

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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IN RE: PIPELINE INFRASTRUCTURE TASK FORCE

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BEFORE: JOHN QUIGLEY, Chairman
Sarah Battisti, Curtis Biondich,
Terry Bossert, Gladys Brown, Dave Callahan,
Keith Coyle, Fred Dalena, Joe Fink, Anthony
Gallagher, Nicholas Geanopulos, Denise
Brinley, Mike DeMatteo, Alan Brinser, Mike
Gross, Stan Robinson, Colonel Ed
Chamberlayne, Doug McLearn, Heather
Smiles, Dan Devlin, David Hanobic, Mike
Helbing, Tom Hutchins, Cindy Ivey, Bill
Kiger, Joe McGinn, David Messersmith,
Marvin Meter, Lauren Parker, Duane Peters,
Mark Reeves, David Smith, Michael Smith,
Steve Tambini, Justin Trettle, Davitt
Woodwell, Leslie Richards

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CHAIRMAN:

Good afternoon everyone, my name is John Quigley. I'm the Secretary of DEP. Welcome to our latest meeting of the Pipeline Infrastructure Task Force. We are going to be on what I hope is a compressed time frame for presentations, which I'll explain in a minute.

First order of business is let's go around and introduce ourselves.

MS. BATTISTI:

Sarah Battisti, Southwestern Energy.

MR. BIONDICH:

Curtis Biondich, TRC.

MR. BOSSERT:

Terry Bossert, Range Resources.

MS. BROWN:

Gladys Brown, Pennsylvania Public Utility Commission.

MR. CALLAHAN:

Dave Callahan, MarkWest Energy Partners.

ATTORNEY COYLE:

Keith Coyle, Van Ness Feldman.

MR. DALENA:

1 Fred Dalena, EQT Corporation.

2 MS. BRINLEY:

3 Denise Brinley, Department of Community
4 and Economic Development.

5 MR. DEMATTEO:

6 Mike DeMatteo, Pennsylvania Game
7 Commission.

8 MR. FINK:

9 Joe Fink, CONE Midstream Partners.

10 MR. BRINSER:

11 Alan Brinser, Pennsylvania Emergency
12 Management Agency.

13 MR. GALLAGHER:

14 Anthony Gallagher, Steamfitters Local
15 420.

16 MR. GEANOPULOS:

17 Nicholas Geanopulos, Geanopulos
18 Representations.

19 ATTORNEY GROSS:

20 Mike Gross, Post and Shell.

21 MR. GUTSHALL:

22 Mark Gutshall, Land Studies.

23 MR. ROBINSON:

24 Sam Robinson with the Governor's Office.

25 MR. CHAMBERLAYNE:

1 Colonel Ed Chamberlayne, U.S. Army Corps
2 Engineers, Baltimore District.

3 MR. MCLEAREN:

4 Doug McLearen, Pennsylvania Historical
5 and Museum Commission.

6 MS. SMILES:

7 Heather Smiles, Pennsylvania Fish and
8 Boat Commission.

9 MR. DEVLIN:

10 Dan Devlin, DCNR.

11 MR. HANOBIK:

12 David Hanobik, Federal Energy and
13 Regulatory Commission.

14 MR. HELBING:

15 Mike Helbing, Penn Future.

16 MR. HUTCHINS:

17 Tom Hutchins with Kinder Morgan.

18 MS. IVEY:

19 Cindy Ivey with Williams.

20 MR. KIGER:

21 Bill Kiger with the Pennsylvania One
22 Call.

23 MR. MCGINN:

24 Joe McGinn with Sunoco Logistics.

25 MR. MESSERSMITH:

1 David Messersmith with Penn State
2 Extension, Penn State University.

3 MR. METEER:

4 Marvin Meteer, Wyalusing Township,
5 Bradford County.

6 MS. PARKER:

7 Lauren Parker, Civil and Environmental
8 Consultants.

9 MR. PETERS:

10 Duane Peters, ACE CPA.

11 MR. REEVES:

12 Mark Reeves with Shell.

13 MR. D. SMITH:

14 David Smith, Pennsylvania Turnpike
15 Commission.

16 MR. M. SMITH:

17 Michael Smith, Department of
18 Agriculture.

19 MR. TAMBINI:

20 Steve Tambini, DRBC.

21 MR. TRETTLER:

22 Justin Trettle, Rice Energy.

23 MR. WOODWELL:

24 Davitt Woodwell, Pennsylvania
25 Environmental Council.

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CHAIRMAN:

Secretary Richards, want to introduce yourself? Sorry.

MS. RICHARDS:

Leslie Richards, PennDOT.

CHAIRMAN:

Okay, great. Again, good afternoon everyone, thanks to everybody for coming. I want to get right to this and talk about timing, all things timing. You see on the screen before us the schedule going forward? I think it's self-explanatory, you all are aware that we are going deliver a report to the Governor in early February. The workgroup drafts are due in my office on Monday and we intend to turn around a draft to the task force members by the following Friday, and we will also be publishing the draft report and opening up a 30-day public comment period. So more on that perhaps a little bit later.

But, I want to talk about today's meeting in particular; with a request. We have about 26 folks who have signed up to provide comment during the public comment period and we would like to accommodate all of those folks during the meeting. The complicating factor is we have a hard stop at four o'clock. And one of the reasons that we have a hard

1 stop is I have to leave to go to a clean power plant
2 hearing about an hour and 15 minutes away and with the
3 weather and traffic I have to leave by about 4:02.

4 So, what I would like to do is this, ask
5 the workgroup chairs as we go around, when we do your
6 reports if you would be as succinct as possible
7 please. And similarly, well I know we have the
8 world's biggest presentation on the agenda today about
9 integrating and coordinating permitting, I would ask
10 all of the presenters to be mindful of the fact that
11 there's a lot of folks that have signed up for public
12 comment, about 25 times the amount of public comment
13 that we've gotten in any other previous meeting. So
14 really would ask folks to be as concise as possible
15 while delivering the essential information.

16 I'll also just let folks know that in
17 the public comment period, as we have been from the
18 beginning, individuals are allotted two minutes and it
19 will be enforced. Two minutes, because we want to
20 hear from everybody. There is a box next the podium.
21 When we get to public comment period for written
22 comments we will make sure that any and all written
23 comments are distributed to the members of the task
24 force and posted online.

25 So we will try to do this as

1 expeditiously as we possibly can to make sure
2 everybody has a chance to speak today. So, I will
3 just ask for everybody's cooperation on that.

4 And I want to move right into the
5 reports from the workgroups. And again, we'll go in
6 alphabetical order of the name of your workgroup. Not
7 necessarily any reflection on our affection or lack
8 thereof for everybody. We'll start with Agriculture,
9 Mike Smith.

10 MR. M. SMITH:

11 Thank you, Secretary. In honor of your
12 request our work continues, we have a number of
13 recommendations that are now in circulation among our
14 members and I have every expectation that we will have
15 those finalized by weeks end for submission next
16 Monday.

17 CHAIRMAN:

18 Thank you. Bless you for the brevity.
19 Dan Devlin, Conservation and Natural Resources.

20 MR. DEVLIN:

21 Likewise with our group, we also met and
22 have a series of recommendations that we are ---
23 hopefully we have finalized by this Friday and we also
24 plan on having them in by noon on Monday.

25 CHAIRMAN:

1 Great, thank you. We are going to skip
2 --- I don't think Commissioner Cozzone has arrived
3 yet. She is in transit so we will go to Emergency
4 Preparedness, Rick Flinn or ---.

5 MR. BRINSER:

6 Alan Brinser's alternating.

7 CHAIRMAN:

8 Alan, all right.

9 MR. BRINSER:

10 The EP working group met as late as this
11 morning, that was our fifth meeting; we met earlier in
12 the month to go over this document which is now being
13 fine-tuned, and will be ready for delivery on Monday.

14 CHAIRMAN:

15 Great, thank you very much.
16 Environmental Protection, Hayley Jeffords.

17 MS. JEFFORDS:

18 Thank you. We have had very, very many
19 meetings actually; sometimes, as many as three to four
20 conference calls a week and we are preparing our BMPs
21 which are numbering at about somewhere between 60 and
22 70 BMPs that we are at the stage of wordsmithing and
23 fine-tuning and getting to your desk on Monday.

24 CHAIRMAN:

25 Great, thank you. Historical, Cultural

1 and Tribal, Doug McLearen.

2 MR. MCLEAREN:

3 We have a very diverse workgroup even
4 though small and we've all prepared targeted
5 recommendations. The final drafts are actually due to
6 me tomorrow and I hope to actually finish by the next
7 day or the afternoon, perhaps have it in early.

8 CHAIRMAN:

9 Wonderful, thank you. Local Government,
10 Marvin Meteer.

11 MR. METEER:

12 Thank you, Mr. Secretary. We have been
13 meeting as well. Our most recent meeting was a
14 conference call last week. We have focused on three
15 main areas for our recommendations; communications
16 with local government officials, the impact to our
17 roads and surface facilities. I think we're in pretty
18 good shape to have all of our recommendations ready
19 for submission by the deadline on Monday.

20 CHAIRMAN:

21 Thank you. Natural Gas End Use, Sarah
22 Battisti.

23 MS. BATTISTI:

24 Thank you, Secretary. We are meeting
25 tomorrow for our last official meeting and should have

1 our recommendations ready for you by Monday.

2 CHAIRMAN:

3 This is going too well. Next, Pipeline
4 Safety and Integrity, Chairwoman Brown.

5 MS. BROWN:

6 Thank you. Mr. Secretary, we also have
7 been meeting readily and have met this morning,
8 actually, and we are fine-tuning some of our
9 recommendations having that --- we will have them
10 ready for you by Monday.

11 CHAIRMAN:

12 Fantastic, thank you. Public
13 Participation, Cindy Ivey.

14 MS. IVEY:

15 Thank you, Mr. Secretary. We had our
16 final meeting today and we have six recommendations
17 that we'll be providing on Monday.

18 CHAIRMAN:

19 Thank you. This brevity --- we should
20 have started this brevity before. Just kidding.
21 Siting and Routing, Secretary Richards.

22 MS. RICHARDS:

23 Sure. We've also been meeting many
24 times. It's just been amazing to see the effort with
25 all the workgroups. We also met, our latest meeting

1 was today. We were just finalizing, everything will
2 be ready and we hope to have it to you by Friday.

3 CHAIRMAN:

4 Great, thank you. Workforce and
5 Economic Development, Dave Sweet.

6 MR. SWEET:

7 Oh, thank you. Gee, I'm tempted to say
8 we're not going to meet the deadline just to get your
9 attention. But, I think we are, I think we are. We
10 have a series of recommendations, same as everybody
11 else. We're going to call some of them down, and we
12 have a call tomorrow to do that, should even avoid
13 burning the midnight oil to get that to you Monday at
14 noontime.

15 CHAIRMAN:

16 Great, thank you. And I don't think
17 Commissioner Cozzone has arrived yet. She's sneaking
18 in the back? Okay. All right, we'll wait a second.
19 But, let me just say while Commissioner Cozzone
20 arrives --- and we'll put her immediately on the hot
21 seat.

22 The lightening round here really doesn't
23 do justice to just the immense amount of work that
24 folks have put into this effort. And I want to extend
25 my appreciation and that of the Governor for all of,

1 just, the tremendous work and effort that all of you
2 have put into this; all members of the workgroups to
3 get us to the point where hopefully we will have a
4 draft report in the hands of the task force by the end
5 of next week. So, thank you.

6 Commissioner Cozzone, I hate to put you
7 on the spot but we're doing workgroup reports in a
8 truncated manner.

9 MS. COZZONE:

10 Sure, well I apologize for my tardiness
11 today. We are actually --- my workgroup is --- we're
12 done. We're putting together our report and hopefully
13 we'll have it in to your office before the end of the
14 week.

15 CHAIRMAN:

16 Great, thank you very much. All right.
17 Let us get right to the presentations. As you know,
18 we've had a number of educational presentations since
19 the beginning of the task force. Today, a very
20 important one on Integration/Coordination of
21 Permitting Between Federal and State Agencies with an
22 incredibly impressive team. And, we will start the
23 batting order with Colonel Ed Chamberlayne of the U.S.
24 Army Corps of Engineers. Colonel, thank you.

25 MR. CHAMBERLAYNE:

1 Again, good afternoon, Mr. Secretary,
2 members of the task force, citizens of Pennsylvania.

3 I will move to the next slide here.
4 But, the intent here is to briefly go through our
5 process at the federal level of the Army Corps of
6 Engineers and then hand off to our other federal
7 agencies and state agencies here within the State of
8 Pennsylvania and make it relevant about how our
9 process and what we do and what our authorities are
10 and how they integrate with each other.

11 The district commander for the Baltimore
12 District, we have responsibility for about six states.
13 Essentially the Chesapeake Bay watershed, from upstate
14 New York through Pennsylvania into Maryland and
15 Northern Virginia and West Virginia and District of
16 Columbia. But today, I'm representing the three
17 districts that work in the State of Pennsylvania;
18 Pittsburgh, Baltimore and Philadelphia District. And
19 this will be to show our process across those three
20 districts. We are the lead district for all
21 regulatory matters and that's why we're presenting
22 today.

23 Again, our district represents all types
24 of services and support to our customers in those six
25 states. Today, we'll be mainly talking clearly about

1 our regulatory rule as it applies to our authorities.
2 I'm accompanied today by Wade Chandler, who leads up
3 our State College office here in Pennsylvania and has
4 done a lot of the leg work here, assuring that we're
5 coordinated with Pennsylvania DEP and all other state
6 agencies as long as federal.

7 So, with that I'll go in there just
8 emphasize on the slide there you'll see a blue,
9 essentially the Susquehanna basin where the Baltimore
10 District supports but again we are the lead regulatory
11 district. Coordinate actions across those three
12 districts you see there with Pittsburgh outlining on
13 Allegheny and Monongahela river basins; Baltimore with
14 Susquehanna and Philadelphia with the Delaware river
15 basin.

16 So, why is the Army Corps of Engineers
17 involved with pipelines? We got to be clear. We are
18 involved because of these three authorities that you
19 see listed there ahead of you.

20 Clean Water Act Section 404 is when we
21 get involved. Those Acts clearly spelled out in that
22 Act. The Corps of Engineers original role of why we
23 exist is for navigation purposes and really got a lot
24 of our authorities from the Rivers and Harbors Act
25 there of 1899. And then section 14 of that same Act

1 really talks about when other projects, whether
2 private or public, affect federal projects normally
3 designed for flood risk mitigation and navigation
4 projects and that's the section that we get involved
5 in. So, again we get involved in pipelines when they
6 affect these three authorities.

7 These are some of the review
8 requirements that's similar with every regulatory
9 program, whether federal or state. All requirements
10 are looked at to ensure that we avoid impacts and
11 minimize those impacts and that is our mantra for all
12 regulatory agencies. When we can't do that and when
13 it's not --- the regulatory term they taught me a few
14 years ago was practicable. When you cannot get to
15 that step, you're getting into mitigation and we have
16 many means to address those impacts through
17 mitigation. But those that you see in front of you
18 are those, again, those Acts, those regulations, those
19 laws that the Corp of Engineers must comply with when
20 we work these actions with an applicant for a permit
21 and also working with our brothers and sisters in the
22 federal and state agencies.

23 Of course, you can't talk anything
24 regulatory without ever mentioning NEPA, National
25 Environmental Protection Act. We will, as well as

1 other agencies, support and develop for an application
2 whether or not it will be an environmental assessment
3 or an environmental impact statement. And again,
4 looking within our program for these types of linear
5 type projects; looking at locations, crossing areas
6 and looking at what, again, could be avoided,
7 minimized, or if must be mitigated.

8 Specifically, within the Clean Water Act
9 much of our authorities and much of our permit actions
10 lie within section 404 of the Clean Water Act,
11 paragraph (b)(1). And we're looking at those impacts
12 of the waters in the United States. And for these
13 non-water dependent projects such as pipelines, we
14 will look for an upland alternative and when it is
15 shown that, that is not practicable, we will move in
16 to, as you see there, mitigation for those activities.

