. Then you had mentioned
something, the turbidity curtain. What is a
"turbidity curtain," something to prevent the
runoff from getting into a body of water?

    MR. CREEL: A turbidity curtain is an
environmental control device who's purpose is
to try to prevent or to mitigate against muddy
water, turbid water from migrating from the work space downstream to, you know, other resources, like a downstream river.

MS. GEISEL: Is it something that is manufactured or you guys make using bales of hay?

MR. CREEL: We don't make it. It's a manufactured product.

MS. GEISEL: Okay. And then you were talking about also in your literature on Page 33 was rock wind rows, which is of interest of me because you're preserving hiking trails with that. What is that?

MR. CREEL: And we're still working on the plan for what to with large excess rocks in the rocky areas. They will be placed in the temporary work space and the plan for putting them in the temporary work space either as a wind row or sort of a line in certain places where you're making a linear structure, although broken and intermittent, sort of a linear structure referred to as wind rowing. Or moon scaping, which is really just a scattering of rock in the work space.

MS. GEISEL: So you're trying to recreate
rock structure.

MR. CREEL: Trying to recreate what the rocks in the woods naturally would be and to promote -- try to promote the revegetation and restoration reforestation, you know, in that temporary work space with the rock interspaced, you know, in the forested area much as is it in the adjacent property.

MS. GEISEL: Okay. The thing that got me concerned too is you mentioned that you were in the middle of studies to find out or ascertain the impact of grade rock blowing.

MR. CREEL: It's really not so much of determining what impacts are, it's simply a matter of us finding out how much there is because it's a cost issue for us.

MS. GEISEL: Right. Because there's a lot of it in Ringwood State Park, if you hike those trails.

MR. CREEL: I know where there's a pretty good bit about within about a-mile-and-a-half length of the pipeline there's a high part of Ringwood Park where the pipeline deviates off of a straight line and sort winds way up. There's some grade rock in that area.
MS. GEISEL: So there's concern then you'll have to use explosives?

MR. CREEL: We may have to use explosives to clear some of the grade rock.

MS. GEISEL: And we still don't know where or how much yet or what the impact's going to be.

MR. CREEL: It's not a matter of impact. It's just a matter of us to study as to quantify the expected volume of rock blasting that would be necessary.

MS. GEISEL: Because as I walked the surveyors markers, it's inundated with rock formations so that concerns me that there's no study --

MR. CREEL: Yeah, I've walked the whole area myself. I know pretty much where the rock is.

MS. GEISEL: So who do we use? Who do we use, geologists? Do you have in-house staff who are doing these studies, the surveys?

MR. CREEL: We have a consultant who is a geologist.

MS. GEISEL: Okay. Who you guys use?

MR. CREEL: Well, Geo Engineers is one of
out consultants. MacTech is another of our consultants who is working specifically on the rock study.

MS. GEISEL: So what happens with this information? Is there a separate report that's created from those consultants and goes back to New Jersey so they can see what the impact or the long-terms are going to be?

MR. CREEL: I believe there's rock information, rocky area information that's put in the FERC filing.

MS. DETTLING: Yes, there is. There's a resource report. When you go to the FERC web site and all the environmental reports that we've prepared, those are what on FERC's web site at this time, and including a blasting plan.

When you talked about the HDD contingency, those aren't federal documents. Those were submitted by TGP for FERC's review. They will then review those and prepare their own determination and environmental documents and those are available. When we submit an environmental report, one of those reports specifically addresses soil and geological
setting of the area.

MS. GEISEL: Okay. The language I heard that got me concerned, you know, as a resident is again we're in the middle of studies.

MR. CREEL: Well, that's not to indicate that we're not aware that there's rock there. The study is more about the quantity determining for cost purposes.

MS. GEISEL: How we're going to take care are of it or if we have to use high grade explosives.

MR. CREEL: Well, we know, for example, trench rock in the areas may need to -- well, there's no "may" to it. There will some blasting associated with trenching the ditch in rocky areas.

On the 300 Line Project there has been blasting associated with the clearing of grade rock or above ground rock that needed to be graded in order to facilitate the installation of the pipeline in a safe efficient way.

MS. GEISEL: Right.

MR. CREEL: So we're very much aware of those places where that kind of activity is going to be required and I believe all of that
information is included in our resource
reports.

MR. GREDVIG: And just to add to Jerry's
comment, a lot of these studies that we're
doing also, besides being applicable to the
environmental reports, it also has to do with
when we identify our contractor, we have to
give OUR contractor the heads up.

MS. GEISEL: Right.

MR. GREDVIG: This IS what they have to
expect so they plan on it so that our plan
project for construction can move forward on
the time schedule that we've laid out for them.

MR. CREEL: For example, whereas our
resource reports may identify the location and
nature of rock structures and things that are
part of the environmental analysis, it wouldn't
necessarily provide a contractor with a
quantity or a volume that we could expect. And
this latter study that we're talking about is
what that's all about.

