COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

IN RE: PENNSYLVANIA GENERAL ELECTRIC CO., LLC (PGE)
PHASE IV PIPELINE PROJECT APPLICATION TO CONSTRUCT

19,925 LINEAR FEET OF 12" NATURAL GAS PIPELINE AND

19,887 LINEAR FEET OF TWO FLEXSTEEL WATERLINES IN

CUMMINGS & MCHENRY TOWNSHIPS, LYCOMING COUNTY

* * * * * * * * *

BEFORE: MEGAN LEHMAN, CHAIR

HEARING: July 2, 2024

6:00 p.m.

LOCATION: VIRTUAL HEARING

WITNESSES: Nathan Harris, Edward Lawrence, Brian Wagner, Steve Martin, Grace DeLallo, Tom Pike

Reporter: Ethan Reese

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PROCEEDINGS

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evening.

3 CHAIR: All right. Good evening, 4 It is 6:00 so I think we're going to get 5 My name is Megan Layman. started. I am the 6 regional communications manager for the Pennsylvania 7 DEP's North Central Regional office in Williamsport. 8 And I will serve as Hearing Officer for this

Thank you all for joining us.

Our purpose here tonight is to hold a formal public hearing for DEP's oil and gas program to hear testimony from the public about the proposed Pennsylvania General Energy, or PGE, Phase IV pipeline project located in Cummings and McHenry Townships in Lycoming County.

Please note that our purpose tonight is to listen to your comments and gather input as part of DEP's review of this permit application.

DEP staff do not directly answer questions or respond to individual comments during this formal proceeding tonight.

All comments given during the hearing or in writing by the deadline will be addressed by DEP after the close of the public comment period in what is called a comment and response document.

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Present on the line to hear citizen
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    testimony tonight are the following DEP staff
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    members. From the Bureau of Oil and Gas Management,
    we have Kurt Klapkowski, the Deputy Secretary, Dan
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    Counahan, Director of District Oil and Gas
6
    Operations, Alexandria Barravecchio, Acting
7
    Environmental Program Manager, and Todd Wallace,
    executive assistant.
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                   The purpose of - sorry, I think you
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    need to go back one. I think we missed one.
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    could go back one slide. We have regional office
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    staff as well, from the Eastern District. There you
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    go. Well, I'll do this one. Just hold here.
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                   So from the North Central office and
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    supporting staff, we have myself, Lisa Meade, who is
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    our local government liaison, and Derek Jagiela, who
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    is our digital assistant here. Basically, he's
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    helping to run the technical side of things.
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So I think if you go back two slides, we have some additional staff from the eastern. There you go. Okay.

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So we have Dan Harvey, P.E., environmental group manager, Christopher Yeakel, aquatic biologist supervisor, Erin Chambers, aquatic biologist, and Christopher Mileto, project manager.

All right.

So this is a formal hearing for the purpose of accepting oral comments during an ongoing public comment period. We have ten individuals registered to testify tonight. And each person is limited to a maximum of three minutes. Please be aware that a court reporter is present and will prepare a transcript of the hearing. The deadline to register to testify tonight has passed.

DEP will accept written comments of any length through the close of business on Monday, July 22nd.

DEP gives equal consideration to all public comments, regardless of whether a comment is received verbally tonight or in writing prior to the deadline. Those who speak tonight may also submit written comments of any length if they choose.

However, in addition to this hearing,

We ask you to keep all comments in your verbal or written comments relevant to the proposed project, the permit application, and DEP's review process. DEP cannot respond to comments that do not address the subject matter.

Now, if you have not already, please visit our regional webpage with more information about the proposed project, including the

application and future updates. If you look at the bottom left, you can see a screen cap of what we have there. There is a link there.

It's a little hard, obviously, to type that out. But if you go to DEP's homepage, to the regions, to North Central, if you click on community information and then you scroll down under what's new, that's where you can find that as well.