17 We also comply with, and you'll have a
18 briefing today by the Fish and Wildlife Service, but
19 we work and follow section seven of the Endangered
20 Species Act and must take that in consideration when
21 executing our authorities in our regulatory role. We
22 do use the best management practice here in the State
23 of Pennsylvania. We use the PNDI tool, as a screen
24 tool along with our state agencies that we coordinate
25 with. So, we don't have another process there, we use

1 the state established process and it works well for
2 us.

3 We'll also have another presentation
4 today by Doug McLearen, on the role at the state for
5 PHMC for section 106. And, again, that is essential
6 in our process and the coordination between those two
7 agencies, our two agencies, to make sure that we have
8 streamlined that. And we've worked in the years past,
9 here most recently, to see what we can do to reduce
10 both our process and working alongside with PHMC.

11 So if you can see the pictures, I think
12 it's important. I ask my own staff on this. What do
13 we permit, what do we not permit. The Corps of
14 Engineers does not permit everything involved with
15 natural gas industry. We work in those authorities
16 where pipelines cross waters or wetlands, waters in
17 the United States. And those are spelled out by
18 authorities under the Rivers and Harbors Act and the
19 Clean Water Act.

20 We do not work in uplands. We do not
21 permit our actions in uplands. So, those are captured
22 by our other federal agencies and also state agencies.
23 But, for the Corps of Engineers we work in those
24 authorities that I spelled out earlier.

25 We feel --- and I hope this is true, but

1 we feel that we've worked very closely with
2 Pennsylvania DEP over the past 20 plus years. We have
3 developed, in this state --- and just to back up a
4 little bit. The regulatory tools are available; an
5 individual permit is probably the most exhaustive of
6 our regulatory process. Those are say for complex
7 activities, uncommon activities, and they take the
8 most time at the federal level to permit. We have
9 nationwide permit tools that every state, every five
10 years, there is public notice period and they approve
11 those with special considerations for each state and
12 those are probably the most flexible tools.

13 And in between there they have the
14 ability to develop general permits. And here in the
15 State of Pennsylvania we have a state programmatic
16 general permit, it started there in '95 and we're on
17 four and we'll soon be --- we're actually now in a
18 public notice period for the state programmatic
19 general permit number five.

20 The reason I brief that is that I
21 believe that is a good tool and example of state and
22 federal coordination. Giving flexibility to the state
23 and then those actions that must be reviewed at the
24 federal level.

25 So, again, between DEP and the Corps of

1 Engineers, all three districts, but ourselves as the
2 lead district, have frequent coordination with the DEP
3 staff. And again, our fifth iteration of that general
4 permit is under public review at this point in time in
5 coordination with the state.

6 Lastly, when we talk transmission lines.
7 Clearly we work with FERC in their role there. And
8 we, again, have a NEPA role supporting our actions and
9 regulatory actions along with the state but also with
10 FERC for transmission lines. Today, in most of the
11 discussions with this task force, I think we've also
12 really focus on gathering lines, so that was the
13 essence of our presentation.

14 So with that, that is our intro;
15 hopefully you took away from what I believe as that we
16 have flexible regulatory tools coordinating with our
17 federal and state agencies. I will be followed by
18 Fish and Wildlife Service.

19 MS. ZIMMERMAN:

20 Hi, thank you for the opportunity to
21 come here today. My name is Lora Zimmerman, I'm the
22 project leader or field supervisor for the
23 Pennsylvania Field Office for the U.S. Fish and
24 Wildlife Service. Our office in State College,
25 Pennsylvania covers the entire State of Pennsylvania.

1 So we'll get started here.

2 Similar to the Corps of Engineers, the
3 Fish and Wildlife Service does operate under a finite
4 number of regulatory authorities. Starting we have
5 the Bald and Golden Eagle Protection Act. As you
6 probably know, the Bald Eagle has been delisted, both
7 by the Fish and Wildlife Service and the Pennsylvania
8 Game Commission. However, the Bald and Golden Eagle
9 Protection Act does provide protection for nests, for
10 juveniles that prohibits disturbance of nests if there
11 are fledglings in the nest. It also provides
12 protection for the nests themselves.

13 Our Pennsylvania Field Office website
14 provides an online screening tool that applicants can
15 use to determine whether or not their project may
16 affect a Bald Eagle nest. There also is, on that
17 page, a list of known nests that you can look up, this
18 is open to the public. You can see if there's a known
19 nest that's in a particular project vicinity but due
20 to the increasing populations of Bald Eagles and the
21 fact that they move around periodically, we really
22 recommend that for large projects that you go ahead
23 and do a nest survey to determine whether or not you
24 may have a Bald Eagle in your project area.

25 Under the Migratory Bird Treaty Act the

1 service does not have any permit authority to issue
2 take of birds. We recognize that despite
3 implementation of all best management practices, some
4 take of birds may occur. However, our law enforcement
5 agents really focus on flagrant disregard for the law;
6 especially in cases where there are avoidance or
7 minimization measures that are not implemented into a
8 project.

9 In addition, in 2011 the Fish and
10 Wildlife Service and FERC, which is one of the primary
11 regulatory agencies for pipelines, signed an MOU. And
12 that MOU really emphasizes the need for coordination
13 and conservation of migratory birds for all projects
14 that are developed under FERC jurisdiction.

15 The Fish and Wildlife Service is also a
16 commenting and coordinating agency for both the Fish
17 and Wildlife Coordination Act and the National
18 Environmental Policy Act. Those are typically led by
19 either the Corps of Engineers or FERC in the case of
20 pipelines.

21 But, the Fish and Wildlife Service is
22 probably most commonly known for endangered species
23 reviews. You may often hear these referred to as
24 section seven consultations. There known as section
25 seven consultations because it's section seven of the

1 Endangered Species Act that states that federal
2 agencies are supposed to use their authorities in
3 order to conserve listed species and further that
4 federal agencies must ensure that their actions are
5 not likely to jeopardize the continued existence of a
6 species.

7 Non-federal actions are not subject to
8 section seven consultations. There is no requirement
9 for non-federal actions to conserve species. However,
10 there are prohibitions for harming, harassing, or
11 killing listed species. And those prohibitions do
12 carry civil and criminal penalties under section nine
13 and section eleven of the Act. And you may be asking,
14 what's the importance of determining whether a project
15 is federal or non-federal. And practically sometimes
16 it doesn't matter, but in the case of pipelines
17 sometimes it is important, especially in the cases
18 where incidental take authorization is required.

19 Because federal agencies have this
20 mandate for conserving listed species and because
21 federal actions are subject to NEPA already, an
22 incidental take authorization can be issued by the
23 Fish and Wildlife Service in about 135 days. For a
24 non-federal action, one that is not necessarily
25 subject to NEPA, we have to go through that whole

1 scoping process, stakeholder meetings and that sort of
2 thing, and so the process for issuing incidental can
3 take a much longer period of time in order to
4 incorporate all of those comment periods.

5 So Fish and Wildlife Service reviews
6 range the gambit from just providing species list for
7 potential project areas, to writing biological
8 opinions that may authorize incidental take of listed
9 species. Like the other resource agencies in
10 Pennsylvania, the Pennsylvania Natural Diversity
11 Inventory, PNDI, has been a tremendous asset to our
12 office for expediting and facilitating environmental
13 reviews. Prior to the development of PNDI, we were
14 averaging about 3,000 to 3,500 consultations a year
15 and post PNDI we've at least halved or maybe more that
16 number. So we probably average about 1,200 to 1,500
17 desktop reviews in our office each year. So, that's
18 been an incredible time saver both for us and for
19 applicants, and so major kudos to all of DCNR and
20 participating agencies with that PNDI system.

21 For applicants or projects that cross
22 state lines, folks may be familiar with the
23 Information for Planning and Conservation; otherwise
24 known as IPaC. That's a Fish and Wildlife Service
25 tool that is similar to PNDI, depending on which state

1 you're operating in the level of functionality really
2 varies. In the State of Pennsylvania, you can
3 generate species lists by county using IPaC. But, you
4 can get much finer tuned project specific
5 recommendations and avoidance measures by using the
6 PNDI system. So, that's what our Pennsylvania field
7 office continues to recommend.

8 I really appreciate Colonel
9 Chamberlayne's discussion earlier about their
10 definition of permit area and how that differs
11 sometimes from the action area under NEPA. For the
12 Fish and Wildlife Service, our regulations require
13 that we review a, what we call, single and complete
14 project. So, that would include --- if you can see
15 the little schematic in the bottom there. That
16 includes direct and indirect impacts from the
17 footprint as well as anything that may be occurring as
18 a result of that project impact. So, in the schematic
19 it also includes lighting effects or noise, downstream
20 water quality or water quantity. All of that would
21 need to be assessed during our endangered species
22 review and that's per our regulation.

23 The difference between our agencies
24 jurisdiction areas can sometimes create some
25 challenges or just some additional head scratching, so

1 those differences should be kind of acknowledged by
2 folks. I think it's important to make sure you
3 understand that so that we can avoid any kind of
4 conflicts.

5 Some of the challenges that we face with
6 pipeline reviews, there's a variable nexus depending
7 on the type of pipeline or where it's located or
8 sometimes the lack of a federal nexus all together.
9 Project timelines as well as the process itself varies
10 differently depending on who the lead agency is. So,
11 upfront it's good to have that identified within all
12 of the players just so we know what kind of review
13 track we're on.

14 Also, as I mentioned earlier, the
15 segmented jurisdictions versus single and complete
16 project. Again, this is also particularly important
17 if we are anticipating potential species impacts in
18 upland areas that might be outside of the Corps
19 jurisdiction; and in particular on projects that don't
20 have a FERC authority.

21 Also, late design changes can also be
22 problematic. We know that things happen that
23 necessitate changes. So we really recommend that
24 project proponents kind of build in a buffer or
25 consider alternatives early in the planning process.

1 That just helps maintain a bit of flexibility later on
2 if problems arise that require some design changes.

3 Also, project timelines. I know
4 everybody is anxious to get things done as quickly as
5 possible; but, building in reasonable time frames that
6 provide opportunities to implement effective
7 minimization and avoidance measures, things like
8 seasonal work restrictions or directional drilling or
9 other things that may take a bit more time. So just
10 having those types of things in mind early on can help
11 facilitate.

12 Speaking of directional drilling;
13 directional drilling, or often referred to as HDD, is
14 a technique that a lot of pipeline companies are
15 implementing to avoid surface disturbance for
16 sensitive habitat or other resources. It's often very
17 effective and beneficial to reduce impacts. However,
18 HDD isn't a tool that can always or should always be
19 used, either due to unconsolidated overlying geology
20 layers, steep topography or pipe characteristics;
21 diameter, pipe type. So, it is really important to
22 only use HDD in areas where it's appropriate.

23 When it's used where it's not
24 appropriate, can sometimes result in inadvertent
25 returns of the bentonite drilling mud. That can be

1 incredibly harmful, even though it's an inert
2 material, it can be incredibly harmful to the
3 sensitive resources that we're trying to protect.

4 It can also sometimes have some
5 unintended consequences, using the HDD that would
6 maybe avoid a wetland impact that would then not
7 necessitate a Corps Permit. If the Corps Permit is
8 not issued, the Fish and Wildlife Service and the
9 Corps don't have the opportunity to coordinate and
10 perhaps implement some avoidance or minimization
11 measures, such as time of year restrictions or things
12 like that, that indicate seven HDD. Not that
13 coordinating with the Fish and Wildlife Service is
14 going to avoid an inadvertent return, but if we're
15 coordinated we can minimize the severity of impact or
16 some of the problems that arise if an inadvertent
17 return occurs.

18 So, lastly I just thought I'd provide a
19 few other recommendations for potential projects.
20 First, we really encourage early coordination. So
21 give us a call if you've got questions. It's great if
22 we can get on the same page from the very beginning in
23 the planning process. Second, using landscape level
24 planning, if we can see what the big picture for a
25 build out of a project is, it facilitates our ability

1 to be able to make recommendations on avoidance or
2 conservation measures. I know there are challenges in
3 that because of land access issues or market values or
4 whatever. But, to the greatest extent that you can
5 get the big picture out for the resource agencies to
6 review, that's fantastic.

7 Also, doing the multi-agency
8 coordination is really helpful to the extent that the
9 agencies are available on the same days because we're
10 all incredibly busy. And, specifically, the
11 programmatic incidental take; this is particularly
12 important if we're a non-federal project. So, if it
13 doesn't include a FERC nexus. Developing something
14 like habitat conservation plan, which can be a
15 programmatic approach to incidental take
16 authorization, it really is an upfront investment, but
17 in terms of long term conservation, maintaining
18 project timelines and that sort of thing is something
19 that we really recommend.

20 So, give us a call if you have any
21 questions on any of that and thank you very much.

22 CHAIRMAN:

23 We'll hear from Domenic Rocco of DEP
24 next. But, while Domenic is coming to the podium,
25 I've been informed that as you know we are live

1 casting or live feeding this on the web via webcast.
2 We are apparently having some technical issues with
3 that live feed, but we will have the entire meeting
4 online tomorrow. So our folks are trying to work out
5 the technical bugs. Domenic?

6 MR. ROCCO:

7 Good afternoon and thank you for having
8 me. My name is Domenic Rocco. I am the regional
9 manager for Waterways and Wetlands in the Southeast
10 Region. I've been asked to come today to talk about
11 the state permitting associated with pipeline
12 projects.

13 So on this slide here you'll see a
14 general listing of the state permits. These permits
15 that are listed up here deal specifically with water.
16 What you'll see missing is air quality, so, there's
17 also air quality permits that are typically needed for
18 pipeline projects but that one is not listed here.

19 So, I guess going through these quickly
20 you'll notice the first one --- I'm going to have
21 slides that go in to more detail in a minute so ---.
22 The first one is the Erosion and Sediment Control
23 Permit, which is under chapter 102. The second one is
24 going to be Water Obstruction and Encroachment
25 Permitting under chapter 105. And then NPDES

1 Permitting associating with the Discharge of
2 Hydrostatic Test Water. And then if the pipeline is
3 FERC regulated, then I'll talk about the State Water
4 Quality Certification.

5 So, the State Water Quality
6 Certification is something that's required if there is
7 a FERC regulated pipeline. DEP will require one
8 single 401 Water Quality Certification, or I should
9 say a State Water Quality Certification, which will
10 certify the construction, operation and maintenance of
11 the project; that it complies with the applicable
12 provisions of the Federal Clean Water Act, that it
13 complies with the Commonwealth water quality
14 standards, that it complies with the criteria and
15 conditions of the water DEP authorizations that I
16 previously mentioned.

17 Now, in a lot of cases these pipelines
18 cross over regional boundaries. And in those cases
19 there will be a lead DEP Regional Office selected.
20 When there is --- the pipeline is one single region,
21 then it will be whatever region it is in. The
22 coordination that happens would be carried through any
23 of what the normal permitting process would be for the
24 permits that I mentioned previously.

25 So, our preferred sequence for dealing

1 with the State Water Quality Certification is first,
2 applicant consultation with DEP and you'll notice a
3 common theme in my discussion that early consultation
4 and early meeting with the project is really essential
5 in order to do the things we're talking about.

6 So there's applicant consultation with
7 DEP. And, of course, that's going to include early
8 use of the PNDI tool that others here were talking
9 about today so I won't get into that. Then there will
10 be submission of a federal application to FERC. Then
11 the applicant will request a State Water Quality
12 Certification to the department. Then the department
13 will process that certification, and then following
14 that certification, the department will process its
15 state permits, authorizations or approvals.

16 Now, if it's not FERC regulated the
17 sequence will be pretty much cutting out those middle
18 three steps. We still want to do all that early
19 consultation. But, because it's not FERC regulated,
20 we don't have to do those three middle steps and we
21 still process those state permits, authorizations and
22 approvals and do the coordination as previously noted.