MR. MANN: The study that they're talking
about is actually very informational and I
imagine that it's put together by your team of
people that are supporting this whole thing,
the resource.

MS. DETTLING: Yes.

MR. CREEL: A resource report is put together by our consultants, yes.

MR. MANN: But when you go on there, though, it will tell you, okay, the study is supposed to be done at this time and it will tell whether it's complete or not complete. And they do list, for me, and I've been going over this and over this, and there seems to be a conflict in stuff in those reports to what actually what we see on here, the thing about the bats and the bog turtles and all that stuff, and is it is on there, I have seen it.

MS. GEISEL: Well, I have to say, I'm still gathering information, but I'm concerned because it does seem to be like we're on the back side of the approval process and there's still more information that we need and there's more negotiations that have to be done.

Especially since I saw that West Milford 300 Pipeline Project, in the two weeks, the speed of that construction was amazing to me. It's efficiency in and of itself, which is a good thing, but it's also a bad thing, if the
community still doesn't feel that they're on
top of what's going on or what's coming right
down at them.

The other thing I have to say is, do we
know, I'm not a big fan of fracking. Where is
most of this product, this gas product that's
going across this pipeline coming from? Is it
coming from specific wells, specific parts of
this country, going across the pipeline to the
Northeast to meet the new demand?

MR. GREDVIG: We have customers. We have
customers who come to us and they bring their
gas from where ever they develop it from. It
may be Marcellus, it may be coming from Texas,
it may be coming from wherever their system
would allow or wherever their protection is.
They're going to put their reserve capacity in
our pipeline.

MS. GEISEL: Okay.

MR. GREDVIG: Ship along our pipeline, and
then so that's the production side, and then
the customer side is where the receipt point
is.

MS. GEISEL: Right. So are you buying at
that end?
MR. GREDVIG:  We do not buy the gas.  We do not own the gas.  All we do is transport the gas.

MS. GEISEL:  Transport it.  So you really don't know the source when you're getting it.

MR. GREDVIG:  That is correct.

MS. GEISEL:  What is like, for lack of the correct term, because again, I'm a lay person? What's like the drop off point? Where does this pipeline initiate or receive product?

MR. CREEL:  Look, I think it's pretty clear that the incremental capacity being built for pipelines in the area are related additional reserves that have been developed and a lot of that is in the Marcellus Shale area.

MS. GEISEL:  Okay.  But we don't have --

MR. CREEL:  We're not pretending we don't know where the gas is coming from.

MS. GEISEL:  Okay.

MR. CREEL:  It's just that it's not our piece.  We're the transport.

MS. GEISEL:  Right.  Do we have percentage, though, that's carried?  Do we have any idea of that?
MR. CREEL: There's existing gas supplies as far south the Gulf of Mexico that currently enter the system and go into the pipeline and are delivered at all points along the line. I couldn't tell you where the individual molecules come in and go out.

MS. GEISEL: I appreciate that.

MR. GREDVIG: We have separate delivery plants along our system.

MS. GEISEL: Oh, you do. Okay. All right. That I didn't understand when we were getting into this.

I'm trying to keep an open mind. But I just have no comfort from the fact that there's still certain un-negotiated portions of this lease.

We've got a long-term lease contract for something that's going to remain in the ground, have a big impact on this area. So I have to say that in some aspects, a lot of the community is upset because they feel -- we saw like two articles in Suburban Trends. I just drove by it and I contact Mr. Brubaker, who was kind enough to get back to me to explain to me what was happening on the pipeline 300.
I feel like I'm relatively in touch. You know, I read the newspaper, I listen to the radio. Still, this came at me like a bolt from the blue. That's probably my fault, not your fault, of course, just as our representatives from the state level and the federal level, you have to appreciate that there's a lot of concern in Ringwood and West Milford because this is a big thing for us. This has a huge impact.

You know, I have to go by this and explain this to my kids and like this is energy, our country needs energy. You know, we're in a recession. The state needs money. But we're concerned because we don't want what looked like in West Milford for a layperson, a strip mine. And that's what I saw every day for two weeks without any explanation until Mr. Brubaker got back to me and explained it to me that this was approved, they did the process, everything was done in the right way.

But now there's a separate one coming through really close to that one and we're going through this at what seems like putting the cart before the horse.
So my concerns as a homeowner for this area are, I really appreciate the work you've been doing. I appreciate all the information, how everyone was so well prepared. But if you tell me this is fast tracked, it makes me nervous because I still don't understand a lot of the lease terms and I'm a litigator and I'm still not so sure about what they're going to do afterwards because of what I've seen in West Milford. That was down way below grade, and there wasn't a rock, not a pebble, not a shrub left. It was clay based, which surprised me, because I didn't know that's what was under that forest there.