Next, I will introduce Nathan Harris, who is the president of Pennsylvania General Energy company. He will give some brief information about the proposed project.

MR. HARRIS: Thank you very much. As stated, my name is Nathan Harris. I just recently became president. Before that I was actually in charge of environmental health and safety department. So I have intimate knowledge of this proposed permit along with - I actually had boots on the ground to review the pipeline alternatives that are presented in this slide.

So I just wanted to briefly go through some of the alternatives that we considered prior to selecting the route that is the subject of the permit, which is the orange route, pretty much in the middle of the page.

So first we looked at an alternative, which was the purple route. And just for - so you can orient yourself, the green is DCNR acreage. The blue color is Pennsylvania Game Commission acreage. And those are the two primary landowners that were involved in the routing of the pipeline, along with some private parcels that are located in the middle, in between.

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So we examined the proposed purple route. DCNR was not in favor of that route due to the cross country nature of that route. So that route was ultimately rejected due to DCNR rejecting that route. Moving over to the pink route. The pink route was an alternative off of the orange route that went westward. It still unfortunately crossed both Bark Cabin Run and also had a potential additional impact to Bennys Run and essentially just added additional distance for the pipeline and additional disturbance without really lessening the Chapter 105 impact. So ultimately, all the three pink alternatives were rejected as alternatives.

Moving on to the green route, which is basically parallel Silver Springs Road. So first it goes from our well pad northward and then follows Silver Springs Road. Along Silver Springs Road, we

encountered multiple streams and wetlands that were not identified on the Topo map. We also parallel the Wolf Run Wild area, which was a concern of the DCNRs. And Silver Spring was also an area that DCNR did not wish to have disturbed on their property.

As we go southward through private onto PGC, you see a pink area which represented landowners that did not allow PGE to route a pipeline through their property. That created quite a big area that we could not route a pipeline through.

So we looked at rerouting that line around those parcels onto DCNR. DCNR ultimately was not in favor of that route due to - due to the addition of disturbance on their property. This was also a very, very, very long pipeline as compared to a lot of the other alternatives. And for all the reasons, we had additional 105 impacts, much, much longer. Landowners rejected the route for various reasons. Ultimately we just - that route was rejected.

And then finally we looked at the black route, which the black route goes cross country down to the electric line right of way and then onto PGC and then across. The big issue with

1 this line was the cross country portion both on DCNR
2 and PGC with the landowners.

In addition, the paralleling of a electric line creates the potential for accelerated corrosion to PGE's pipeline. And the route is also very long. And there wasn't a clear way to get back to the start point. And for all those reasons, that route was rejected.

We also refined the orange route multiple times during the process to make it least impactful from a 105 perspective, while also adhering to some of the landowner requests that we had.

of the things that we've done to mitigate some concerns over the Mid State trail. So we cross the Mid State Trail in two locations on PGC property. At the first location of the crossing, we've added to the plans plantings that will be on both sides of the temporary right of way, that are six foot or larger trees.

So those will shield the right of way as the - any people that are crossing the trail cross our right of way. The second one is actually located along the existing road. We're not planning

to leave that road in permanently. That road will be removed as part of the reclamation. So there should be no impact associated with that crossing.

We also parallel the Mid State Trail fairly closely in one area within about 100 feet.

We've actually moved the permanent right away to the west and we are going to replant the temporary right of way with trees in that area to provide additional shielding.

Thank you very much.

CHAIR: Okay. Thank you, Nathan.

We will now begin the formal public hearing. I'll go over a few ground rules. I will call on people to speak in the order in which they signed up. When your name is called, we will unmute your line on our end. You may also need to unmute it on your end. Please say and spell your name for the stenographer and then give your comments. And be sure to - slowly so they can get that - that spelling.

Each person will be allowed three minutes to offer testimony. We will place a timer on the screen as the speaker approaches the end of your time. After a warning to finish up your sentence, anyone who has exceeded their time will be

1 muted at that point. Thank you for your cooperation 2 with these ground rules.