23 So, I'm going to step through each of
24 those state authorizations that I mentioned earlier.
25 The first one is the Erosion Sediment Control Permit,

1 which is done under chapter 102. This is what would
2 cover the upland work that the Colonel mentioned
3 earlier. So, under chapter 102 the Erosion
4 Sedimentation Control GP-2 is for the permit for earth
5 disturbance associated with oil and gas exploration,
6 production, processing or treatment.

7 The permitting entity, if it's in one
8 single county would be the County Conservation
9 District. If it's not in a single county then it
10 would go to the DEP regional office.

11 There are a variety of coordinating
12 agencies. Many of them are here today; the
13 Pennsylvania Fish and Boat Commission, the
14 Pennsylvania Game Commission, and the U.S. Fish and
15 Wildlife Service. I'm not going to go through
16 everything that is listed on the slide. They are here
17 today to talk about their processes and in the
18 interest of time I just want to keep things moving.

19 The best practices, again as I mentioned
20 earlier, it's pretty much early, early, early. So,
21 early use of the PNDI tool, early discussions with DEP
22 and the County Conservation District. During and I
23 would say actually prior to the establishment of the
24 pipeline route and then early synchronization between
25 both of those permits that I'm going to mention; the

1 chapter 102 and chapter 105 permits particularly as
2 they deal with stream and wetland crossings.

3 So, now I'm going to talk about chapter
4 105, it is the Water Obstruction and Encroachment
5 Permit. And, so this would be for the construction,
6 operation and maintenance of all the water
7 obstructions and encroachments associated with the
8 project and typically those are the stream and wetland
9 crossings and any of the ancillary activities such as
10 access and things of that nature.

11 The permitting entity would be DEP; the
12 regional office. And, we would coordinate that. It
13 is a joint permitting process with the Army Corps of
14 Engineers. Aside from the Army Corps of Engineers, we
15 also coordinate with the Pennsylvania Fish and Boat
16 Commission, the County Conservation Districts through
17 that coordination or synchronization with the Erosion
18 and Sedimentation Control and Post Construction Storm
19 Water Management. And through PNDI, we coordinate
20 with DCNR, Fish and Boat Commission, Pennsylvania Game
21 Commission, and U.S. Fish and Wildlife.

22 I will mention that in the 105
23 permitting process there is a different division of
24 the Pennsylvania Fish and Boat Commission that we
25 coordinate with, compared to the Threatened Endangered

1 Species Review. So we are dealing with two different
2 offices but it is one agency at the Pennsylvania Fish
3 and Boat Commission.

4 So the best practices again would be
5 early use of the PNDI tool, early discussions with DEP
6 and the Corps, and again early synchronization between
7 the 102 and 105 permits.

8 The other water related permit would be
9 a discharge permit, the National Pollutant Discharge
10 Elimination System. NPDES permit for the discharge of
11 hydrostatic testing water for the pipeline. That
12 permitting entity would be the DEP regional office in
13 the clean water program and that would be for wherever
14 the discharge is located. So, the pipeline may extend
15 through various areas but where the actual discharge
16 of that hydrostatic test water would be where that
17 permit would be needed.

18 Coordinating agencies would be the
19 Susquehanna River Basin Commission or the Delaware
20 River Basin Commission depending on where that
21 pipeline goes. Again, the best practices again are
22 the early steps, such as early identification of
23 special protection waters, which is really key for the
24 hydrostatic test discharge permit. And again, early
25 discussions with DEP during and prior to establishment

1 of the pipeline route.

2 All right. I kept that brief,
3 Secretary, so I'm going to pass it on ---

4 CHAIRMAN:

5 Thank you, Domenic.

6 MR. ROCCO:

7 --- to the PHMC.

8 MR. MCLEAREN:

9 Okay, thank you. I'm Doug McLearen, I'm
10 the Division Chief for Archeology and Protection at
11 the SHPO's Office. And we'll talk about what that is.

12 What is a SHPO? What is SHPO review?
13 Well the National Historic Preservation Act of 1966
14 created the State Historic Preservation Officers and
15 by that the State Historic Preservation Offices in
16 every state in the country. So every state has a
17 Historic Preservation Office. In Pennsylvania, the
18 PHMC houses the State Historic Preservation Office,
19 which is presently the Bureau for Historic
20 Preservation.

21 One of the activities of the SHPO office
22 is review of federal or federally assisted and
23 permitted projects under section 106 of the National
24 Historic Preservation Act and its implementing
25 regulations 36CFR part 800.

1 Our review is technical advisory. We
2 advise and assist federal and state agencies on the
3 technical aspects of the historic built environment
4 and archaeology, and we respond to findings made by
5 agencies. We ensure that the review process is
6 followed but we do not issue permits for these
7 projects.

8 Under section 106 the federal agency is
9 supposed to take the lead. As a purpose of 106 in the
10 first place, is for federal agencies to consider any
11 adverse effects of their projects on important
12 historical and archaeological resources.

13 We act as their advisors, as most
14 federal agencies do not have the adequate numbers of
15 persons with culture resources training to actually
16 make the determinations. So they generally wait for a
17 SHPO opinion before making a finding, which kind of
18 flips the process on its back if you read it literally
19 off the regs.

20 We also consider the wide range of
21 alternatives to minimize or avoid adverse effects to
22 historic properties is considered. Well what's a
23 historic property? The term comes from 36CFR800,
24 which says a historic property means any prehistoric
25 or historic district, site, building, structure, or

1 object included in, or eligible for inclusion in the
2 National Register of Historic Places. This includes
3 properties of traditional religious and cultural
4 importance to an Indian tribe and that meet the
5 National Register Criteria.

6 Now how do the gas pipelines fit in with
7 our project reviews? Typical gas gathering lines and
8 liquid fuels transmission lines are regulated by the
9 Pennsylvania Department of Environmental Protection
10 and the U.S. Army Corps of Engineers for
11 jurisdictional permit areas of the lines.

12 By contrast, large gas transmission
13 lines, intrastate, or usually interstate, are
14 regulated by the Federal Energy Regulatory Commission
15 or FERC. Corps and DEP still issue their permits but
16 FERC is the lead federal agency for purposes of our
17 106 review. In such cases, the entire line is
18 regulated, not the discontinuous permit areas.

19 And this is the example of the permit
20 areas. It doesn't show up very well and I apologize
21 for that. The pipeline shown here is in red. There
22 are five little purple dots on that line and these are
23 the permit areas and these are the ones that are
24 reviewed.

25 By contrast, this is a FERC line shown

1 in the red dotted line down the middle, it's part of
2 FERC line. I apologize for the darkness of this
3 slide, it's a little bit hard to see. But, the point
4 is that the entire line is regulated. The entire line
5 is the area of potential effect that we would review.

6 Our reviews are by regions generally.
7 We have the western region in blue, the northcentral
8 and southcentral in green, the yellow is the eastern
9 region. Most of the Marcellus Shale drilling is the
10 northcentral and down into the southwest part of the
11 state in the western region in blue. However, the
12 large transmission lines can go all across the state
13 either east, west or now north, south as you've
14 already seen in your original packet at the initial
15 meeting on this task force.

16 When we have a large pipeline that goes
17 across the state, the reviewer in our office who has
18 the most of the counties is the one that remains the
19 reviewer throughout the project to keep from the
20 continuity going with the other agencies and the
21 applicants.

22 I know this is a boring slide. I have a
23 form on here. This is our project review form. When
24 agencies or other entities delegated by an agency or
25 more often a permit applicant or their consultant

1 initiates consultation with us, we receive either a
2 DEP culture resource notice, our project review form
3 or a letter which contains the same amount of
4 information in narrative form and so forth. As long
5 as all the information is there we accept that.

6 We prefer the project review form
7 because it makes for greater efficiency when a project
8 does not effect historic properties. This slide shows
9 just the bottom half of the form, which shows a lot of
10 things. It shows slots for the actual permit types
11 and the funding streams and so forth. But more
12 importantly, there are check boxes at the bottom of
13 the form. If we do not have any issues at all, we
14 simply check the box, sign it and date it, and send it
15 back to the applicant. There's no letter typed up,
16 there's nothing else. And the appropriate boxes
17 explain what we need.

18 If we are not able to clear the project
19 as in to say it right then, we will issue a letter
20 asking for a survey or asking for other information.
21 If we ask for a survey and some sites are found then
22 we go to another process. If we find no sites during
23 the survey, then the applicant has crossed the finish
24 line, that's it.

25 But, if historic properties or potential

1 historic properties are present, this is basically
2 what happens. For above ground properties, generally
3 the consultants will prepare a historic resource
4 survey form and submit to our office and our committee
5 will look at it for national registration ability.
6 For archaeology, national register significance is
7 usually done by additional testing, usually referred
8 generically as phase II. A report is submitted to our
9 office, we have 30 days to comment. Comment letters
10 are forwarded to permitting agencies by applicant or
11 their consultant.

12 In those cases when there is an adverse
13 effect on a historic property, first of all, we
14 recommend that the historic property be avoided if
15 that's possible. If it can't be avoided we'd like to
16 try to minimize the effect on the property by altering
17 the undertaking a little bit to try to take as little
18 of it as possible. In many cases, I will say, this is
19 not possible. And so mitigation of the adverse effect
20 is necessary. That's done through a memorandum of
21 agreement which is created and signed by the federal
22 agency, the SHPO and the applicant generally.

23 And it has a series of stipulations
24 saying what's going to be done. For archaeology it's
25 typically data recovery of an excavation. For above

1 ground, it could be various efforts. It could be
2 recordation, it could be some other type of historic
3 preservation effort.

4 Finally, the advice we give the
5 applicants is please consult with our office as early
6 as possible. This is about the fifth or sixth time
7 you've heard that during this whole presentation.
8 Very important to consult early, avoid ugly surprises.
9 Send adequate documentation to us the first time. You
10 don't want to get a letter from us saying we need more
11 information because that's going to mess up your
12 timeline. Three, keep all the permitting agencies in
13 the same loop. Four, remember that the SHPO does not
14 issue the permits. But, the 106 process has to be
15 concluded before the permitting agencies will issue
16 their permits. And lastly, please avoid the resources
17 whenever possible. Thank you.

18 CHAIRMAN:

19 Okay. Next will be Heather Smiles from
20 the Pennsylvania Fish and Boat Commission.

21 MS. SMILES:

22 Good afternoon. My name is Heather
23 Smiles, I'm the chief of the natural gas section of
24 the Pennsylvania Fish and Boat Commission. In 2012,
25 when we had the Act 13, the Fish and Boat Commission

1 made it our own natural gas section. So any projects
2 that we review will come to our section and I'll get
3 into those.

4 So the Fish and Boat Commission has
5 several roles. You might be familiar with us, maybe
6 in a reactive role if we are involved in a pollution
7 or a law enforcement. But, for pipeline review I
8 would consider that our proactive role.

9 So, the natural gas section, we review
10 permits; I'll get into those. We might look at laws
11 and regulations and make comments. We provide
12 technical assistance and sometimes they'll do
13 assessments for environmental risk.

14 So permit review for our section, the
15 staff reviews projects to insure that aquatic
16 resources both game and nongame, which live in all of
17 our Commonwealth's waters, remain protected. So, in
18 our section we will review all threatened endangered
19 species impacts that are involved in any kind of a
20 natural gas project that would require our review.
21 Chapter 105 Waterway Obstruction/Encroachment Permits,
22 we are a commenting agency to DEP. We will comment on
23 water withdrawal projects, the SRBC and sometimes some
24 other ones.

25 We do blasting permits. Sometimes

1 permits are required in order to put pipelines across
2 streams or bodies of water. So, we actually issue
3 blasting permits. And, we also get involved to aid
4 navigation plans which are required if you might have
5 a pipeline crossing of a bigger waterway.

6 So, specifically for threatened
7 endangered species impact reviews, we're going to look
8 at the species that the Fish and Boat Commission has
9 jurisdiction over. That would include fish, reptiles,
10 amphibians and aquatic invertebrates. Using the PNDI
11 tool and also database from our own file.

12 So, currently we have about 40
13 endangered species, 14 threatened and 10 candidate
14 species that we review projects for to see if there
15 would be any kind of impacts. On the slide on the top
16 right is an Eastern Massasauga Rattlesnake. Then we
17 have the Northern Rivershell Mussel in the middle, and
18 we have the Chesapeake Wild Perch there on the bottom.
19 Those are all species of concern that we currently
20 might review a project for.

21 So, when we're looking specifically at
22 pipelines for threatened endangered species, we're
23 going to try to see if the pipeline can avoid critical
24 habitat for species of concern. And what would we
25 consider critical habitat, and this is just one

1 example; this is a timber rattlesnake just coming out
2 of its den which is it's over wintering --- where it,
3 you know, hibernates over winter. So, it has some
4 specific important criteria. It has to have cavities
5 and openings for the snakes to get down below the
6 frost line in the winter, it has to be on a westerly
7 or southerly facing slope so it can have warmer
8 temperatures and rattlesnakes always also go back to
9 the same den every year. So we consider this, you
10 know, a pretty critical habitat that we would want to
11 review a project to see if we could try to avoid
12 impacting that.

13 So sometimes maybe we are reviewing a
14 project, maybe we're not impacting habitat but we're
15 in an area of a species of concern. So we might work
16 with the pipeline review to see if we could implement
17 some best management practices. And that might
18 include, a time of year work restriction when the
19 species might be out and about. Or maybe actually ask
20 for them to have an onsite biological monitor to try
21 to protect workers and the species at the same time.
22 And that's a pipeline trench with a rattlesnake in it.

23 So other ways that we might minimize
24 impacts is to actually do a survey; see if a survey is
25 warranted. In this example, if we think that there

1 are some mussels that are rare or special species of
2 concern we might actually just do a survey of the
3 pipeline crossing to see if the mussels are actually
4 there. And we might even just actually move them out
5 of harms' way and that might be the way to work with
6 this pipeline and project review.

7 Also, if we're reviewing a project we
8 might encourage habitat creation if it's possible. If
9 the species is in the area and maybe the pipeline's
10 just going near habitat but not impacting it. In this
11 example, this is some rattlesnake basking and
12 gestation habitat creation on the edge of a --- I
13 think this is actually a well pad. But, on the edge
14 of, you know, a work area. But, we've asked for these
15 on pipelines; if we could create some habitat, that's
16 always great.

17 So we also, as I said before, we comment
18 on chapter 105 Encroachment and Waterway Permits. You
19 get this question, you know, are stream crossings, are
20 they an issue? And just this simple example you can
21 see the pipeline there is crossing several different
22 streams and wetlands, several different watersheds.
23 So, yeah it is an issue. There's an increased demand
24 for pipelines to move gas. Pipelines are a linear
25 project so they're going to cross multiple streams and

1 Pennsylvania has an estimated 86,000 miles of stream
2 so you're going to cross streams.

3 So when we're reviewing a 105 permit and
4 we're making comments, we're looking at ways we can
5 protect the aquatic resource. So, we usually look at
6 the actual resources that the pipeline is crossing.
7 And they all have, you know, specific characteristics.
8 It might be a wild trout stream, might be a stocked
9 trout stream, might be a stream with migratory fish or
10 it could be a warm water resource.

11 So some of our comments might be; how
12 can we protect the migratory fish? That's an eel
13 there. Maybe we restrict work when the fish is
14 migrating. Or in the other picture we have some
15 naturally reproducing brook trout, maybe we restrict
16 work during their critical life stage when they're
17 spawning. So those might be some comments that we
18 would make.

19 We also have to keep in mind that we
20 have recreational use of our bodies of water in
21 Pennsylvania, so we're always keeping that in mind
22 when we're making comments. Some of the bigger waters
23 we got to look out for, you know, boats and when
24 people might be fishing and anglers for the stock
25 trout streams or maybe a warm water fishery when bass

1 season might be. So those are things we're going to
2 keep in mind and make comments on.