So take your time, look it over, do a thorough job because that's what we ask you do to as our representatives.

Thank you very much.

(Applause.)

MR. INGUI: Chris Ingui, New York/New Jersey Trail Conference. I just have one closing, if I may, and I wanted for this question to basically separate DEP a bit from the Tennessee Gas Company mainly because the money is not coming from DEP. The money is going to be coming from Tennessee Gas.
And the only question I had was why the upper portion of that money that you're going to give, 8.6 million, why that is fair in your own view?

MR. GREDVIG: Why what?

MR. CREEL: I don't think it's appropriate for us to express an opinion about that. You can ask specific questions about the project. We can certainly listen to comments and input for the project and we can answer specific questions. But I don't think it would be appropriate for us to express an opinion or, you know, be subjective in that way.

MR. INGUI: All right. Fair enough.

Thank you.

MR. SCHERER: Hello, my name is Keith Scherer, S-c-h-e-r-e-r. I'm a Hewitt, New Jersey resident. I am volunteer for the New Jersey/New Jersey Trail Conference.

My position with the Trail Conference is I'm the Wawayanda east trail maintenance supervisor.

Many people have talked tonight about the activity that has gone in West Milford.

The supervisor area that I'm responsible
for, that 300 section of pipeline crosses
directly on top of the Terrace Pond North
Trail.

The state has closed the trail since
March, at which point no volunteers have been
able to maintain the hiking trail since then.
That hasn't stopped hikers from hiking it,
especially while were blasting.

There is a really bad section of the trail
that has lacked maintenance for quite some time
that we were planning on working on this
spring. The pipeline work has made it very
difficult to access that section of the trail
that we want to maintain.

It is at the top of Bear Fort Mountain.
It's 1200 feet in elevation. It is on bed
rock. There is no of, ands or buts about it,
it's on bed rock.

I had to take about a 4-mile trail to get
to that section of trail because the trail was
closed. Usually it's about a mile, a little
bit more.

I experienced the blasting myself
firsthand while working on the trail. You
could feel it in the rock. It's no joke. The
rock moves. And people are hiking the trail.
They're crossing near where they're blasting.
People are out there.

I just feel that, you know, I would like
to know what they're going to do in Ringwood
because you're bisecting the entire state park.
Yes, you only cross 16 hiking trails. Some of
those hiking trails you cross multiple times.

To me it seems like the whole park is
going to be closed for over a year. Now, I
know not the whole park is going to be closed,
but who's going to go on hikes of segmented
loops when all this work is cutting the trails
in pieces?

I mean, right now my trail's cut into even
more pieces than it was when it was skirting
the pipeline and no work was being done.

And I just think that the core group of
people that use that park, hikers,
birdbatchers, mountain bikers, walkers, geo
catchers, they're going to be out of a park for
an entire year, and I don't think that
$8.6 million or 330 something thousand per year
is worth losing not one, but almost two state
parks for an entire season. Especially to our
local economy, that brings to this area to
spend money the our delis, in our stores in the
area.

MR. GREDVIG: To try to address one of
your concerns about the trails and trying to
keep them open.

Trails have really become a larger
component of this discussion than it was on the
previous 300 Line. So that's why we are trying
to take a proactive approach to how to manage
our crossing over those trails with a plan so
that we can minimize the disturbance for that
hiking experience and to keep those trails open
as much as possible so that they're not closed
the way they similarly are right now on the 300
Line construction.

Those trails, to that degree, was not
addressed in the same way that we're addressing
these for this move forward project.

MR. CREEL: Yes. I could tell that I'm
aware, I didn't recall the trail name in
Wawayanda State Park, but I was aware that
there was a trail that did cross our pipeline,
I think it's in two different places.

MR. SCHERER: It actually is congruent,
not crossed, it's congruent.

MR. CREEL: It's actually co-located for a distance?

MR. SCHERER: Yes, in two sections.

MR. CREEL: Yeah. I wasn't aware of that but I was aware that there was a problem with that trail and being closed for an extended period of time and when I first heard of that, my expectation was, you know, a lack of planning ahead of time to make accommodation with the contractor to leave openings and a safe way for the trail to be used, except in, you know, short time periods when specific construction activities were occurring. That is what I assumed.

I understand now, knowing a little bit more about where it is. The location of the trail presents some unique, and if you've been up there, you'll know that it presents some unique challenges.

MR. SCHERER: I think the whole mountain presents unique challenges.

MR. CREEL: It certainly does. And so I think there's -- that's a very difficult situation. I don't know how much better
planning ahead of time would have made in that particular instance, but what it does suggest to us is that we need to know about all of the trails and all the trail crossings and to have all those things incorporated into our plan for construction so we can, in Ringwood and wherever we're crossing trails here, minimize the impact and including access for use by hikers.