And I will read off the first few

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names so folks know when they're about ready to get called on. Our first three speakers will be Ed
Lawrence, Barb Jarmoska and Al Siever. So Ed
Lawrence, you are up. I will work on sharing that timer while Ed is unmuted.

9 Okay, Derek. Do you have Ed unmuted? 10 Have we identified Eddie? He is here.

Okay. It looks like it's working.

Ed, can you hear us? You are unmuted and you are
okay.

MR. LAWRENCE: Yes, I can hear you.

15 You can hear me?

CHAIR: Yes. Okay. So you're ready to speak. So I'll let you go ahead and say and spell your name and then we'll start the timer.

MR. LAWRENCE: Okay.

My name is Edward Lawrence,

21 E-D-W-A-R-D L-A-W-R-E-N-C-E. And I'm the volunteer 22 president of the Mid State Trail association. The

primary mission of the Mid State Trail Association is to protect the integrity of the experience for

25 the recreational users of Pennsylvania's longest and

wildest hiking trail. So I'm here today to voice our opposition to the proposed PGE pipeline route which would adversely impact the trail. So thank you for allowing me three minutes.

The poet William Blake wrote that prudence travels a straight road, but it is the crooked path that leads to inspiration. Unlike a pipeline, a hiking trail is not about getting from point A to point B in the most cost-effective way. For hikers it is about the chance sighting of the ephemeral beauty of a pink lady's slipper, of hearing the distant drumming of a pileated woodpecker, of navigating the menace of a patch of stinging nettles, of seeing the wild cherry pits embedded in a pile of bear scat and the tranquility of breathing in the cool fragrance of the shade thrown by a stand of evergreens.

Users are participants in an immersive encounter with the natural magic that our public lands can provide. I understand that the proposed group can be seen as a prudent way for PG&E because theirs is an economic bottom line. These experiences along the Mid State Trail may not have a monetary value, but they do have an intrinsic worth which benefits our physical, mental, emotional and

spiritual well being.

Our bottom line at the Mid State

Trail Association consists of defending the trail

corridor against the industrial encroachment which

would seriously degrade this remote section of the

trail. I understand, based on what Nathan said, that

they have taken into consideration some things to

ameliorate the harm that would come to the trail.

But we still hope that the trail can be moved away

from the Mid State Trail, that their pipeline can be

moved away. Thank you.

CHAIR: Thank you very much. Okay. So the next speaker is Barb Jarmoska. Again, she will be followed by Al Siever and then Jerry Walls.

MR. JAGIELA: I do not see Barb on the line.

CHAIR: Okay. Let's see. I'm going to quickly look. I don't see her phone number on the list of those who've called in here. So let's go to Al. And we can always check back later if any of the folks that were not here when they were called on, we can give them an opportunity at the end in case they've joined. Al Siever is next.