3 So the Fish and Boat Commission gets
4 involved in these larger crossings of the pipelines on
5 these bigger waters. If they're navigable we're going
6 to require, I think it's also required for the 105
7 permit, they need to get what we call an Aids to
8 Navigation Plan or ATON plan. So that is usually
9 reviewed and approved by our central office, but we'll
10 make comments to remind somebody that they need to get
11 a plan together as to how they're going to do signage
12 and think about people using that water body for
13 recreational use.

14 So, like we've said, many presentations
15 here today. When we're commenting we're going to see
16 if there's ways we can minimize impacts, maybe
17 directional drilling would work for a stream crossing
18 to minimize impacts, to not disturb the buffer of the
19 stream. Maybe we'll ask if there's a way --- this was
20 a pipeline I was on, I don't know if you can see in
21 the picture on the left where they narrowed the area
22 that they cleared when they got to the resource and
23 you can see behind it the pipeline was wider versus
24 the one on the right where it's kind of the same
25 width. We might ask if there's a way they can

1 minimize disturbance when they cross the stream, that
2 would be a comment.

3 Maybe there's an alternative when we're
4 looking at a project. Maybe there's a water
5 withdrawal right beside the stream there asking ---
6 there's a stream that maybe has acid mine drainage.
7 You know, maybe that could be an alternative so you
8 don't have as much impact on aquatic resources.

9 So basically, those are some of the
10 permit programs that we're involved in as far as
11 pipeline review and those are the kinds of things that
12 we're looking at. Thank you.

13 CHAIRMAN:

14 Next John Taucher from Game Commission.

15 MR. TAUCHER:

16 Good afternoon, I'm the energy project
17 review coordinator for the Pennsylvania Game
18 Commission, which means I review all of the pipeline
19 projects that come through the Game Commission.

20 The Pennsylvania Game Commission has
21 jurisdiction over all wild birds and mammals. Related
22 to pipeline reviews, we're limited to the species that
23 are in PNDI which are endangered, threatened and
24 special concern birds and mammals. I also look for
25 resources such as state game lands and the habitats

1 associated with the listed species.

2 Basically, the way it works is the
3 applicant puts in a PNDI review request and basically
4 the screening tool will generate one of two results.
5 Either it will be no further review, in which case you
6 can just supply that information to the permitting
7 agency and then all our coordination is complete. Or
8 there's going to be further review required, in which
9 case you'll submit mapping and project details to the
10 Pennsylvania Game Commission for me to review.

11 And at that point I'll look at all the
12 information that came in and if I need more
13 information I'll request more information; otherwise,
14 I'll use that information to avoid, minimize and
15 mitigate impacts to the species. Basically with
16 pipeline projects, there's a good chance we can avoid
17 a lot of impacts through project modifications or
18 seasonal timing restrictions.

19 If that's not possible we're going to
20 look to minimize them through again seasonal
21 restrictions or possibly using monitoring. And then
22 also if there are impacts we're going to look to try
23 to mitigate which is always the worst case scenario
24 for the species. A lot of mitigation includes habitat
25 replacement, habitat improvement or protection for the

1 impacted species.

2 So I use all the data available to
3 myself such as game lands boundaries, species
4 location, species history information, different types
5 of aerial photography, topographical maps to determine
6 what source of impacts will occur from what's
7 proposed. And then I will either issue a no impact
8 letter, which means even though the species is present
9 along the project, there's not any impacts likely. Or
10 there will be a potential impact letter, which
11 basically will ask for potential surveys; we'll issue
12 seasonal restrictions, habitat assessments, stuff like
13 that.

14 Or finally, we could ask for mitigation
15 in the response letters. Once the additional surveys
16 and assessments have been completed, a mitigation plan
17 may be requested. And once that's approved, an
18 updated letter will be issued; basically stating that
19 all coordination is complete with the Game Commission.

20 At that point if any of the permitting
21 agencies have any questions regarding impacts to
22 wildlife, they coordinate to the Pennsylvania Game
23 Commission directly.

24 Regarding advice, I'm just going to
25 mimic everything that everybody else says, early

1 coordination is best. If you can look to co-locate a
2 lot of the impacts, that's going to reduce impacts to
3 wildlife. But, coordination is key. Thank you.

4 CHAIRMAN:

5 Next we'll hear from our state forester,
6 Dan Devlin.

7 MR. DEVLIN:

8 Good afternoon everyone. It's Dan
9 Devlin, DCNR. The good news is I'm the caboose on
10 this train. So, hang in there.

11 For DCNR we have several roles dealing
12 with pipelines and I've given you this talk a couple
13 months ago so I'm going to burn through it very
14 quickly.

15 Obviously we're a very large land
16 manager. We have 2.5 million acres out there. We
17 also are the agency responsible for PNDI in terms of
18 maintaining that thing and coordinating that
19 particular effort. And, our last function is really
20 dealing with native wild plants. We are the agency
21 that's responsible for the conservation of native wild
22 plants.

23 Again, I just show this map very
24 quickly. Again, 2.5 million acres is very hard to
25 cross a state especially east and west without going

1 through state forest or state park lands.

2 In terms of those two entities; state
3 parks, obviously we'd like to avoid that situation.
4 We don't really feel that the pipeline is compatible
5 with the state park mission per se; state forest lands
6 is very different. There are two different ways that
7 we get involved with rights of ways across state
8 forest lands; one dealing with our own leases, so we
9 do allow for obvious transmission across our own
10 lands; in terms of affiliate with our own leases. And
11 second we do allow rights of ways to go across the
12 state forest lands upon request and upon review.

13 And that review process is the same in
14 terms of whether it's a state forest or state park.
15 We have what's called a large project process. Much
16 of that process is online, on our website, so I'm not
17 going to go through it. But, what we try and do,
18 again, is do the old avoid, minimize, mitigate sort of
19 thing that everyone's been talking about so far today.

20 If we do grant an approval across either
21 the state forest or state parks, obviously we'll
22 condition that approval, we'll grant a right-of-way.
23 But, there will be conditions associated with that in
24 terms of what we want in terms of mitigation in terms
25 of timing what we want to see on the site and those

1 kinds of things.

2 I do want to spend a little bit of time
3 on talking about PNDI. If you notice most of the
4 speakers today talked about PNDI. And we are, again,
5 the agency that's responsible for administering the
6 tool. It's a fantastic tool right now but what I'd
7 like to talk about is where this tool is going. So we
8 are in the process of updating the tool. This new
9 tool is probably going to be called Pennsylvania
10 Conservation Explorer, so I don't know what acronym
11 we'll come up with there, PACE or whatever, who knows.

12 But, the new tool will have a lot more
13 information on there. A lot more data, and will be
14 much more user friendly in terms of being able to do a
15 lot more pre-planning and planning for your particular
16 projects. So, it's something that I think we're
17 really looking forward to unveiling and I think it
18 will be helpful for most people in this room. So,
19 we're very excited about that.

20 And again, our last thing that we're
21 involved in is review for native wild plants. And
22 plants are a little different than animals but again
23 there are many, many species of plants out there and
24 we use pretty much the same technique that you heard
25 from Fish and Boat or Game Commission. In that we

1 take a look at that and we'll make recommendations to
2 the regulatory agencies in terms of avoiding or
3 minimizing impacts to those particular species.

4 And with that I want to thank you on
5 behalf of all my colleagues. Thank you.

6 CHAIRMAN:

7 All right. And I want to thank all of
8 our seven presenters today for getting through a lot
9 of information in not a lot of time. And being
10 respectful of what is coming a little bit later on in
11 the agenda. What we will do now is take a ten minute
12 break. And we will reconvene again. This is a live
13 web streamed meeting so we will reconvene in ten
14 minutes.

15 For our visitors, the restrooms are
16 located off the lobby. You go out the back conference
17 room door, the one that you came in, and turn to your
18 right. The ladies room is on the left and the men's
19 room is on the right. There is a water fountain past
20 the restrooms on the other side of the security doors
21 and DEP staff are in the lobby to let you in and out
22 if you need to get some water. So, we will reconvene
23 in ten minutes.

24 SHORT BREAK TAKEN

25 CHAIRMAN:

1 Okay. Great folks. Again, thanks for
2 the orderly break. I'm delighted to call to the
3 podium, Marion Werkheiser, who is the Managing
4 Director of Leaders in Energy and Preservation. Who
5 will give us a presentation on Voluntary Practices for
6 Facility Siting and Heritage Management. Marion,
7 welcome and thank you.

8 MS. WERKHEISER:

9 Thank you, Secretary Quigley. Can
10 everybody hear me? All right. Good afternoon. I'm
11 Marion Werkheiser, I'm Managing Director of Leaders in
12 Energy and Preservation. I'm also an attorney, and my
13 practice focuses on the intersection of development
14 and cultural heritage preservation; and I have a firm
15 called Cultural Heritage Partners, we're based in
16 Washington, DC. And LEAP is one of our favorite
17 clients, so I'm very delighted to be here to speak on
18 their behalf today.

19 What I thought I would do is first I
20 will give you an overview of LEAP and what we're
21 trying to do. And then I will describe the framework
22 that we've put together for voluntary practices versus
23 facility siting and heritage management. And I would
24 invite all of your feedback on these voluntary
25 guidelines and we always want to make them better and

1 have them work for you.

2 So what is LEAP? We are a 501(c)(3)
3 educational nonprofit organization. And we are a
4 coalition of energy companies and preservation
5 organizations. And we're serving as a platform for
6 thought leadership on best practices, for promoting
7 energy development and advancing heritage management.

8 We got our start with the shale gas
9 development boom. But, we've had a lot of interest
10 from pipeline companies, utilities, wind and solar as
11 well as traditional oil and gas. And so we recently
12 changed our name, you may have heard of us as the Gas
13 and Preservation Partnership, GAPP. But, now we are
14 LEAP.

15 Our leadership includes Shell,
16 Southwestern Energy and Hess Corporation who serve on
17 Board of Directors as well as the Society for American
18 Archaeology and many others, including consultants
19 from the Cultural Resource and Management Industry who
20 deal with these risks every day.

21 So, energy companies are joining LEAP
22 because they are looking for strategies to manage risk
23 with an efficient approach that's supported by the
24 preservation community. They also want to benchmark
25 across the industry. Many companies already have

1 voluntary standards for culture resource management,
2 but it's hard to know when enough is enough or if
3 you're doing too much. So, we're hoping to help with
4 that issue.

5 Companies are also joining because we
6 are developing tools that are going to make it easier
7 for you to manage this risk and training that will
8 also save you money down the road. And finally,
9 companies want to do the right thing and generate
10 community good will.

11 Preservation groups are joining us
12 because voluntary practices give us an opportunity to
13 identify sites that we otherwise wouldn't know about.
14 And to recommend avoidance mitigation strategies that
15 will work for the community, it's a chance to
16 innovate. And it's a chance to work collaboratively
17 with the energy industry which is something that
18 really is unprecedented.

19 So, this is a very familiar map for a
20 lot of you I'm sure. This shows the scale of shale
21 gas development in the United States and what I want
22 to do is show you what the real risk is for cultural
23 resources to energy companies, pipeline companies.

24 So, this is the map currently of shale
25 plays. This is a map of known national register for

1 historic places sites. These are sites that we know
2 about that have been recorded and have been assessed
3 to be of national significance, all those little
4 purple dots everywhere.

5 These are just sites that we know about.
6 There's a lot more we don't know. Only five percent
7 of the surface of the Marcellus shale formation has
8 been surveyed for cultural resources, five percent.
9 Only three percent has been surveyed for the Utica
10 shale development. So we have a lot of unknowns, and
11 the Society for American Archaeology tried to quantify
12 what are those unknowns, and they came up with a study
13 that showed 200,000 archeological sites could be in
14 the path of shale gas development. These include
15 prehistoric villages, ceremonial sites, cemeteries and
16 battlefields as well as other sites. So this is a big
17 risk, and at least a lot of unknowns for pipeline
18 routers and planners.

19 Here's another map that illustrates the
20 challenge in Pennsylvania. This is a map of gas well
21 sites and archaeological sites overlaid. It's a
22 little tough to see in this room, but those are a lot
23 of dots that are overlaid and intermingled with
24 pipeline routes. So, it's important to take these
25 into consideration.

1 This map shows historic cemeteries that
2 we know about, overlaid on the Marcellus formation.
3 These are just historic cemeteries, so these are from
4 the colonial period onward. These don't include
5 Native American burial grounds, many of which are
6 unmarked and also a lot of family plots that are not
7 actually reported on maps. So, cemeteries are also a
8 major risk.

9 So what are we going to do about this?
10 LEAP is developing a set of voluntary practices that
11 energy companies can use to manage this risk. And we
12 did it with a similar approach to what you're doing
13 here. We put together working groups. We have over
14 80 professionals who have volunteered their time to
15 develop voluntary practices that will integrate with
16 existing energy company practices. So, it will save
17 you time and save you money. And it's important to
18 note that these practices are applied on unregulated
19 projects. And I want to talk a little bit about what
20 that means.

21 So, we've developed voluntary practices
22 for projects where there is no section 106 trigger.
23 So, what Doug talked about earlier when you have the
24 involvement of the PHMC and you have a lead federal
25 agency. We're talking about project areas that are

1 not subject to that regulatory process. So, what do
2 you do when you don't have a regulator helping you out
3 to understand which sites are truly significant or how
4 to mitigate impacts.

5 And just because there's no regulatory
6 requirement doesn't mean there isn't risk. So, some
7 of the tools that we're developing could be useful for
8 regulated projects, and I've heard that especially
9 about the screening tool I'm going to discuss next.
10 But, it's important to realize that we're talking
11 about those places in between permit areas where you
12 may encounter sites.

13 Our voluntary approach has three steps.
14 The first is a GIS based screening tool. And the
15 second determines sensitivity of sites that you've
16 already identified, and the third wraps it all into an
17 operations packet that helps companies integrate this
18 into your existing business practices.

19 So first let's talk about the screening
20 tool. Imagine that you could pull up a web-based
21 system or a layer in your own proprietary GIS system
22 and draw a shape on a map where you're considering
23 building your project. Then almost instantaneously
24 the tool will show you shaded areas according to the
25 risk of finding historic and cultural resources in

1 those locations. Green for low likelihood, yellow for
2 medium or we're not sure, and red for high risk of
3 finding significant sites.

4 Such constraints information which is
5 fairly easy to access for environmental concerns,
6 really does not exist for cultural resources yet. So
7 we want to change that. Our vision is for this to be
8 a nationwide tool and what we want to do is take data
9 that is currently housed in numerous repositories all
10 across the country with a chief archive being with the
11 state historic preservation office.

12 And then digitize records that may still
13 be in paper format; many states still have not
14 digitized their full collections. Put it into one GIS
15 based system and then build a predictive model over
16 top of that data that will give planners easy access
17 to information very early in the process so that you
18 can plan your routes around significant sites or plan
19 your investments in cultural resource mitigation.

20 So why do we want this? It's early
21 access to data that you currently do not have.
22 Currently, it can take weeks for a consultant to pull
23 data from all these different sources and synthesize
24 it in a way that's easy to understand for planners.
25 So we're hoping to make that much more efficient.

1 We're also working to overcome some of
2 the confidentiality concerns with current data. We
3 believe that with robust user agreements we can allow
4 non-archaeologists to see much more of this data so
5 you can make better decisions. By synthesizing this
6 data, it will get better over time. So we're creating
7 a way for companies to input data for sites that they
8 do find on projects so that the model can improve as
9 we get more and more data back into the system.

10 And that's part of the reason that many
11 state offices have already said that they want to work
12 with us, is because we'll get more access to data that
13 we currently don't have into the state system.

14 This is what it will look like; this is
15 a prototype that we've developed for some townships in
16 Eastern Ohio. And this shows a typical constraint
17 map, showing you the red areas were there's a very
18 high likelihood of finding sites, yellow where we're
19 not sure or it's kind of medium risk, and you can see
20 most of the map is green where we think there's very
21 little risk of actually encountering cultural
22 resources.

23 We are exploring partnerships with
24 different providers to help make the tool easy to use
25 and accessible. NatureServe is one that we're working

1 with. They have developed an environmental permitting
2 streamlining tool that's web based. And so we're
3 working with them to develop the user interface for
4 the screening tool, and our immediate goal is to build
5 out that prototype that we did in Eastern Ohio for the
6 full State of Ohio and then grow it regionally from
7 there.