And so we have a very specific crossing plan for the Appalachian Trail, obviously a unique resource that commands great attention. But we're also going to have another general plan for the other trail crossings and we are looking for additional information to make sure that we've identified all those crossings, to identify any structures associated with those trails that need to be accommodated by construction activity as well as after construction, look at the whole issue of ATV encroachment and the impact that it could have.

You know, we're all on the same team on that one because we don't want the ATVs on our right of way, not more than you want --

MR. SCHERER: And the right of way was
very rugged previously in that particular
section.

Now, what I'm afraid of is now that this
new work has been done it's going to be made
easier and we're putting it next to a
60-year-old pipeline. When is that pipeline
going to need fixing? Are these hundred year
pipelines? Are we going to be back here 20
years from now to fix the original is my really
question?

MR. CREEL: Okay. But that's a different
question. Let's talk about the existing
pipelines.

MR. SCHERER: Yeah.

MR. CREEL: The existing pipeline was
installed originally in 1955, I believe.

MR. GREDVIG: 1954.

MR. CREEL: Is it '4 or '5?

MR. GREDVIG: 1955.

MR. CREEL: Okay. And it's been in
operation since then. Most recently over the
past couple years, particularly with the new
and fairly sophisticated internal inspection
devices that we have now, all of our 300 Line
loops have been inspected internally to ensure
that these pipes are -- the integrity is not in
question of all pipes.

This is a carbon steel pipe. It's
cathodically protected. Generally speaking, as
long as the pipe is maintained and protected
appropriately, the life span of the pipe is --
it's not going to rust if you take measures to
prevent it from rusting, if you will. So from
that perspective, as long as you operate and
maintain the facility properly it's an
indefinite life span.

Now, what will happen over time, in a lot
places the population density will change,
increase to the point where segments of the
line are no longer qualified for that
population density and here will be a
replacement required just to meet safety
compliance standards there. On top of the
mountain, though, I don't think we have that
class location change that shouldn't be so.

The biggest impact on pipelines that
causes us maintenance and to have to go and fix
things is third-party damage, and that's why
have such a rigorous program of trying to mark
and do public outreach to make sure that people
know that the pipe is there. It's why we have
a restricted right of way to keep from
structures and other things encroaching on the
piping and putting themselves in danger.

So all of those activities are done, and
if you do that properly, so long as it's not a
victim of third-party inflicted damage, the
pipe has an indefinite life span.

MR. SCHERER: Okay. Thank you.

MS. GAINES: My name is Camille Gaines,
G-a-i-n-e-s. I'm very new to all this. And as
this is very simple as a layman sitting here
listening to all of this. It sounds to me that
this whole project and the impact that it's
really for the best of Tennessee, whatever
you're called. It's a moneymaking project for
you. It's for you to make money. And all I'm
doing sitting back and hearing how dramatically
your project, which you're going to make money
from, is impacting so many, many, many people.

I personally know somebody who's in
Pennsylvania in Houtbag, Pennsylvania who was
approached, two gentlemen in 80s, who leased
their land, hundred acres of beautiful land to
one of these companies and now this fracking is
going on, has pit neighbor against neighbor,
and their beautiful lakes, we anticipate, are
going to be polluted from the chemicals.

I sit down and I look at this all this and
I'm thinking, first of all, this gas isn't
necessary to help us in New Jersey. This gas
is coming from way up New England to Tennessee.

So how is this project really helping or
affecting those of us that you're impacting? I
mean, to what extent? Since you're saying it's
not a moneymaker, and particularly since
they're only benefiting with a thousand dollars
per acres, I mean, you're right. That's not
very much at all.

I sit back and I see you have all this
negative impact and it's really just to benefit
you. How is it going to be positive for all
these people that you're impacting in a
negative? It's way very simple.

MR. GREDVIG: If you look at our one slide
that we showed, we showed the added capacity
that's needed for New Jersey, the residents of
New Jersey, the pipeline, the gas flow that
we're going to be delivering comes to Mahwah
meter station that delivers to customers that
are within New Jersey. Gas is flowing through the pipeline. We'll fill that. That pipeline will be for the customers that are being serviced by the local distributions companies that service either New Jersey or surrounding areas that provide that are part of our market area.

So that's one way that the pipeline will facilitate and help the residents of New Jersey.

Plus, as we build the pipeline there is an ad valorem tax that is collected by the state and the counties and townships, and so goes back into the revenue base of each one of those areas that we go through with the pipeline and that's and ongoing, ever...

MR. CREEL: Yeah, I would touch on two things. The first time is simply the matter of making domestic natural gas as a clean, efficient source of energy available for energy needs in the country, in New Jersey and elsewhere, is a benefit of the project.

More locally, you know, we've commenced the study for Rutgers, the blasting study that describes the economic impacts, some of which
Dan has talked about, so, you know, is that on the web site? So you can look at the blasting study that will describe the impacts in terms of taxes that will be paid, jobs that will be generated during this construction, other expenditures for local contractors and merchants.