MR. JAGIELA: I do not see Al either,

25 Megan.

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                   CHAIR: Nor do I. Okay. Let's go to
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                  Jerry Walls, are you here? After him
    Jerry Walls.
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    is Brian Wagner and Robert Reed.
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                   MR. JAGIELA: Unfortunately, I don't
5
    see Jerry either. I do see Brian.
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                   CHAIR: Okay.
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                   Let's go ahead to Brian Wagner then.
                   MR. WAGNER: Okay.
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                   Can you hear me?
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                   CHAIR: Yes, we can hear you.
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                   MR. WAGNER: Do you want me to spell
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    my name?
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                   CHAIR: Yes, please go ahead.
14
    and spell your name and then we'll start your three
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    minutes.
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                   MR. WAGNER: Okay. Brian Wagner,
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    B-R-I-A-N W-A-G-N-E-R.
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                   Okay. I'm the Conservation Committee
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    Chair for the Pennsylvania Counsel of Trout
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    Unlimited, otherwise known as PATU. The mission of
21
    PATU is to conserve, protect, restore and sustain
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    Pennsylvania's cold water fisheries and their
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    watersheds, especially our wild trout resources.
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    PATU's primary concern with the project is the nine
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    open cut crossings of wild trout streams, including
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- 1 | Hackett Fork, which is designated exceptional value.
- 2 | The others are designated high quality cold water
- 3 | fisheries. And there's one exceptional value
- 4 wetland.
- 5 Again, some of our concerns are that
- 6 | the proposed route would decrease the riparian zone,
- 7 | increased storm runoff and increased forest
- 8 | fragmentation, which are all known stressors to our
- 9 | native brook trout.
- 10 An increased risk of erosion and
- 11 | sedimentation could result in reduced aquatic
- 12 | insects, the filling in of spawning areas, and
- 13 | increased risk to thermal stress. We're asking to
- 14 | consider an alternative route with less permanent
- 15 | surface disturbance.
- I do have several questions. Was
- 17 | there a revised alternatives analysis done and is a
- 18 copy available? If the current proposed route is
- 19 approved, can you confirm that it will eliminate the
- 20 need for any compressor stations? And also if the
- 21 | current route is approved, we are recommending
- 22 | absolute minimal surface and forest disturbances and
- 23 extreme care in the stream crossings. And I would
- 24 ask, you know, who will be providing oversight on
- 25 that.

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                   My final comment is that for any
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    future projects, it would be helpful and appreciated
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    if the local stakeholders were brought into the
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    process earlier. That would be great.
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                   Thank you. Thank you for having the
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    hearing.
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                   CHAIR:
                           Okay. Thank you very much,
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    Brian.
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                   The next three speakers will be
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    Robert Reed, Steve Martin, and Grace DeLallo.
                                                    And
    I'm not sure if Robert Reed actually joined us or
11
    not. Let's look for his name here.
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13
                   MR. JAGIELA: I do see him connected
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    with the phone.
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                   CHAIR:
                           Okay. He is.
                                          Okay.
                                                  Great.
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                   Robert, we will unmute you, and if
    you'd like to speak, if you could unmute on your end
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18
    and we will give you your three minutes.
                   I do see his number here. I'm not
19
20
    hearing him.
                 Robert Reed, do you hear us?
                                                 If you
21
    can unmute.
22
                   MR. JAGIELA:
                                 Try putting in *6 to
23
    see if it will unmute you.
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                   CHAIR: Okay. He is the 4931 number?
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Yeah. His mic or his

MR. JAGIELA:

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ability to talk is enabled and he hasn't unmuted himself.

CHAIR: Okay. Okay.

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Well, we'll skip over and we will come back around at the end just to give one more opportunity, just in case, you know, anybody's having a technical issue or anything like that.

So the next registered speaker is Steve Martin.

MR. JAGIELA: Steve is also connected via phone.

12 CHAIR: Okay. So his. So you have 13 to unmute from your end. Try using *6.

MR. MARTIN: Hello. Can hear me?

CHAIR: Yeah, we can hear you.

MR. MARTIN: Okay. Good. Good.

Okay. My name is Steve Martin and that is spelled S-T-E-V-E M-A-R-T-I-N. And I am the President of the Susquehanna Chapter of Trout Unlimited, which is based in Williamsport. And we are one of numerous local Trout Unlimited chapters in the state of PA. We have roughly 300 members at this point. And all of those local chapters roll up

Much of what I have to say tonight is

into the Pennsylvania Council of Trout Unlimited.

a bit duplicative in regards to what Brian Wagner has already expressed. Trout Unlimited is not a fishing organization or a fishing club. We're a conservation organization. And we are all about, you know, cold water fisheries, cold water habitats, conserving, protecting, and enhancing cold water habitats, as well as all the fish, aquatic life, and other life forms that call them home.