8 Right now we're looking for investors in
9 the development costs of this, in exchange for
10 subscription credits for future use. So if any of you
11 are interested in helping us with this, we'd love to
12 talk to you.

13 The next step of our approach is about
14 determining the sensitivity of sites. So once you're
15 on a project and you have identified historic and
16 cultural resources that are going to be impacted by
17 your pipeline, how do you decide when a site is worth
18 rerouting the project or if it's of such little value
19 that you can move straight on. And that's a real
20 question that frequently offices, like Doug, will help
21 you figure out on a regulated project. But if you're
22 not dealing with a regulator, you have to figure that
23 out for yourself.

24 So our tool is designed to make this
25 project objective and replicable. Those of you who

1 have worked with national register eligibility
2 processes in the past, may have found that it's fairly
3 subjective depending on the consultant that you've
4 hired and the SHPO staff that you're working with. We
5 have tried to make it a much more predictable system
6 that's based on a mathematical algorithm. So we have
7 assigned various criteria, different values in our
8 widget, as we're calling it, and at the end of the day
9 each site will get a value that corresponds with a
10 red, yellow or green.

11 Green would be there's no further study
12 warranted, we're not likely to learn much from this
13 site, it's probably one that we have a thousand other
14 sites just like it already recorded. Yellow means
15 that additional study could be very prudent, and red
16 means this is of such significance that you're likely
17 to get a lot of pushback from the community if you
18 destroy this site, so it's really worth thinking about
19 other options, either rerouting or mitigation.

20 I won't go into all the details of this
21 sort of proprietary assessment tool, but I will say
22 that it obviously changes depending on the region that
23 you're working in. So we've developed the tool to be
24 --- there'll be different versions for different
25 regions so that all the attributes synch up with the

1 existing pattern of archaeological study, and the red
2 flag questions may be different for each region.

3 So I'll give you an example of some of
4 the red flag questions that we have in the current
5 system, which would cover Ohio and parts of
6 Pennsylvania. So obviously if you have a human burial
7 associated with the site, that's a huge red flag that
8 will trigger all kinds of local law enforcement issues
9 for you. If it's a prehistoric mound site, it's
10 likely to be of great significance. If it's
11 associated with a battlefield, you're going to have a
12 lot of interest in the community around that.
13 Underground Railroad sites have also been of great
14 significance. You can see that we're thinking about
15 ways that you can quickly assess whether a site is
16 worthy of avoidance or mitigation.

17 And then finally, how do you
18 operationalize this within your company? We have
19 talked to a lot of different people at different
20 levels within energy companies. Our leaders have been
21 very generous with their time. So we've talked to
22 everybody from the environmental permitting manager,
23 to the on the ground construction crew chief, to
24 figure out how do we work this in in such a way that
25 it can be very efficient and effective.

1 So we've created a user guide that will
2 be given to our members that describes how to actually
3 build this into your existing planning systems. And
4 we tried to vet this, but of course we're always
5 looking for additional input. It includes a chance
6 finds procedure, all the best planning in the world
7 sometimes we still find things we weren't expecting.
8 So how can you deal with that most effectively so that
9 you can minimize delays on your project? And then we
10 also are providing training and technical assistance.
11 One of the big wins for this approach, is that if we
12 all have a voluntary approach that we can agree on we
13 can build an ecosystem around that with consultants
14 and feedback loops that help it get better over time
15 and have some consistency in application.

16 And then finally, I'll just mention some
17 of the other activities that we've been involved in
18 trying to get increased awareness around these
19 cultural resource risks. Last year we hosted a summit
20 in Pittsburgh, I think several of you were there. We
21 had about 130 professionals from energy companies,
22 preservation groups, cultural resource and management
23 industry come together and really kick off our working
24 group process.

25 We also had a keynote address from the

1 head of Global Cultural Heritage at Rio Tinto; the
2 mining company. And I think there's a lot that we can
3 learn from what the mining industry has done on
4 voluntary cultural practices in the pipeline industry.

5 We've commented on industry guidance,
6 and so we were really delighted earlier this year that
7 the American Petroleum Institute, IPIECA and IOGP have
8 adopted cultural heritage into their sustainability
9 reporting guidelines for the first time.

10 We've also participated in World Bank
11 consultations. The real movement on the international
12 side is to bring more and more cultural heritage into
13 the discussion of environmental impacts, so we're
14 advising them on how to do that more effectively.

15 And then finally we've launched a
16 membership structure to help support our ongoing work
17 and to give more opportunities for companies and
18 preservation groups to participate. So I would
19 encourage you to check that out.

20 There's more information on our website
21 at energyandpreservation.org. You've also been
22 provided with copies of our business prospectus which
23 describes where we're going over the next year. And I
24 would welcome all of you to please reach out to me and
25 let me know if you want to become more involved and

1 I'd be happy to have a call with you and your
2 colleagues about how this approach could work for your
3 company.

4 Thank you, I'd be happy to take
5 questions.

6 CHAIRMAN:

7 Does anybody have any questions, any
8 members of the task force, for Marion? You might have
9 noticed in the last presentation, the world's biggest
10 one, we banked a little bit of time and didn't have a
11 Q and A. But we do have a little bit of time for
12 Marion, so Lauren?

13 MS. PARKER:

14 Lauren Parker with CEC.

15 MS. WERKHEISER:

16 Hi.

17 MS. PARKER:

18 Hi. You had a slide previously that
19 showed a map that looked like it had contours and it
20 showed the high risk areas?

21 MS. WERKHEISER:

22 Uh-huh (yes). I can go back.

23 MS. PARKER:

24 And I noted that it looked like most of
25 the high risk areas appear to be, in what looked like

1 the stream valleys and areas, and I just wanted to
2 know if that was somehow related to earlier from the
3 SHPO, PHMC office, there was mention of non-FERC
4 regulated projects only had to look in those areas of
5 potential effect. And I was wondering if that was
6 related and made sense as to why those were the areas
7 because those were indeed the high risk areas.

8 MS. WERKHEISER:

9 You're most likely to find evidence of
10 human habitation closer to water sources, so that's
11 why when we look at, you know, where you're going to
12 find archaeological sites, it's most likely going to
13 be closer to water. So you'll see that red tracks a
14 lot of the waterways. The Army Corps of Engineers
15 does obviously permit water crossings and so
16 frequently on even gathering line projects, you'll
17 have the core regulating that crossing. But as it was
18 described, they're only looking at that narrow area of
19 potential effect, that one crossing and they're not
20 necessarily looking up or down stream at effects.

21 So what we're hoping is that LEAP can
22 help you look at that broader path and decide where
23 you're most likely to encounter sites and deal with it
24 outside of the regulatory process. That's a great
25 question.

1 MR. PETERS:

2 Duane Peters, ACEC. Real quick question
3 related to the FERC projects. Does the model include
4 potentially eligible structures and historic deposits
5 that may be associated with those structures, or is
6 limited to pre-contact populations?

7 MS. WERKHEISER:

8 I'm sorry, it was for FERC?

9 MR. PETERS:

10 Yeah, when we have to do work in
11 uplands, does the model incorporate undetermined,
12 potentially eligible, above ground resources and
13 historic deposits located with that or is it more or
14 less to pre-contact ---?

15 MS. WERKHEISER:

16 No, it's everything. And the focus has
17 been primarily on archaeology because it's much harder
18 for you to see with the naked eye, without an expert
19 there. So it presents more unexpected risk for
20 companies. Our model and our screening tool are
21 building an above ground resources as well and
22 historic period sites, so it's comprehensive.

23 MR. PETERS:

24 Thank you.

25 MS. WERKHEISER:

1 Uh-huh (yes).

2 CHAIRMAN:

3 Ken Klemow.

4 MR. KLEMOW:

5 Ken Klemow from Wilkes. Certainly the
6 sciences, we have a lot of data now being collected by
7 what we call citizen scientists, so these are people
8 who might go out and do bird counts, or might go out
9 and do stream assessments and things like that. Are
10 there opportunities for private citizens to
11 essentially become deputized and to be able to collect
12 data and then somehow --- and I know you have to have
13 QAQC on the data, but to be able to serve as
14 additional sources of information. And certainly when
15 you talk about the fact that only about three percent
16 of Marcellus is mapped at this point, and there are a
17 lot of people living in the Marcellus area who might
18 be interested in going out and collecting that kind of
19 data. So what would be the provisions that you might
20 have for that?

21 MS. WERKHEISER:

22 We have not talked about that, primarily
23 because we are concerned about looting of
24 archaeological sites. And so ---.

25 MR. PETERS:

1 About?

2 MS. WERKHEISER:

3 About potential looting of
4 archaeological sites. And so we don't necessarily
5 want to encourage a lot of members of the public to go
6 out hunting for them. But nonetheless, I think that
7 if members of the public who aren't necessarily
8 registered archaeologists have relevant information,
9 we would certainly welcome that. We'd also welcome
10 input from tribes who have interests in these areas
11 from an ancestral prospective or even currently to
12 supply us with information that can make the model
13 better.

14 CHAIRMAN:

15 Tom.

16 MR. HUTCHINS:

17 Tom Hutchins with Kinder Morgan, how are
18 the states working with you? I mean are they
19 supportive, are they questioning, what's the
20 relationship today?

21 MS. WERKHEISER:

22 The question was about our relationship
23 with the state offices, and it varies. We have been
24 working closely with the National Conference of State
25 Historic Preservation Offices just to keep them

1 informed of our efforts, and we've had many forward
2 thinking state offices reach out to us and say that
3 they would be willing to collaborate on the tool. I
4 think others it may take longer, we may need to prove
5 our concept a bit before they're willing to come
6 along.

7 But we've been pleasantly surprised at
8 how interested they are in making tools that will help
9 developers do this process much more efficiently and
10 make their jobs easier in their offices by providing
11 these digital tools that they don't currently have.

12 CHAIRMAN:

13 Other questions for Marion? Go ahead.

14 MR. KIGER:

15 Bill Kiger from PA One Call. Have you
16 worked with the PIPA folks that are doing much the
17 same thing but maybe they need a little assistance on
18 your side of the thing?

19 MS. WERKHEISER:

20 We have not, I would love to learn more
21 about what they're up to.

22 MR. KIGER:

23 That's also approved by FIMSA.

24 MS. WERKHEISER:

25 Okay, thank you. Excellent.

1 CHAIRMAN:

2 Other questions? Seeing none. Marion,
3 thank you very much for joining us today.

4 MS. WERKHEISER:

5 Thank you, Secretary.

6 CHAIRMAN:

7 Okay. Now, going forward. Just the
8 rest of the meeting, the next section will be public
9 comment, which I'll talk a little bit more about in a
10 second. We will go over the forward calendar, there
11 will be some time for comments from the task force
12 members before we adjourn. I missed that on the
13 schedule today, my bad.

14 But now we come to public comment
15 section. We had asked folks when they were coming in
16 to sign up, so I am going to attempt to read 26 sets
17 of handwriting and call folks to the podium by name,
18 but I will also use your number, I think we asked
19 folks to remember your number. Again this meeting is
20 being recorded. We'll ask if you have written
21 comments to put a copy of your comments in the box
22 next to the podium. We'd ask folks to limit their
23 comments to two minutes. Again, we have at least 26
24 folks that want to speak, and to keep us on time we
25 really ask folks to keep your comments to two minutes.

1 So without any further ado, the first commenter is Dr.
2 Jerry Powers, followed by Nancy Powers, followed by
3 Michael Eareckson I hope; so one, two and three.

4 MR. POWERS:

5 I'm going to save you two minutes
6 because my wife doesn't want to get up and speak. But
7 I'm not going to use four minutes. My name is Dr.
8 Jerry Powers and I'm a supervisor at Montour Township,
9 which is in Columbia County. I'm also a member of the
10 public participation workgroup that's part of this
11 task force.

12 But, I'm not here for that workgroup,
13 I'm not here for the task force. I'm here for my
14 endangered species, which is human beings. I'm here
15 to speak for Connie Giger and Charlie Mangus. Connie
16 Giger has owned a farm in Montour Township, it goes
17 back five generations. And on that farm Charlie
18 Mangus built a house, he built that house for his wife
19 and the three young children.

20 The proposed Atlantic Sunrise Pipeline
21 is coming right between those two properties and they
22 are very concerned. And if I came to your house and
23 said I was going to put a 42 inch pipe in your yard
24 and fill it with natural gas, you'd be a little bit
25 worried too.

1 So, my request is, is that when you plan
2 these projects you make them the safest, the most well
3 built, the most highly maintained project that you
4 can. And you also inform these individuals of what's
5 going on and do it early and do it ongoing. Thank you
6 for your time.

7 CHAIRMAN:

8 Thank you. Next will be number three,
9 Michael Eareckson hopefully. Number four Jasmine
10 Spence, number five Richmond Shreve. I hope I'm
11 getting these right.

12 MR. EARECKSON:

13 Hello. Thank you, Mr. Secretary, for
14 the opportunity to speak. My name is Michael
15 Eareckson, I live in Bucks County. I'm a high school
16 science teacher; I have both a Bachelor's and Master's
17 in Biology.

18 I do not represent my school today nor
19 any other organization. I got a substitute today so I
20 could take the day off and be here. I want to speak
21 as a private citizen because I'm concerned about my
22 community, my state, my country and my world.

23 I've heard from people in this room at
24 an earlier meeting that this is our opportunity to
25 build out the infrastructure for the gas pipeline.

1 It's a great opportunity, it's a terrific thing we're
2 told. Natural Gas can be our bridge fuel, the more
3 pipelines we build the more gas we can get and more
4 jobs we can get and more money we'll get.

5 But there's some problems with these
6 assumptions I think. I assert that the task force
7 might be ignoring the basic question of whether, in
8 fact, the state needs or the people of the state want
9 the proposed build out of the pipelines in the
10 infrastructure that it already exists. As consumers
11 of the majority of the energy produced in the world we
12 as Americans have a responsibility to consider the
13 impacts of our energy policies.

14 If we build more pipelines, we're saying
15 to the world we don't care how bad it gets in your
16 part of the world as long as we continue to fill our
17 pockets. How long can American military strength
18 continue to support our hubris by bashing every
19 insurgency that seeks to right the wrongs that we
20 commit.

21 How successful are we now at containing
22 the threat of ISIS in the remaining off shoots of Al
23 Qaeda. How long can we continue as more and more
24 radicals join them because of our continued inhumanity
25 to man. Who's going to pay for the wars still to be

1 fought on behalf of the fossil fuel industry and our
2 addiction to their products? Who will make up those
3 armies and who will lose their lives? Will it be your
4 children, will it be their children?

5 Even if you don't personally have any
6 moral obligations that you are thinking about, at
7 least you have to consider economic burdens that we
8 already face; in which the continued use of fossil
9 fuels brings to bear on us and our children and their
10 children.

11 I can already hear my students and my
12 son's friends blaming the adults around them for the
13 mess that we're leaving them. What will actually be
14 the cost of the pipeline expansion if it takes place;
15 I see several costs.

16 CHAIRMAN:

17 All right. Everybody has two minutes
18 and you're actually over time; could wrap up please?

19 MR. EARECKSON:

20 I'm already over two, okay. Yes, I'm
21 sorry I was planning for more time. Two minutes was a
22 surprise.

23 CHAIRMAN:

24 And you can submit your comments in
25 writing certainly afterward and we'll make them

1 available.

2 MR. EARECKSON:

3 I'll do that thank you. Okay, so I
4 think the elephant in the room is climate change. I
5 have a lot of other costs but as we get towards
6 methane tipping points every source of methane becomes
7 more and more critical. The arctic methane is going
8 to blow us all out water if we get there and we don't
9 know how long it will take to get there.