So there's a number of local and direct benefits to the economy in New Jersey, and that's classified and reported pretty well, I think, in that study, so you can take a look at that.

But I think the general context of your question, and I took it not to just be rhetorical in terms of expressing an opinion, but, you know, making available a clean, efficient source of energy for the country's energy needs, we would view that as a very positive effect.

If you have domestic sources of gas, certainly that displaces the foreign sources. Certainly if you have a more abundant supply, that has an impact on the supply and demand equation and the price and cost that we all together pay for our energy.
MS. GAINES: Well, it just seems that, and at least in this area, which is so -- we are so rich in natural resources, it just seems that there should be some -- I don't know, whether maybe in this area, this is very simplistic, you not have this additional capacity but you do come up with some other, because but it just seems that this area is just so special.

And I also am very, very concerned about fracking and I know this Marcellus Shale is very valuable and quite a natural resource and, you know, if Governor Christie doesn't sign the ban, you know, what's going to stop you from starting to drill right nearby?

I think it seems to me that this is something that has come upon us rather quickly and a little bit under the radar and is opening the Pandora's box to something that I think, people -- I'm only just learning about it and I think a lot more people need to be aware of the possible, you know, more of the negative impact that this is having.

It's sounds very simplistic because you're, you know, putting this along where there's and existing line, but there's more to
it than that and it is opening up, you know,
the possibility of fracking and which there's a
lot of concern with fracking, and you know all
about that.

MR. CREEL: Well, let me try to address
that. I don't know all about fracking because
that's not us, we're not the ENP group. We're
the pipeline. We're the transport. We're sort
of the trucking outfit, if you will, for the
gas and that's that our so we're not -- I'm
certainly not an expert on fracking. But I
know that the industry has some information and
if we had an ANGO -- does anybody have the ANGO
web site?

I would encourage you to look at the gas
association web site to see, at least hear the
other side of the story when it comes to
developing shale formations by drilling and
hydraulic fracturing. There's other
information there that tells a different side
of that story and I'd encourage you to look at
that.

But in our case, we're the trucking
company, we're not the fracking company.

MS. GAINES: First you have the pipe and
then you maybe have the fracking or the
fracking in the pipe for the pipes.

MR. CREEL: Actually, it doesn't work that
way. In fact, what happens is, and we have a
contract -- our customers have contracted for
capacity on the pipeline and my understanding
is that that is for gas, that's not
speculative. That's not for future gas.
That's for gas that has either been produced or
is being drilled now or has already been
permitted.

So, you know, part of it is it's the need
for the pipeline follows the production and not
other way round.

MS. GAINES: Well, thank you very much.

MR. MANN: Dan, Chief Mann again. You're
saying that the pipeline that exists now
supplies residents of New Jersey?

MR. GREDVIG: We supply local distribution
companies in this area or other pipelines that
provide gas to local distribution companies.

MR. MANN: Existing.

MR. GREDVIG: Existing.

MR. MANN: Are the two people that we
don't know who are they yet, are they from New
MR. CREEL: Well, we don't have any problem telling you who the customers of the pipeline project are.

MR. MANN: The two that had you said when we were in Bergen County you said that you have customers, because you have to show the need and the demand for it in order for this thing to move forward.

MR. CREEL: Who has the contracts for the capacity on Northeast upgrade? I believe it's Stat Oil and Chesapeake, I believe were the customers.

MR. GREDVIG: That's correct. I don't have those names but they are part of the FERC filing as well.

MR. MANN: I didn't remember but I just wanted to know because --

MR. CREEL: Yes, that's not anything that's -- I believe it's Stat Oil.

MR. MANN: And the only reason why I asked that question was because it was a question that was asked before and going through the documentation I actually seen it myself. But then again she asked that again and didn't get
the answer.

MR. CREEL: Yeah. I think I remember the incident. I don't think we understood quite exactly what the question was.

MR. MANN: Everybody was asking whether or not the need for this is for need residents of New Jersey or is the need for it because of the people you have more customers are just showing the demand and you need to do from other state.

MR. CREEL: Well, I would say that the fact that domestic source of gas is available for use off the system, whether the initial end user for a particular set of molecules is a power plant in New York or whatever it is.

MR. MANN: Right.

MR. CREEL: It, in fact, changes supply and demand equation and has an impact for on the price of gas, not just for that particular end user but for everyone who is an end user. And if you don't have gas to your house, understand also that if you buy electricity at a large degree, new generation sources of electrical power are fired by natural gas.

So the supply/demand equation for natural gas has an impact on everyone's economics, not
just for those particular people who have a tap
at their house.

MR. MANN: I agree, and it wasn't my
question, but I just want to clarify because
they're asking you because you're doing this is
the State of New Jersey, not in the State of
New York.