And at Trout Unlimited, we believe that, you know, in any given watershed, the downstream water quality begins at the headwaters. You know, and this is precisely the location of the proposed route of the natural gas and water pipelines that we're discussing tonight for Cummings and McHenry Townships.

Our concerns are pretty much exactly the same as with the State Council that Brian already expressed. And, you know, those concerns are primarily the number of proposed open-cut crossings of multiple wild trout streams, as well as multiple wetlands. Some of those designated exceptional value, others high quality cold water fisheries.

And as Brian said, you know, we believe that the proposed route will increase -

well, we don't believe. We know it will increase
forest fragmentation in a largely undisturbed area.

And this is going to decrease the riparian zone.

And, you know, as Brian said, some of the other implications could be storm water runoff, erosion, sedimentation, possible increased sun lighting, which could affect the water temperatures. And, you know, these and other stressors could have an impact on the native brook trout population and the aquatic life that also lives in those streams.

We believe that there's a better alternate route that could be used. We believe that some of the road infrastructure already in place along Silver Springs and Truman Run Road makes sense. We're certainly not experts in laying out pipelines, but on the surface, there seems as though there's got to be a better route.

So, you know, an alternate route could alleviate not only some of our concerns, but it could add additional benefits to PG&E. You know, it could lead to more efficient monitoring of the pipelines, maintenance of the pipelines.

But irregardless, you know, we believe that all construction needs to be held to the highest industry standards. It needs to be

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    required to utilize current industry best practices.
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     And, as Brian said, require absolute minimal
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    surface disturbance.
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                   So with that -.
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                   CHAIR: Steve, your time is up.
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    ahead and finish up. Thank you.
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                   MR. MARTIN: Yep. Nope, I'm done.
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                   With that, I just thank you and for
9
    the opportunity to present our concerns this
10
    evening.
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                   CHAIR:
                           Okay. Thank you, Steve.
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                   Our next speaker is Grace DeLallo.
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    And she is followed by Robert Groff and Tom Pike.
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    And I do see Grace is here.
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                   MS. DELALLO: Hi, I'm here. Can you
    hear me?
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                   CHAIR: Yes, we can hear you.
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                   MS. DELALLO: Okay. Wonderful.
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                   All right. My name is Grace DeLallo,
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    G-R-A-C-E D-E-L-A-L-L-O. Hello, my name is Grace
21
    DeLallo. And I'm a community organizer with Protect
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    PT, a non-profit dedicated to ensuring residents
23
    safety, security, and quality of life. And was
24
    designed to protect our communities from harmful
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    environmental impacts of fossil fuel activity,
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principles we still operate on today. I would like to start by thanking the department for its service to our Commonwealth and for the opportunity to testify here today.

I'm here on behalf of myself, my community, and my State to urge you to not allow another space publicly enjoyed to be poisoned in the pursuit of private energy construction. If we are to meet our country and state's vital climate goals, the DEP must not allow this permit to pass.

Since beginning my position at

Protect PT, I've learned so much regarding the

harmful effects that natural gas development has

imposed on its citizens without our consent.

Just today, Protect PT received a call to our office from someone who complained that an established local oil and gas operation had destroyed wetlands on their parents property. This is the second time we've received word of the specific operator destroying wetlands. And without any follow up or remediation efforts. Existing infrastructure is already destroying precious wetlands. So why endanger these habitats even further with unnecessary operations?

The waters of the Commonwealth should

not be sacrificed for the interest of private industry, particularly since the DEP is the trustee of these natural resources and high value trout streams. And according to the EPA, many species of birds and mammals rely on wetlands for food, water, shelter, especially during migration and breeding. Wetlands, microbes, plants and wildlife are part of the global water cycle. And scientists now know that atmospheric maintenance may be an additional function of wetlands.

So as we experience unprecedented effects of climate change, we should aim to preserve these ecosystems in order to protect ourselves and our communities from irreparable damage, especially as freshwater resources continue to dwindle.