10 Warming oceans are keeping the
11 atmospheric effects low and we already see that warm
12 air is more energetic, more storms, bigger storms that
13 are costing us hundreds of billions of dollars,
14 thousands and thousands of lives. Who pays for that,
15 is the American public, and so do we need the
16 pipelines. I hope that you will consider taking the
17 money that you're thinking of wasting on the pipeline
18 infrastructure and putting it into renewable resources
19 that will lead us in to the future in a responsible
20 and morally acceptable path.

21 Thank you for your time.

22 CHAIRMAN:

23 Again two minutes goes by quickly folks,
24 so really ask you to respect that so we can get
25 through everyone's testimony. Next is number four

1 Jasmine Spence, followed by number five Richmond
2 Shreve, number six Maya Van Rossum.

3 MS. SPENCE:

4 Good afternoon. My name is Jasmine
5 Spence and I'm a resident of Buck's County
6 Pennsylvania where I have founded a local chapter of
7 350.org, that's a grassroots non-profit organization
8 dedicated to building a global climate movement. Our
9 mission is to see us shift away from the highly
10 polluting and dangerous energy sources like fracking,
11 to more renewable and clean energies.

12 So I'm here to stand witness today to
13 say what you're doing is wrong. A massive build out
14 is not what the public needs or our world needs. You
15 know, I know a lot of you are thinking that there's
16 great economic benefit, there's a lot of numbers here.
17 But I want to talk to you about a different kind of
18 number and that is 350, the name of my organization.

19 Okay. So 350 is a number that means
20 climate safety, to preserve a livable planet
21 scientists tell us we must reduce the amount of carbon
22 in our atmosphere from our current level of 400 parts
23 per million to below 350. That's a big gap, we're
24 already at 400.

25 So 2015 is the hottest year on record.

1 We are getting warmer and warmer. Fracking,
2 pipelines, leads to warmer climates. It's really a no
3 brainer. It's not a bridge fuel. It's a fuel that
4 will lock us in to decades of more methane emissions
5 and problems for our children and grandchildren, for
6 our loved ones.

7 The problem here is the power of the
8 fossil fuel industry, which I see is very well
9 represented here today. You plan to dig up and burn
10 five times more carbon than we can afford and still
11 have a chance at keeping to the two degrees Celsius
12 that we need to limit our budget to.

13 CHAIRMAN:

14 All right, could you please wrap up?

15 MS. SPENCE:

16 The solutions are obvious. We need to
17 stop moving ahead with fossil fuels, with pipelines,
18 with fracking. Spend your money, spend your resources
19 on developing renewable energy.

20 I'd also like to talk as a person of
21 faith.

22 CHAIRMAN:

23 Your time is up, ma'am

24 MS. SPENCE:

25 As a person of faith, God has --- I'm

1 from an organization, I can take another minute, okay.
2 As a person of faith ---.

3 CHAIRMAN:

4 No, the rules are everybody gets two
5 minutes, ma'am, and ---.

6 MS. SPENCE:

7 Thank you for your time.

8 CHAIRMAN:

9 Thank you. Next, Richmond Shreve
10 followed by Maya Van Rossum, followed by Sam Koplinka-
11 Loehr.

12 MR. SHREVE:

13 I'm Richmond Shreve, I'm a senior
14 citizen living in Newtown, Pennsylvania and I'm here
15 as a private citizen today. I'm 76 years old, that
16 may make me the oldest person in this room. In my
17 business career I've watched the boom and bust cycles
18 of the real estate industry. I've known other men who
19 lost everything because they just couldn't believe the
20 signals that a bust was coming.

21 All of you serving here today are like
22 them. The carbon fuel party is about to end, yet you
23 are racing to extend it. You hope to win that race,
24 but prices have dropped and drilling finances are
25 uncertain. Now you want to build out a network of a

1 distribution for the gas that we already drilled and
2 you're racing to do that.

3 Global warming is real and reminders in
4 the news every month, Hurricane Patricia was the most
5 recent, are telling us something's coming. You'll be
6 telling your grandchildren, I just didn't see it
7 coming.

8 CHAIRMAN:

9 Thank you. Next, number six Maya Van
10 Rosson, followed by number seven Sam Koplinka-Loehr,
11 followed by number eight Pat Libbey.

12 MS. VAN ROSSUM:

13 Good afternoon. My name's Maya Van
14 Rossum, I'm the Delaware riverkeeper and I'm here
15 representing communities from New York, New Jersey,
16 Pennsylvania and Delaware who have been harmed by
17 and/or are threatened by pipeline infrastructure
18 associated with shale gas extraction here in the
19 Commonwealth of Pennsylvania.

20 Pipelines inflict an indelible scar upon
21 our communities. They take public and private lands.
22 They reduce the market value and market ability of our
23 homes. They deprive us of the full use and enjoyment
24 of our property. They force communities to live next
25 to the hazards of a pipeline. They contribute to

1 climate instability with their greenhouse gas
2 emissions.

3 They cause water pollution, air
4 pollution, increased runoff, lost recharge, increased
5 erosion. They diminish recreation and harm
6 ecotourism. They do harm to native species. They
7 invite in invasive species. They harm agriculture,
8 reducing crop production by as much 30 percent. They
9 damage art and undermine businesses of all kind.

10 You cannot avoid or mitigate these harms
11 to any level that is remotely acceptable and as a
12 result this Pennsylvania Pipeline Task Force, which is
13 designed to try to further advance these pipelines, is
14 a farce. It should be disbanded by Governor Wolf and
15 instead Governor Wolf should stop misusing the tax
16 dollars on this task force and instead invest in a
17 task force that will create regulations, policies and
18 funding mechanisms that will advance clean and
19 renewable energy options and energy conservation.

20 And we are here today to tell Governor
21 Wolf to shut down this task force and instead to
22 invest wisely. Invest wisely in clean energy
23 technologies, not dirty fossil fuels.

24 CHAIRMAN:

25 Thank you. Next number seven Sam

1 Koplinka-Loehr, followed by number eight Pat Libbey,
2 followed by number nine Tim Spiese.

3 MR. KOPLINKA-LOEHR:

4 My name is Sam Koplinka-Loehr. I work
5 with residents throughout Pennsylvania, New Jersey,
6 New York that have been impacted by purposed
7 pipelines. I see a lot of folks in this room today;
8 Mark West, Sunoco Logistics, Williams, Kinder Morgan.
9 And I'm wondering where the Marcellus Shale Coalition
10 Logo is on the wall. Where are the citizens that have
11 proposed pipelines running through their communities?
12 Where are the folks in upstream communities where
13 fracking is taking place that have polluted water,
14 that have polluted air?

15 Recently, this week stretching back to
16 the past few months a number of reports have come out
17 showing how the Department of Environmental Protection
18 consistently covered up, shredded and made sure that
19 none of the information regarding contamination of
20 water sources due to hydraulic fracturing was released
21 to the public.

22 Over 2,000 complaints were lodged with
23 DEP offices that never saw the public eyes. This is
24 an issue that impacts all of Pennsylvania residents.
25 This is an issue that impacts the entire region. So

1 far in the eastern part of Pennsylvania alone, we have
2 12 proposed pipelines. This is what we're calling a
3 market rush. It's not about any registered need. In
4 fact, it's about one company trying to beat out
5 another company. Oftentimes going through the exact
6 same area from the exact same pick up point to the
7 exact same drop off point.

8 This is about one company trying to make
9 more money for its bottom line, rather than actually
10 taking into account the impact to residents here in
11 the Commonwealth. I want to take a moment of silence
12 for all of those who have been impacted, for those who
13 have their land being taken by Sunoco Logistics, for
14 those who have William's Corporation with the Atlantic
15 Sunrise Pipeline running through their communities. I
16 want to take a moment of silence for the rest of my
17 two minutes to recognize all of the voices that are
18 not being heard here today.

19 CHAIRMAN:

20 Thank you. Next number eight Pat
21 Libbey, followed by number nine Tim Spiese and number
22 ten Dory Hippauf.

23 MS. LIBBEY:

24 I am the voice of the stillborn who
25 cannot speak, I am the voice for the disabled in pain,

1 I am the voice of the asthmatics who cannot breath, I
2 am the voice for those you have slain.

3 They breathe the air that's polluted by
4 toxins, they drink the water that's darkened by grime,
5 they scratch their skin raw on all the red rashes,
6 they go to schools on roads covered in slime.

7 You are the cause of their sufferings
8 and agonies. You are the cause of their writhing in
9 pain. Fracking is killing our totally defenseless.
10 It has no sympathy for those it has slain. Don't kill
11 our kids to pay the schools.

12 CHAIRMAN:

13 Thank you. Number nine Tim Spiese,
14 number ten Dory Hippauf, number eleven Nathan Sooy.

15 MR. SPIESE:

16 Thank you, I've got a five minute piece
17 here and I'm going to do it in two minutes so listen
18 fast.

19 My name's Tim Spiese. I'm with LAP,
20 which stands for Lancaster against Pipelines. And we
21 formed with the unifying goal of stopping the Atlantic
22 Sunrise Project by Williams Company from bisecting our
23 county and our communities.

24 But we've come to see that this
25 project's destruction extends beyond Lancaster. Our

1 goal to protect our land and our rights but it has a
2 movement that stands against the destruction of
3 fracking and the associated harms that come with it.
4 We've adopted the slogan we are Lancaster County,
5 because we know that Lancaster's well known all over
6 the world for our uniqueness.

7 From some of the world's richest non-
8 irrigated farmland to the cultural richness of our
9 Amish and Mennonite brothers and sister, from the
10 handcrafted furniture we make, to the preserves and
11 whoopee pies that come from our kitchens. We believe
12 these identities are worth protecting from the blatant
13 corporate overreach and unquestioning damage that the
14 natural gas industry has done and wants to continue to
15 do to what is most precious to us.

16 We residents of Lancaster County view
17 Williams' Proposed Atlantic Sunrise Project as a
18 threat to our lives as we now know them. We reject
19 the indecent proposal to exploit the land that
20 sustains us, the forests that clean the air, the farms
21 we've cultivated for generations, the water in which
22 we depend and our increasingly endangered rural way of
23 life.

24 Williams has bullied its way into our
25 own properties as surveyors systematically trespassed

1 on our land, ridiculed our residents, spewed
2 inaccurate information regarding risk and
3 compensational like and consistently threatened a
4 greater disruption for landowners who resist them.
5 They've even called resistant landowners un-American
6 and un-patriotic for defending our homes against
7 Williams' intrusive plans.

8 The irony is here is laughable. After
9 all, stealing our family land and future for dreams so
10 they can ship U.S. energy overseas is as un-American a
11 scenario as one could imagine. We are well aware that
12 a right-of-way would give Williams access to our land
13 forever, no one time buy out could possibly compensate
14 for the never ending loss of our piece of mind, the
15 never ending threat of explosions and leaks, the never
16 ending assurance of additional construction on our
17 land as they install more pipelines and additional
18 infrastructure projects for years to come; nor does a
19 one-time buy out replace the shattered reality that
20 our community no longer belongs to us.

21 Our protect pre-A project has become a
22 rallying protest banner. The tangible, visible sign
23 of a number of people who stand with us to resist this
24 injustice, the incredible resolve of Lancastrians and
25 our allies to make something beautiful in our

1 opposition to something wrong and unjust.

2 CHAIRMAN:

3 Can you wrap it up, Tim, please?

4 MR. SPIESE:

5 We have a broken energy system and the
6 law that protects it and condones to perpetuate the
7 system of the exploitation and destruction. If we
8 look at the members of the task force here, right now,
9 we see imbalance in the voices that are at the table.
10 The majority being from the industry itself. Is there
11 even one voice for the people who are most directly
12 affected, one landowner, one resident in the blast
13 zone.

14 CHAIRMAN:

15 Could you please wrap up, Tim?

16 MR. SPIESE:

17 One of those who are the sacrifice
18 zones, who would carry the risk of fracking and
19 fracked gas; since our elected officials at every
20 level spectacularly fail to protect our community and
21 our land we've enforced to prepare to protect
22 ourselves.

23 If Williams forces its way into
24 Lancaster County violating all of those most sacred to
25 us, we will be forced to defend our land, protect our

1 communities and assert our rights. We promise the
2 people of Lancaster County, mothers, fathers,
3 teachers, physicians, farmers, counselors, pastors and
4 students, we will join many other across this proud
5 state ---

6 CHAIRMAN:

7 Come on, Tim, you've had an extra
8 minute.

9 MR. SPIESE:

10 --- and going to jail before we let you
11 talk and let you walk all over our desecrated sacred
12 values.

13 Lancaster against Pipelines is a growing
14 group of people ---

15 CHAIRMAN:

16 All right. Tim, I'm going to ask you to
17 sit down. We've got the rest of the folks to get done
18 here.

19 MR. SPIESE:

20 --- who plan on participating in the
21 protection of our land rights through non-violent
22 direct action. We stand united on the right side of
23 this issue. Thank you.

24 CHAIRMAN:

25 We're trying to apply the same set of

1 rules to everybody, two minutes does go quickly folks,
2 so I'd ask you to do some self-editing if necessary.
3 All of your comments are welcome in writing, they'll
4 be made part of the record, they'll be made available
5 to the public. So thank you, Tim. Next Dory Hippauf,
6 followed by Nathan Sooy, followed by Marjorie Van
7 Cleef.

8 MR. HIPPAUF:

9 My name is Doreena Hippauf. I'm with
10 the Gas Drilling Awareness Coalition of Luzerne
11 County. I live in Lehman Township, a very small town
12 outside of Dallas, Pennsylvania.

13 In January of this year the former
14 Federal Energy Regulatory Commission Chairwoman Cheryl
15 LaFleur appeared at the Natural Press Club luncheon.
16 She remarked, pipelines are facing unprecedented
17 opposition, we have a situation here. Yes, we have a
18 situation here; a situation which obviously this task
19 force is unaware of.

20 According to a survey, which appeared in
21 a Black Vetch insight group report entitled the 2015
22 Strategic Directions, U.S. Natural Gas Industry
23 Report, 74 percent of the respondents cited delays by
24 opposition groups as the most significant barrier to
25 the construction of pipelines. So yes, there is a

1 situation.

2 The Black Vetch report also pointed out
3 that FERC has seen every day citizens becoming
4 unexpected intervenors in routine filings. A case in
5 point is with the current proposal before FERC, the
6 Penny's Pipeline. Whereas of yesterday over 1,000
7 everyday citizens unexpectedly filed as intervenors.
8 This is a 108 mile pipeline, this means there are 10
9 everyday citizens for every mile intervening in this
10 pipeline. Imagine that, everyday citizens actually
11 participating in government, demanding to be heard,
12 being seen as a barrier. So yes, there is a
13 situation.

14 Other concerns about pipeline include
15 safety, property values, liabilities, environment,
16 exportation and the heavy handed use and threats of
17 eminent domain. Addressing such concerns from
18 everyday citizens would require meaningful regulations
19 and the will to enforce them.

20 But as previously stated the intent of
21 this task force is not to produce regulations. Right
22 now the splashy campaigns are being viewed as no more
23 as a weak attempt to put lipstick on a pipeline.
24 Thank you.

25 CHAIRMAN:

1 Number 11 Nathan Sooy, followed by
2 number 12 Marjorie Van Cleef, followed by 13 Marta
3 Guttenburg.

4 MR. SOOY:

5 I'm Nathan Sooy, I am the Central
6 Pennsylvania campaign coordinator for Clean Water
7 Action. We're a statewide environmental group here in
8 Pennsylvania with over 125,000 members.

9 It's quite ironic that I'm speaking
10 after Dory, who works very hard with the gas drilling
11 awareness coalition. The chief goals of this task
12 force was to reassure the people of Pennsylvania that
13 this is all going to be done right and correctly.

14 Well, I'm not reassured, and I'll tell
15 you why I'm not reassured. I'm not reassured because
16 there's only birds of a feather here and if we were
17 really interested in having a real dialogue, there
18 would be a wider array of environmental organizations
19 here, and there would be Scott Cannon from the Gas
20 Drilling Awareness Coalition.