MR. CREEL: I think we have a lot of
information that kind of chronicles the
benefits for the State of New Jersey and the
residents in our applications.

MR. GREDEVIG: Any other comment?

MR. CEE: Michael Cee, Vernon, New Jersey.

Thank you.

I just had a quick question for you. I
did ask a couple last night and they were
 answered.

According to your mitigation plan you're
taking between 75 and 100 foot width through
the forest area. What I've seen actually I
think is bit of a contradiction in the
Wawayanda State Park area, we measured it, it
was definitely over 150 feet.

My question is, are there times during
this construction that you do need to expand
your width of deforestation along the line
because I know you say it's 75 to 100 but I've
actually seen it firsthand that's it's about
over 150 feet.

MR. CREEL: I'll give you the three
different components of the footprint, if you
will, or the impact area of the project. What
we call the permanent easement, the piece that
will be leased from the New Jersey in this
case, that will be permanently maintained,
that's a piece.

Then there is normal temporary work space.
That's where you get 75 feet in the wetland and
that's where you get 100 feet in upland. As a
general rule that's the width of the corridor.

For certain areas, for example, on either
side of a big wetland area where additional
spoil storage is required, additional temporary
work space, it's called ATWS, will expand that
100-foot width, but what I would say is that is
required generally at road crossings, it's
required general in major wetland areas. It
will be required where there is as steep side
slope or additional work space, but there are
specific areas where that kind of additional
temporary work space is needed.

I would go on to say that all of our work
spaces are approved work spaces in the permit,
in the approval, and those are the only work
spaces that we are allowed to use. And one of
the things that the monitoring program by the
federal agency does is ensure that we only use
what has been approved as work space for the
project.

MR. CEE: I see. Okay. Thank you.

MS. WOOD: Margaret Wood from West
Milford. Does the drilling mud contain heavy
metals?

MR. CREEL: The drilling mud does not
contain heavy metals as part of the formulation
for use to support the drilling operation. I'm
a little worried to say blanket because once
you drill, it would be stuff that comes out of
the ground.

MS. WOOD: Exactly. Okay. When you drill
chips come up and it needs to be deposed of, do
these chips contain radioactive elements and do
they could heavy metals?

MR. CREEL: The material that is disposed
of from the drilling operation is generally
disposed of in a benign or inert material disposal, so if there were any contaminants, then it would be handled as a hazardous waste.

MS. WOOD: Not a toxic waste, hazardous waste.

MR. CREEL: Hazardous waste. Hazardous waste, toxicity is one of the characteristics of a hazardous waste. If you're familiar with the hazardous waste regulations, if you have such a waste, then it has to be treated separately and special and disposed of in an approve appropriate facility for that.

MS. WOOD: I believe that's appropriate, but I've heard that a lot of the stuff is being classified as toxic leaving it up to the municipalities to dispose of an adding extra cost to the municipalities to clean up the filth left behind.

MR. CREEL: I'm certainly not aware of that at all on any of our projects.

MS. WOOD: Kathy, who owns the bait shop of Warwick Turnpike has been saving all the newspaper articles about the pipeline since the day she found out about it. Every single article. There was one informational meeting
in West Milford. She says it was about this big in the paper (indicating.) And anything else about the pipeline we didn't hear about until after the meeting had occurred. There was no mention of a meeting beforehand to let us know. So this came as a surprise to us.

Now, I have new comments of my own. I object to your first chart saying that there will be an increase in demand for fracked gas. Well, my word is "fracked," you just said "gas," for the next ten years. I'm saying "fracked" because I know a lot of this gas will be fracked gas.

I believe there will be a need for energy but the source of that energy can come from green sustainable energy sources, it doesn't need to come from fracked gas.

I object to your referring to this gas as natural. Fracked gas is far from natural since it will also contain some of the fracking fluid that leaks into the pipeline. It will contain contaminants such as benzene and radioactive elements.

This plan it not consistent with the New Jersey Energy Master Plan. At this time we are
still bound by the 2008 Master Plan which calls for a 30 percent reduction in fossil fuel by the year 2020. The revision which you are referring to was proposed by Christie but hasn't been passed at this time. It is still in the phase of public commentary and there is much public outcry against it.

So don't mislead the people sitting here today with statements like that which represent your wish list for that Master Plan to come into effect when it is not in effect yet.

I object to your statement that we need more fracked gas energy. Gas prices are low now. The demand does not exist in the U.S. We saw from evidence presented at the Montague meeting that this gas company is owned by foreign investors.

I saw maps on line that show all the pipelines from the various companies are interconnected, and you just admitted to that.

Presumably so that they can trade gas with each other as needed; which you just admitted to.

These interconnecting pipelines continue to the east coast where the gas can be
liquified and shipped overseas.

I have seen this economic play played out
in South America and Third World countries
where a big corporation would come in, take
advantage of the population, grab the
resources, bribe the public officials. Give no
money to the people who live there and then
sell the resource overseas.