This proposal comes as PA has experienced nearly 19 percent decline in our wetlands in the past decade and 65 percent overall. A Penn State survey has approximated that we have 404,000 acres of wetlands left, a stark contrast from the 1,127,000 that we started with. The DEP has stated that wetlands and their importance are now recognized for their many contributions to enhancing water quality, providing valuable wildlife habitat, and contributing to public safety and

1 welfare.

Natural gas development does not contribute to any of these qualities. In fact, it greatly reduces biodiversity and resiliency of natural spaces, putting safety and welfare on the line, all over something we don't need, though some may want it.

And the DEP has also stated that it has expanded from its traditional regulatory role to one proactive involvement in watershed management programs. Its watershed approach is community based, locally driven, and specific to the needs of the local watershed.

If this is true, then please show the community that you are prioritizing a proactive stance and will not allow further gas development in our precious watersheds. If you allow this permit to pass, you are not fulfilling your obligation to Pennsylvanians who rely on this body to protect the environment, the very thing that you're here to do.

Thank you.

CHAIR: Thank you, Grace. Our next registered speaker is Robert Groff.

 $\underline{\text{MR. JAGIELA:}}$ I do not see Robert Groff in the line.

1 CHAIR: I don't. And I don't see his 2 number. 3 Okay. All right. 4 We will move on Tom Pike. And Tom is 5 here with us. 6 Okay, Tom, I believe you're unmuted. 7 MR. PIKE: Yes, I'm here. 8 CHAIR: Okay. Go ahead. 9 MR. PIKE: Can you hear me? 10 CHAIR: Yes, we can hear you. 11 MR. PIKE: All right. 12 My name is Tom Pike, that's T-O-M 13 P-I-K-E. I'm an environmental policy advocate with 14 Protect PT, a nonprofit that seeks to defend 15 Pennsylvanians rights to clean air and water under 16 the Pennsylvania Constitution, Article I, Section 27. 17 18 Article I, Section 27 reads, the 19 people have a right to clean air - clear air, pure 20 water, and to the preservation of the natural, 21 scenic, historic, and aesthetic values of the 22 environment. Pennsylvania's public natural 23 resources are the common property of all people, 24 including generations yet to come. 25 The DEP has an obligation to defend

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- 1 | these rights. It has no obligation to protect the
- 2 | profits of private corporations. Approving a
- 3 | pipeline over wetlands and exceptional value streams
- 4 | violates Pennsylvania's fundamental rights
- 5 explicitly granted to us by a supermajority of
- 6 | voters in 1971.
- 7 If approved, this action would open
- 8 | the state up to the potential for costly legal
- 9 liability.
- Deny this permit. Thank you for your
- 11 time.
- 12 CHAIR: Okay.
- So that is actually we're down to
- 14 | the end of our list, but we did have several people
- 15 | who were either not here or did not unmute. So I'm
- 16 just going to go down through those names one more
- 17 | time and give an opportunity, if any of them have
- 18 been able to join. I am not seeing anyone new here,
- 19 but we'll give it a shot.
- 20 So, Barb Jarmoska, Al Siever, Jerry
- 21 | Walls, Robert Reed, and Robert Groff. If any of you
- 22 | are on, if you could unmute, this is our last
- 23 chance.
- Okay. Okay.
- 25 | Hearing none, I think we will I

think we will assume that they are not here and not wanting to speak. So thank you again for everyone who This will conclude tonight's public hearing. spoke. I will stop sharing here. We realized we didn't have anything to post. The transcripts from tonight's hearing will be posted on the webpage once it becomes available. And normally, this is the part where I say good night and have a safe trip home. But since most of you are probably home, goodnight and have a nice evening. HEARING CONCLUDED AT 6:30 P.M.

CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Chair Lehman, was reported by me on July 2, 2024 and that I, Ethan Reese, read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

Dated the 18 day of July, 2024

Ethan Reese,

Court Reporter