21 So, that's my point today. The other
22 speakers, they've talked about all the various
23 problems with fracking and problems with the pipelines
24 and I can only say ditto. But, today I have to say
25 this is not an exercise in democratic decision making.

1 I would think that you would want us in the tent
2 rather than doing our business on the outside. Thank
3 you very much.

4 CHAIRMAN:

5 Thank you. Twelve (12) Marjorie Van
6 Cleef, followed by 13 Marta Guttenberg, followed by 14
7 Sam Bernhardt.

8 MS. VAN CLEEF:

9 Thank you. I'm a former teacher, I live
10 in Philadelphia and I'm part of an international
11 women's organization.

12 And I guess we should remind ourselves
13 that what we're talking about here with the
14 proliferation on the development of fossil fuel is a
15 global issue, I don't think there's any debate about
16 that. And I'm dismayed at the glibness with which we
17 talk about making these adjustments. I spent many,
18 many young years by the Loyalsock. I know the
19 Loyalsock pretty well.

20 I know what's happening to it and I've
21 seen what's happening to it and it makes me just
22 furious, that people would sit here and say well, we
23 can make this adjustment or that adjustment to the
24 Loyalsock or any other natural resource that we have
25 in this particular state. To say nothing of the other

1 states that will be affected by more drilling and more
2 pipelines.

3 Let us remember we have these trains and
4 pipelines going through one of the most populous
5 cities in the country and I see it every single day.
6 We all just hold our breath, wondering when one of
7 these trains is going to actually explode in a
8 neighborhood. Thank you.

9 CHAIRMAN:

10 Thank you. Number 13 Marta Guttenberg,
11 followed by 14 Sam Bernhardt, followed by 15 Coryn
12 Wolk.

13 MS. GUTTENBERG:

14 My name is Marta Guttenberg. I'm a
15 retired pediatric pathologist. I spent my career at
16 the Children's Hospital of Philadelphia frequently
17 assigned to the autopsy bench.

18 There's a saying, if you're not at the
19 table you're probably on the menu, and I'm here to
20 represent the children of Philadelphia whose lungs,
21 lives and I may say spirits have been harmed by the
22 extractive industries of this state. As some of you
23 may know, neighborhoods in Philadelphia, ironically
24 neighborhoods of poor children very close to the
25 refineries have rates of asthma two and three times

1 the national rates for children.

2 These are not getting better. I hope
3 that you will take my word seriously and the words of
4 previous speakers and consider doing your job to
5 protect the lives of Philadelphians. Thank you.

6 CHAIRMAN:

7 Thank you. Number 14 Sam Bernhardt,
8 followed by 15 Coryn Wolk, followed by 16 Karen
9 Feridun.

10 MR. BERNHARDT:

11 Hi. My name is Sam Bernhardt. I'm the
12 Pennsylvania Organizer for Food and Water Watch. But
13 today I speak for Food and Water Watch as a national
14 organization that's working with communities around
15 the region to fight fracking infrastructure such as
16 pipelines, compressor stations and gas export
17 terminals.

18 We're working with communities that are
19 fighting pipelines in South Jersey, such as the
20 Southern Reliability Link and the Pinelands Pipeline.
21 These two pipelines would cut through New Jersey's
22 prized pinelands, an area known for its threatened and
23 endangered species. In 2013 we won a vote in the
24 Pinelands Commission blocking the construction of the
25 Pinelands Pipeline. Governor Christy responded by

1 replacing the members of the Pinelands Commission who
2 are sympathetic with our cause with pro-pipeline
3 commissioners. I have a feeling Governor Christy
4 would get along just fine with the group that I'm
5 addressing today.

6 In my home of Philadelphia were fighting
7 uplands to bring dangerous infrastructure through our
8 communities, communities of millions of people.
9 Philadelphia Energy Solutions, which has built its
10 business model around making Philadelphia less healthy
11 and less safe, is pushing to bring more dangerous oil
12 trains through our city so they can release more
13 asthma causing pollution.

14 In all of the cases that we're fighting,
15 communities are fighting an exploitative industry
16 building dangerous infrastructure that will put us all
17 in danger through exacerbating climate change. And in
18 many cases we're winning because the people of
19 Pennsylvania, New Jersey, Maryland, New York and
20 elsewhere understand that the shale industries
21 promises of safety and job creation are empty.

22 But all of these fights lead us back
23 here to Harrisburg, where Governor Wolf is working
24 with the fracking industry to undermine his
25 constituents' opposition to fracking infrastructure.

1 People and communities in Pennsylvania and elsewhere
2 are being adversely impacted by fracking and
3 associated infrastructure every day. Where is their
4 task force? This task force is farce and it should be
5 disbanded immediately.

6 CHAIRMAN:

7 Number 15 Coryn Wolk, followed by 16
8 Karen Feridun, followed by 17 Margaret Henry.

9 MS. WOLK:

10 I'm Coryn Wolk and I work for Clean Air
11 Counsel, a not for profit dedicated to protecting
12 everyone's right to breathe clean air.

13 Through my work I have met many long
14 time Pennsylvania residents impacted by fracking and
15 pipeline construction in the state. However, over the
16 past two years this industry has begun to reach into
17 the lives of more and more otherwise unconnected
18 people from my life.

19 A family friend lives along the route of
20 the Penny's pipeline. The home my godmother bought to
21 spend her retirement with her husband and handicapped
22 child is along the Mariner East Pipeline route. My
23 friend's family farm is next to the construction of a
24 new compressor station and even my own home was
25 evacuated last year due to a gas leak from

1 Philadelphia's aging natural gas infrastructure that
2 we haven't been able to repair, let alone the new
3 pipelines that people are planning to bring in.

4 Unlike many of the representatives here
5 in the room and the owners of the companies that they
6 represent, I was born in Pennsylvania, I live in
7 Pennsylvania, I pay my taxes in Pennsylvania, I
8 breathe Pennsylvania's air and I'm dependent on
9 Pennsylvania's water supply. If I ever have children
10 I plan to raise them in Pennsylvania.

11 I live in a city that is threatened by
12 the effects of climate change. Not only for our
13 infrastructure but for the people who are living in
14 Philadelphia. I would like to know why the voices of
15 people like myself and so many others whose lives and
16 livelihoods depend on the future of this state and its
17 government's decisions are not welcome on this task
18 force.

19 Perhaps it is because our government and
20 this industry worry that our input would threaten the
21 operation of the companies present here today. To
22 those who created this task force I ask you, who's a
23 threat to whom?

24 CHAIRMAN:

25 Thank you. Number 16 Karen Feridun,

1 followed by 17 Margaret Henry, followed by 18 Ann Nau.

2 MS. FERIDUN:

3 Thank you. I'm Karen Feridun, I'm the
4 founder the Berks Gas Truth. I'm with Pennsylvania's
5 against Fracking as well, and I'm here today because
6 I'm with all of the people who have been speaking to
7 talk about our concerns for the fact that we are not
8 part of this task force, that our positions are not
9 being well represented by this group if we have no
10 voice here except to be giving public comments where
11 we're cut off after a certain amount of time.

12 But I think that there are a lot good
13 points that have already been made today that I don't
14 want to reiterate in my two minutes. I wanted to make
15 the point that for all of the people who are talking
16 about their concerns for the climate or their concerns
17 for the individual pipeline fights that they're
18 involved with, there are people in Pennsylvania that
19 people throughout the region are standing in
20 solidarity with, who have been suffering from this
21 industry for over a decade now.

22 They're not being helped, their needs
23 are not being met, and so in the inaugural meeting of
24 this task force when Secretary Quigley talks about
25 building public acceptance with the work of this task

1 force I got to wonder, are you talking about the
2 mother whose son was splattered by fracking waste and
3 when she looked up at the operator of the truck who
4 didn't give her time to get inside her house with her
5 son, he was smirking at her? Do you think you're
6 going to have her public acceptance anytime soon or
7 those who have a million stories like hers throughout
8 the region in Pennsylvania already? We have to stop
9 the damage, we have to stop the bleeding, we have to
10 shut this task force down. Thank you very much.

11 CHAIRMAN:

12 Thank you. Seventeen (17) Margaret
13 Henry, 18 Ann Nau, 19 Ellie Salahub; I apologize in
14 advance.

15 MS. HENRY:

16 My name's Maggie Henry and I'm an
17 organic farmer from Lawrence County, Pennsylvania. I
18 might say a former organic farmer.

19 In 2008, I mean to tell you after a
20 decade of more work than any of you on this Commission
21 can imagine, I had it going on. I had five restaurant
22 accounts. The East End Food Co-op could not keep my
23 eggs in stock for 24 hours at a pop. In 2008 I was
24 picked as one of the ten best things on the food scene
25 in Pittsburgh. I don't tell you this to brag. And

1 then following Thanksgiving I was on the front cover
2 of the New York Times Thanksgiving Day edition for my
3 heritage meats.

4 Today I'm out of business because I
5 can't guarantee the organicness of my products. In
6 2014 my home was virtually destroyed in terms of bank
7 financing by all of the earthquakes that Hill Corps
8 Energy caused by fracking in Poland Township, Ohio.
9 How many of you own homes? How many of you have had
10 to put up with this shit and I mean to tell you it's
11 shit. Nobody is responsive to any of this. It
12 doesn't matter to anyone that water pours down the
13 walls of my basement, or that my drywall is all
14 cracked, or that my roof leaks.

15 I now live in Centre County,
16 Pennsylvania. I'm a freaking gas refugee. I'm lucky
17 enough to be able to get away from this. At 62 years
18 old my husband and I took out another mortgage. We'd
19 been mortgage free for 15 years. And we're now in
20 debt again because in 2008 I also heard the voice of
21 Terry Greenwood telling me of the devastation that
22 Dominion brought on his farm. And you know what, last
23 June when we buried Terry I promised him that this
24 grandmother who's been denied the opportunity to be
25 the fifth generation to raise her grandkids on this

1 farm, I would not let his voice die in vain. Shame on
2 you people.

3 CHAIRMAN:

4 Number 18 Ann Nau, followed by number 19
5 Ellie Salahub, number 20 Leslie Sell.

6 MS. NAU:

7 Ann Nau, Myersville Citizens for Rural
8 Community, Myersville, Maryland. While Maryland has a
9 moratorium on fracking, my state is being impacted by
10 the infrastructure build out that is required to move
11 that gas from Pennsylvania.

12 And this build out is occurring despite
13 the overwhelming opposition of the communities that
14 are forced to support it. In Myersville, citizens
15 rejected a 16,000 horsepower compressor station one
16 mile from our elementary school in a state with the
17 highest number of premature deaths related to air
18 pollution and in a county that receives an F from the
19 American Lung Association for Ozone.

20 Compressor stations emit carbon
21 monoxide, nitrogen oxide, sulfur dioxide,
22 formaldehyde, volatile organic compounds and other
23 hazardous air pollutants. And compressor stations do
24 not emit uniformly. They have periods of potentially
25 acute exposure. Health impacts from gas compressor

1 stations include things like, nosebleeds, headaches,
2 rashes, asthmas, cardiovascular disease, anemia,
3 leukemia, birth defects. Volatile organic compounds
4 are carcinogenic.

5 Compressor stations emit particulate
6 matter 2.5, which have been, quote, significantly
7 associated with mortality. The Myersville station
8 alone emits particulate matter 2.5 equivalent to 263
9 idling heavy duty diesel semi-trucks, less than one
10 mile from my child's elementary school.

11 In addition to routine emissions,
12 compressor stations have blow-downs which are large
13 emission events that may last several hours. Not to
14 mention fears and concerns of explosions and fire.
15 Compressor stations are also a source of noise,
16 including low frequency noise. These are industrial
17 activities that do not belong in communities near our
18 schools, near our children and our families.

19 And this is not just occurring in
20 Myersville, it is occurring throughout Maryland and in
21 Virginia and in North Carolina and Rhode Island. I
22 stand with my brothers and sisters in Pennsylvania to
23 demand an end to this Pipeline Infrastructure Task
24 Force. Thank you.

25 CHAIRMAN:

1 Next number 19 Ellie Salahub, followed
2 by 20 Leslie Sell, followed by 21 Stephen, I can't
3 make out the last name, from Food and Water Watch.

4 MS. SALAHUB:

5 I'm Ellie Salahub and I'm here to
6 represent Lebanon Pipeline Awareness, we're a
7 501(c)(3) organization. And we are very committed to
8 opposing all fracking and pipeline infrastructure
9 projects because of their profound adverse and
10 irreversible impacts on climate change, our
11 environment, safety, health and general welfare of our
12 communities.

13 I would just like to say with the make-
14 up of this task force I too agree there are no real
15 disaffected voices around this table. I think the
16 other irony, I heard Cindy Ivey is representing the
17 Public Participation Committee which I find to be
18 truly bogus. Our county commissioners in our group
19 have made many requests to have Williams do a formal
20 public meeting, not an open house, and she has either
21 not responded or refused to do that.

22 I'm going to say Pennsylvania cannot
23 succumb to the fossil fuel industries profiteering
24 actions on our resources without suffering irrevocable
25 damage. And we the people of our Commonwealth must

1 have a legitimate voice and role in determining our
2 fate. My other comment is, a 30-day public comment
3 period is extremely insufficient for the public to
4 have time to digest these ongoing projects and what's
5 going on.

6 I also have to say we have no faith in
7 our government agencies to protect our interests, our
8 health, safety and welfare. My other comment is, I
9 would like to chastise all of you for the numerous
10 plastic water bottles on this table.

11 CHAIRMAN:

12 Number 20 Leslie Sell, number 21 Stephen
13 from Food and Water Watch, number 22 Barbara Clifford.

14 MS. SELL:

15 Hello. I'm not a good speaker, I came
16 today really just to hold a sign opposing pipeline
17 expansion but I feel compelled to speak because I'm
18 appalled at the price we're asking some citizens of
19 this Commonwealth to pay for the fracking industry.

20 I've talked with many people in frack
21 communities who are ill, whose children are ill, and
22 who have no water to drink because of fracking. The
23 dangers of fracking are now spreading in the form of
24 pipelines to a new group of communities throughout
25 Pennsylvania through Philadelphia where I'm from.

1 I just wonder how many people will be
2 sacrificed, how much water wildlife and wilderness
3 will be destroyed, it's inevitable. Today listening
4 I've heard a lot of use of the words risk management,
5 mitigate and minimize the impact, maybe we can do
6 this, maybe we can do that, we always find things we
7 don't expect. Well, I'm speaking for myself as well
8 as for many other people, family, friends, neighbors
9 and community members who feel that the risk of
10 fracking is not justified.

11 Expansion is not the answer. Please do
12 not disregard the desires of a vast number of your
13 people in Pennsylvania. Thank you.

14 CHAIRMAN:

15 Thank you. Number 21 Stephen last name
16 begins with an S ---.

17 MS. LESAK:

18 Stephen has kindly seated his spot to
19 me.

20 CHAIRMAN:

21 Okay. Well just let me get the other
22 folks teed up. Number 22 Barbara Clifford, number 23
23 Frank Finan. So if you could identify yourself
24 please?

25 MS. LESAK:

1 Jenny Lesak from Central Pennsylvania.
2 The task force seems to ignore the science; the
3 science of climate change and the medical science.
4 The years of scientific research on fracking that has
5 produced more than 500 peer reviewed studies and
6 reports overwhelmingly showing harm, and the science
7 that tells us we must cease using fossil fuels. Many
8 scientists say that the two degree climate cap is not
9 possible to meet without negative emissions or carbon
10 capturing.

11 There have been 31,000 gas leaks in
12 Pennsylvania from the aging network of distribution
13 lines that will cost \$11 billion to fix. There will
14 be an eternity of maintaining infrastructure and gas
15 wells. Abandoned wells have been referred to as super
16 emitters of methane and there may be as many as
17 900,000 of them in Pennsylvania.

18 But the cost of gas transmission
19 incidences in Pennsylvania since 2005 is over \$75
20 million according to the Pipeline and Hazardous
21 Materials Safety Administration. 12.8 billion cubic
22 feet of methane that's been released from gathering
23 and transmission systems since 2010 and another 36
24 million cubic feet escaping during incidents from
25 distribution.