And now they're doing that to America.
They're treating us like a Third World country
and I don't want this to happen here.

Now, yesterday I gave you this article
from "Methane and the Greenhouse Gas Footprint
of Natural Gas from Shale Formations" by Robert
Wholeworth, Rene Santuro and Anthony Ingraphia
and I asked you if you would put it into the
record. And I saw heads shake yes but I didn't
hear you verbally.

Could you verbally confirm that this
entire paper will be entered into the record as
evidence?

MS. YEANY: Certainly.

MS. WOOD: Thank you. I'll give it you to
again.

MS. YEANY: Thank you.
MS. WOOD: Because now your verbal admission shows on the record that you are aware of it and that you must respond to it. Thank you.

I have a great fear of public speaking.

Let me just summarize this article where he has proven that fracked gas has a larger greenhouse gas footprint than dirty coal. So it is the wrong plan to use it as the transition energy if you are concerned about global warming. It is worse than what we have now and it should not be used. And since this pipeline is going to contain mostly fracked gas, this pipeline should not be built.

Also, fracked gas is very toxic, containing things like benzene. Some of that will leak into the pipeline. All pipelines leak 3 percent of their contents. That's the national average throughout all on the pipelines so you can expect those toxins to get into the water, into the land. Water flows downhill. We're in the Highlands. It's going to flow downhill, it's going affect all our waters. It won't stay put.

And also, these toxins, most of them are
not biodegradable so will be with us for a very, very long time.

(Applause.)

MS. BUDZ: I have a quick question and I need this explained to me.

In Vernon if we have a 7 mile run 200 feet wide and you want to lease, how much of that do you want to lease the 200-foot wide? How much are you going to be leasing of that 200-foot wide stretch that you opened up in the state park?

MR. CREEL: I believe the terms of the lease include both temporary and pieces that --

MS. BUDZ: So all destructed land. So 200-feet wide you're going to pay.

MR. GREDVIG: The plan that we present and finalize with the DEP will be for using the fee schedule as authorized by the commission for the application against our pipeline facility and so the DEP will apply that calculation against our footprint for our construction.

MS. BUDZ: Your total footprint.

MR. GREDVIG: Our total footprint for out construction, and then ultimately against what
we term our is permanent right of way or that
lease term of 25 years what we would manage and
maintain.

    MS. BUDZ: Okay. So for 25 years,
200 feet of our forest is gone, so you're going
to pay how much on -- explain to me. Your
pipeline is 30-inches wide.

    MS. YEANY: I don't want mislead on you
this.

    MS. BUDZ: Yeah. I'm getting the
impression that the 200 feet that's gone, that
that's going to be cropped down to a certain
amount of feet and that's what you're guys are
to be paying on for 25 years.

    MS. YEANY: They will pay for permanent
occupation which they will --

    MS. BUDZ: Which is how much?

    MS. YEANY: What they would characterize
as the permanent right of way, which I believe
ranges in width between 75 and 100 feet.

    MS. BUDZ: Okay. So the extra hundred
feet that we're missing in our forest.

    MS. YEANY: Will continue to be owned by
the State. They will pay for using it during
the period that they are using it. It will be
covered by a right of entry, not the lease
itself.

MS. BUDZ: So we're not going to be making
money for 25 years on the other hundred feet of
forest that's missing.

MS. YEANY: No.

MS. BUDZ: So how do you compensate for
coming in and taking that? Because mitigation
as this plan here, which I suggest everybody
get, the mitigation plan which is presented to
each town, clearly states, every seed, every
flower, every tree that's going to be going
back in, only one-third of what has been taken
is really regulated that needs to go back in.

Not 100 feet.

If it's 200-feet wide, you're going to
look at, maybe 70 feet is going to be put back?

Can you tell me what you know about that?

MR. GREDVIG: What we're concerning to be
the permanent easement as of our FERC filing
and for the calculations that are being used
right now, we're looking at an additional
25 feet. We have an existing 50-foot wide
permanent long-term easement. We're going to
add 25 feet and then we're going to have
whatever our temporary work space is for the
term of our construction.

MS. BUDZ: The term of the construction.
So the minute you're out of there, that's it,
you're only paying on 75 feet.

MR. GREDVIG: Then we're applying the
mitigation, no net loss.

MS. BUDZ: Well, I have all that down
here, but when I was out with Mike walking the
site, I was told by numerous people that only a
third is really -- they're only required to put
a third back of what they take.

MR. GREDVIG: We have to do three things.
One, we have to reclaim the right of a way. We
have to reseed all of the right of way, we
reforest.

MS. BUDZ: Right, that's a problem too.
What you took out of Vernon is not seed area.
It's all trees. Thousands and thousands and
thousands of trees, and to go put back the seed
mix, the Pennsylvania Smart Weed, which I saw a
million times is just Pennsylvania Smart Weed
is really -- it serves no purpose. Insects
don't eat it. Really, it's an invasive taking
over plant.
And I'm sorry, I was going to make this short, but I've gone over this and I suggest everybody get this from the town that you have to have the plan. It's 172 pages. It needs to be looked over because there are a lot of things in here that are not true to what has happened in our town and it's a little scary, it's a little deceiving.

MS. DETTLING: We had the meeting here to go over the No Net Loss Reforestation plan and it's actually right behind you available and in the library, so if you want to want see that which is, you know, the seeding that we propose for stabilization is very different from what we restore so those plans are available.

MS. BUDZ: So you're going to seed and then you're going to go back and then you're going to plant trees. So you're going to be in and out, in and out.

MS. DETTLING: No. The schedule is all in there and it's a reforestation plan.

MS. BUDZ: I have that.

MS. YEANY: That's actually dictated by state statute, the level of reforestation.

MS. BUDZ: So it's tree for tree. Don't
misunderstand that it's tree for trees going
back, because it's not.

   MS. YEANY: Well, I wasn't saying that.

   THE WITNESS: I just want people to be
aware, it's not a tree for tree.

   MS. YEANY: No, it's not.

   MS. BUDZ: It's not. So the forest will
never be exactly the way that it was and you
only have to pay for 75 feet, maybe 100 or 25
years and then the other hundred that's gone,
you only have to pay for it for as long you're
working there, but you will throw some seed
down to compensate.

   MR. GREDVIG: All that still is being
worked out between the DEP under their
regulations and needs to be applied against our
construction footprint.

   MS. BUDZ: I understand. I'm not slamming
you guys. I just want you to know that you're
proposing to them something that we've been
through and I can say that I've seen from my
own eyes and what's happening, it doesn't quite
measure up to what it seems that you guys are
putting out to the new areas that are going to
be going through this. And I want them to be
aware, to ask questions, to not take this as gospel because it's not and we want to have clarity to this. That's the only reason I'm here, is just so we have clarity.

MR. CREEL: I would add two things. One, we are a long away from being finished with the 300 Line construction, including restoration and revegetation and reforestation and all of those things, No. 1.

No. 2, we will be complying with all the requirements of our permits and other approvals to do the project.

MS. BUDZ: Well, I feel that you should not just be able to pay for the 100 feet of the line and then what you need, but the 100 feet that you take away, I don't think that we should have to eat that. I think that there should be more restoration and I think money should go back to Vernon. You took a lot out of Vernon. Looks like you want to take a little less from the rest, and I think that's really good. I think we made some mistakes in Vernon and I think we might have learned with the mud slides and the other issues there, which is great.
Unfortunately, we were the Guinea pigs so four miles from my house we have a big major situation that we have to live with for the rest of our lives.

My daughter will grow up seeing that forever. That 100 feet of forest that's missing, you're basically saying that you're going to walk away from that and you're going to put some stuff down and hope it grows and that's kind of just that's the way that it is. So you're only going to pay for 100 but you took 200.

That is my problem. I'm unhappy with that. It's unfair. It's unfair to Mother Earth first. Then it's unfair for me as a taxpayer in that town.

This is the problem with that. I think we need to look at that. That project is not finished yet. We need to readdress that because that's just not fair and it's not going to be fair to any of you guys either.

You're going you take it. You have only to pay for it because you're renting it. You're leasing it like a car and then you're done with it. You might be renting the 100 but
the 100 looks like heck, we're stuck with forever.

Trees are going to take a long time to grow, a long time. And Pennsylvania Smart Weed is not what I see what back when there was a beautiful 100-foot oak tree. It's not the same thing. It's not the same thing.

You want to look good in everyone's eyes as you go forward. Do the right thing, start with Vernon. Start with where you already made the mistakes. Let's fix that. Let's make good on that, that's what I say. That's what I say.

That 100 feet of ripped out forest, it's not acceptable to sit there an lay there. We're not making any money on it. It's going to take forever to grow it. Shame. It's not right and it doesn't look good as you go further in this project.

You can't have people trust you if you can't make good on that. And I'm here to speak and I'll speak at every place that you go to let people know that I can show them what's happened to our town. So let's make good on it, let's do something about it, okay. That's what I say.
MR. GREDVIG: Thank you for your comments.

MS. YEANY: Thank you.

(Applause.)

MS. BUDZ: Put this into the record.

Thank you very much.

MS. YEANY: I'm going to have to close the record. But I do want to encourage people, as I said, to submit written comments if there is anything you wanted to follow up on. We will accept them at least through September 21st.

I encourage you to participate in the FERC process if you have to concerns about where the gas is coming and where the need for the project is and also to keep and eye on our permanent process because there are be other opportunities for public input.

Thank you for coming.

(Meeting adjourned at 10:40 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
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