1 There is not a day that goes by that
2 people are not being evacuated and endangered from a
3 gas leak. The cost of expanding infrastructure and
4 promoting gas far outweigh the benefits. Your cost
5 analysis does not figure in low birth weights,
6 childhood cancers, increased hospitalizations, low
7 level ozone, environmental cleanup, disaster relief or
8 future impacts from crumbling and corroded steel
9 piping and casings. The only sensible measure is to
10 turn the gas off.

11 You're well-oiled and fully gas machine
12 is one of destruction. It contributes majorly to the
13 climate crises through carbon, methane, VOCs, NOx
14 gases and deforestation; preventing us from moving
15 forward, causing us to question whether our children
16 will be assured a future. We do not want heavy
17 industry, potentially explosive pipelines, clamorous
18 obnoxious compressor stations as neighbors.

19 CHAIRMAN:

20 Could you wrap up, please?

21 MS. LESAK:

22 Yeah. I want you guys all to do the
23 right thing. All individuals demand that our voices
24 be heard. How can we be heard, I mean, how can our
25 concerns be addressed. I think you all have to know

1 about climate change. Please, I think everybody
2 should quit and demand renewable energy now.

3 CHAIRMAN:

4 Thank you. Next Barbara Clifford number
5 22, followed by 23 Frank Finan, followed by 24 Betsy
6 Delisle. Barbara Clifford? Oh, okay.

7 MS. CLIFFORD:

8 I'm speaking for Rebecca Roder, she's a
9 Pennsylvania Shale Gas refugee. She's now living in
10 Georgia. She had documented water, air health
11 impacts, post fracked gas development.

12 And she would like to say, Secretary
13 Quigley, under your leadership we see DEP, the
14 Department of Energy Production, continuing to issue
15 all necessary permits to the natural gas industry to
16 maximize Marcellus development in the Commonwealth.

17 Drill permits, air pollution permits for
18 compressors, dehydrators, fracked gas power plants,
19 liquid natural gas processing, production storage
20 facilities and many others, including open pits for
21 frack waste and the spreading of radioactive chemical
22 lased frack brine on our roads for deicing.

23 The one new permit you want your
24 Department of Energy to issue is a social license for
25 industry to operate with impunity and public

1 acceptance irrespective of environmental and health
2 impacts. You want this social license to manage
3 public opinion about pipelines in the Commonwealth
4 necessary to transport fracked gas. We the people get
5 it, more pipelines mean drilling, more drilling means
6 more pipelines. Drilling and pipelines mean more
7 water, air and health impacts. Your Department of
8 Energy issues all the permits allowing impacts to our
9 drinking water, our breathing air, to our health; for
10 which no one has accountability.

11 We the people understand this pipeline
12 infrastructure task force is musical chairs for a
13 revolving door between Pennsylvania Department of
14 Energy and industry jobs. If you really want to
15 manage public opinion, stop issuing all new permits
16 for all Marcellus development now, today. Read the
17 joint ivy league peer reviewed paper by the University
18 of Pennsylvania and Columbia University that
19 demonstrated a 26 percent increase in hospitalization
20 rates in the heavily drilled Pennsylvania counties of
21 Susquehanna and Bradford, and do the right thing.

22 Demonstrate your accountability to us
23 for our water, air and health. Hit the pause button
24 now. No new Marcellus permits and if I have a moment
25 to speak for myself.

1 CHAIRMAN:

2 Yes, if you could please wrap up.

3 MS. CLIFFORD:

4 Your pipelines will send our gas out of
5 state, our price for our gas will go up --- oh, it
6 will be exported and our price for gas will go up, our
7 drilling will increase, our health will get worse. So
8 I ask you to change course and transition to
9 renewables fast. Minimize this infrastructure
10 program. Help the oil and gas industry to transition
11 their business and employees to renewables. Stop new
12 drilling, stop burning up our natural gas resources.
13 Save our gas for feed stock for manufacturing products
14 until a cleaner source can be found.

15 This way the industry can be part of the
16 solution and Pennsylvania can regain its reputation as
17 a state that really does protect the environment and
18 the health, safety and welfare of its citizens. In
19 the meantime, the last thing, we need you to require
20 cost effective technologies like zero requirements,
21 zero emission dehydrators and blow down preventers at
22 all compressor stations.

23 CHAIRMAN:

24 Thank you. Number 23 Frank Finan,
25 followed by 24 Betsy Delisle and 25 Linda Q-U-O and

1 then it kind of trails off, I can't quite make it out.

2 MR. FINAN:

3 I'm Frank Finan from Susquehanna County,
4 Pennsylvania. What I have here is an imaginary 20
5 pound propane tank, the type that's commonly used on
6 barbeque grills. I dare not bring in a real one
7 because the danger involved and I'm sure that the
8 authorities would have recognized that at the door and
9 stopped me.

10 Essentially it's not more than a pipe
11 filled with gas, closed at both ends with a pressure
12 of under 200 pounds per square inch. Why can this be
13 looked upon as a threat when it's clearly visible,
14 tested and in the hands of a competent human being; a
15 being that has a soul, a conscience and is aware of
16 right and wrong.

17 Yet a corporation does no more than an
18 imaginary person, one that has no soul or conscience
19 and clearly does not distinguish right from wrong, is
20 permitted to line up much larger tanks under much
21 larger pressure, a thousand pounds or more, end to end
22 and bury them throughout populated areas?

23 If there's an accident with these pipes,
24 we've all seen the consequences. It will burn more
25 than just the burgers on your grill. Now I'm not the

1 brightest person on earth, in fact, I consider myself
2 as being quite simple. But I still have the smarts to
3 spot something that is wrong. What the pipeline
4 corporations are doing is wrong and dangerous and if
5 something goes wrong, human people die, not imaginary
6 ones.

7 Corporations are the imaginary people
8 who has powers, powers that dwarf those of real
9 people. And these powers have one object and that is
10 to do whatever it takes to make money, even if it
11 means exporting a product overseas. Exporting is
12 where the profit is. These pipelines have nothing to
13 do with meeting our energy needs or national security,
14 it's about money, period.

15 On another note, burning things for
16 energy is cavemen mentality, we can do better. Our
17 young men and women have killed and died to secure our
18 energy interests in foreign countries and now these
19 frackures want to ship our energy overseas. That is
20 treason. There are traitors in this room. More than
21 one.

22 CHAIRMAN:
23 Wrap up please.

24 MR. FINAN:
25 I'm done.

1 CHAIRMAN:

2 All right, thank you. Twenty-four (24)
3 Betsy Delisle, 25 Linda Q, 26 Melinda C.

4 MS. DELISLE:

5 Okay. Being number 24 I would like to
6 thank all 23 numbers who went before me and to say I'm
7 going to just take a little bit different tactic,
8 because, obviously, I agree, being here, with
9 everything that they have said and as I've been
10 watching them I've been really looking around the room
11 at all of you and want to appreciate the attention
12 that you have given all of us.

13 Again, I am Betsy Delisle. I'm from
14 Lancaster, Pennsylvania and I am recently retired from
15 Gennett, which is a division of USA Today, as vice
16 president of sales. And the reason I say that is
17 because all of you have these positions as I had a
18 position which is a lot of responsibility attached to
19 that. As I retired because of having five
20 grandchildren, I'm now part of the Citizen's Climate
21 Lobby and the Climate Reality Corps because I do have
22 this intense belief in caring for our climate.

23 And I can't imagine how all of you
24 sitting at this table today haven't been touched by
25 all of those who have spoken before me. So my only

1 words to you are to think into your souls, because as
2 I think about integrity --- and I think most of you do
3 have integrity. And courage, it takes courage to do
4 the right thing and sometimes to change the profession
5 that we're in and to stand up for what we know is
6 right.

7 And I feel that many of you know the
8 path to take, it isn't always the easiest path to do,
9 but I think that's what I'm going to say is that if
10 anyone here today is impacted by what we've done and
11 the number of people here have taken their personal
12 time, it'll be worth our time and hopefully for my
13 children, my grandchildren and all of yours too. So
14 thank you for the time we've been given.

15 CHAIRMAN:

16 Thank you. Number 25 Linda Q, number 26
17 Melinda C.

18 MS. QUODOMINE:

19 I am Dr. Q, country horse doctor from
20 Bloomsburg, Pennsylvania. This task force has stated
21 that it wants citizens to accept the build out process
22 of the gas industry.

23 How can you accomplish this goal without
24 even knowing the process from a landowner's point of
25 view? This panel is heavily overweighed with energy

1 industry of individuals and lacks even a single
2 landowner advocate. We in the path of a transmission
3 line are being forced to participate in a corporate
4 for profit scheme that takes our land, our homes and
5 our businesses in a process that is corrupt and
6 unfair.

7 By the taking clause of the Fifth
8 Amendment, just compensation is rarely attained. We
9 are not included in the route planning process, we are
10 not informed of how to fight back and the majority of
11 landowners are bullied into signing contracts that are
12 so fraudulent and one-sided that it would be
13 malpractice for a lawyer to allow their clients to
14 sign them.

15 Where is government advocate for those
16 who can't afford thousands of dollars for a lawyer?
17 Where's the advocate for those who are not computer
18 literate and have no way of following the complicated
19 FERC website. Why are we left to defend for ourselves
20 when the freedom of information requests are illegally
21 ignored? We have no advocate to educate us on how to
22 avoid being steam-rolled over by the pipeline
23 companies, many of whom do not follow best practices.

24 By the time most landowners figure out
25 the system, if they ever do, it's too far along in the

1 process to do any good. This is patently wrong. I
2 stand to lose both my home farm and my equine
3 veterinary clinic business because of a pipeline that
4 refused to have dialogue for 16 months and is only now
5 doing lip service to a submitted reroute because of
6 FERC forcing the issue after numerous submissions by
7 myself and 370 of my clients.

8 This is wrong. Pennsylvania property
9 owners and tax paying citizens cannot embrace an
10 industry that tramples our constitutional property
11 rights and clubs us like baby seals to take what is
12 ours for their exploitation.

13 CHAIRMAN:

14 Number 26 Melinda C, I can't read the
15 last name sorry.

16 MS. CLATTERBACH:

17 Hello, my name's Melinda Harnesh-
18 Clatterbach. I'm from Lancaster County. Linda, I've
19 been following your comments to FERC and I've been
20 very touched, it's good to meet you in person.

21 I'm curious how many of you who are in
22 the gas industry actually go to the FERC website and
23 read some of the comments that people put in there who
24 are affected directly by this. I wonder how often
25 some of you in your position actually get out in the

1 streets and hear those who are being affected, the
2 landowner's whose lives are being destroyed, whose
3 livelihoods are being destroyed.

4 I know you're trying to do your job and
5 I try to think the best of people as much as I can. I
6 was born and bred in Lancaster County. I have strong
7 Mennonite roots there. My family came in the 1720s
8 --- 1710, and I'm proud of that, I'm proud of what we
9 stand for. I've been proud of our country until this
10 point until I had the knock on my door.

11 Mr. Werkheiser mentioned that the gas
12 industry companies want to do the right thing and
13 generate good will in the communities, that's not been
14 my experience. When the surveyor knocked on my door,
15 he lied to me three times in a row the first five
16 minutes he was standing inside my foyer.

17 It's an already existing pipeline, we're
18 just upgrading. The Atlantic Sunrise Pipeline coming
19 through Lancaster County is Greenfield. I didn't talk
20 to your neighbors, I don't know who they are. I
21 walked up over and talked to my neighbors and he had
22 just been there. He lied to me and that didn't set us
23 on the right foot.

24 We feel, we landowners, we people who
25 live in the community who are having this imposition

1 of your pipelines feel like you're not taking care of
2 the pipelines you have. Secretary Quigley, this
3 shouldn't be about increasing the infrastructure, it
4 should be about taking care of what's already out
5 there, to protect us and our health.

6 I would like to invite you personally to
7 come to Lancaster County, sir. This is a real
8 invitation, I'd love you to come for a day and see
9 where this proposed Atlantic Sunrise Pipeline is to go
10 and meet some of the landowners who are affected by
11 this and hear our stories. You spend a lot of time
12 with the people around this table. Please to come and
13 speak to us as well. We have a lot that I think you
14 could learn from. Thank you for your time.

15 CHAIRMAN:

16 Thank you. All right. We've gone
17 through the list of all the folks who have signed up.
18 Is there anyone who did not sign up to offer comment
19 that would like to speak? Please raise your hand.
20 Please step to the podium and identify yourself.
21 Again, two minutes please.

22 MS. MANOBACHI:

23 There's a 42 inch pipeline running right
24 above my property, on the hill above my property. And
25 it's going to be built by a company that has a very

1 bad reputation, I won't name names. And I guess the
2 best I can hope from you guys is a free cremation.
3 But I'm not here to talk about this.

4 I'm 88, I remember when the first
5 Environmental Protection Agency was started and I was
6 shocked because there should be an Environmental
7 Protection Agency even established. What's wrong with
8 us? Why don't we live simply? Why do we have big
9 house? Why do we produce huge families? Why do we
10 travel unnecessarily? What are we, crazy?

11 We should be the ones protecting our
12 environment. We shouldn't have to have an agency for
13 it. Anyway, that's it kids.

14 CHAIRMAN:

15 Thank you. Ma'am, can we have your
16 name?

17 MS. MANOBACHI:

18 Chalk it up to dementia. Monya
19 Manobachi (phonetic).

20 CHAIRMAN:

21 All right. Thank you, thank you. Is
22 there anyone else that would like to speak, please
23 raise your hand. Going once, going twice. Okay,
24 thank you very much.

25 Turning to the rest of the agenda. I

1 just want to quickly go over the future meeting dates.
2 Both from 1:00 to 4:00 p.m.; November 18th here at the
3 South Central Regional Office, and the last meeting of
4 the task force will take place on January 13th at the
5 Dixon University Center on North Second Street in
6 Harrisburg. We've already reviewed the forward
7 calendar, in terms of the tasks ahead. Are there any
8 comments, questions from members of the task force?
9 Tom?

10 MR. HUTCHINS:

11 Secretary Quigley, could you maybe
12 provide a little color on how you expect the next
13 meeting to work. The 11/18 meeting's where we're
14 going to be talking about the draft report. How do
15 you envision that working?

16 CHAIRMAN:

17 Well, what we will do is to try to give
18 some order to that meeting. We'll send out, well in
19 advance of the meeting, a suggested approach here.
20 Obviously we will have a draft in your hands by next
21 Friday. It's my hope that we will be able to coalesce
22 around a consensus report in pretty short order and
23 pretty expeditiously. Clearly, we won't have time to
24 go through all of what I anticipate to be hundreds of
25 recommendations and BMPs, so I think we'll be looking

1 for areas of question or concern or clarification.
2 But we are at this point kind of designing what I
3 think will be a process that will most effectively get
4 us through that draft. So I'll ask for your patience
5 and standby on that and certainly I'm open to
6 suggestion from members of the task force in advance
7 of that.

8 MR. HUTCHINS:

9 One follow up. I appreciate you
10 providing the time for the public to comment here, the
11 public's going to have a month to comment; how will we
12 see the public comments? How will the task force
13 members receive those?

14 CHAIRMAN:

15 Well, the public comments, the public
16 comment period, will be through our eComment portal on
17 the DEP website. So all of the information, all the
18 comments that we receive will be available literally
19 in real time; we'll compile them for the members of
20 the task force. For folks in the public, you'll be
21 able to not only submit comments online but read every
22 single comment that comes in as it comes in. So you
23 will see what we see. But we'll make sure that we
24 provide them to the task force members.

25 MR. HUTCHINS:

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Thank you.

CHAIRMAN:

Other task force comments, questions?

Seeing none, again our next meeting will be on
November 18th. And we are adjourned. Thank you very
much.

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DEPOSITION CONCLUDED AT 3:44 P.M.

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CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Chairman Quigley was reported by me on 10/28/15 and that, I Derrick Ferree, read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.



Court Reporter

Derrick Ferree