

Notes from the Meeting with the State Department of Agriculture

Held at: Department of Agriculture, Trenton

Date: September 12, 2014

Time: 11:00 a.m.

Notes taken by: Susan Lockwood

Attendees: Tim Brill, Judith Andreyko (lawyer), Brian Smith (lawyer) (State Department of Agriculture); Christine Frenchu, Larry LeFevre (Holland Township); Paul Pogolzelski, Harvey Lester (Hopewell Township); Dan Pace (Mercer CADB); Jim Borders, Barbara and Lloyd Newbaker, Susan Lockwood (Delaware Township); Hunterdon County CADB representative Rick Steffey (on phone)

For Penn East: Bernie Holcomb (URS—the consulting firm doing the environmental work); Alisa Harris (Government and Community Affairs); two unnamed individuals who did not sign in (one from URS, not sure what the other ones' role is) and another person from Penn East (on the phone).

Tim Brill:

\$1.6 billion of public funds has gone into farmland preservation.

30% of the remaining agricultural base in the State is preserved.

The pipeline is routed through the heart of the State's preserved land.

Holland Township and Alexandria Township are in the Highlands Planning Area.

Delaware Township is the most active in preserving farmland in Hunterdon County.

Hopewell Township is in the top 10 for preserved land statewide.

All six municipalities in the pipeline corridor have municipal planning incentive grant programs.

Hunterdon County and Mercer County also have county agriculture development plans. Any "utilities" encroaching into these agricultural areas would require county review.

According to the State's assessment, there are between 12 and 24 preserved farms that would be affected by the pipeline path.

Alisa Harris:

These are only the first steps. They are in the processing of gathering information. The pipeline path was designed to "connect two points."

Bernie Holcomb:

The pipeline begins in Lucerne County, Pennsylvania.

The fuel is needed in Southeastern Pennsylvania (and maybe in South Jersey).

There are "gathering lines" that feed into "interstate lines."

They performed desktop studies to "connect two points."

They established a 400 foot wide corridor. The pipeline will only shift within that corridor.

Alisa Harris:

A company with available natural gas participates in "Open Season." They offer their reduced-cost gas to anyone who wants it. Based on who "signs up" to get their gas, they then site a pipeline to get the gas to them.

Bernie Holcomb:

The pipeline path is drawn to connect the customers.

They cannot use existing ROWs because most of them were drawn during World War II. They have been encroached on, they predate modern laws regarding width and separation; therefore they are “maxed out.”

The line was drawn to connect powerplants, hubs and for local distribution.

The company did desktop studies and connected the dots.

Because the Delaware River is a “unique resource” they decided they should only cross it once.

They are connected Lucerne County with customers in Southeastern Pennsylvania and maybe customers in South Jersey (they won’t say specifically until these “customers” sign a commitment paper). They targeted Hunterdon County because it is between them and their prospective customers and because the open space makes it easier.

There are a total of 1045 landowners involved (total includes landowners in PA). 43% have given permission to access their sites.

Once their surveys are done, they will make a decision regarding the final path of the pipeline.

Question (Christine Frenchu?):

You mention local distribution. If you get new customers that are not on this line, will there be MORE lines to connect them?

Bernie Holcomb and unnamed PennEast rep:

Yes. But that’s not this application.

Question, Paul Pogorzelski:

Can we know who received letters?

Bernie Holcomb:

FERC doesn’t “allow” us to give out that info for fear that those individuals will be targeted (for what, it was unclear).

Question, Harvey Lester:

You say you are connecting customers. Can you show us on a map where those customers are?

Bernie Holcomb:

No, because they’re not customers until they sign a contract.

Question, Harvey Lester:

But you said the line had to be drawn to connect customers so you must know who/where those are.

Bernie Holcomb:

We can show the distribution centers (like Lambertville) on a map.

Question (Harvey Lester?):

Can you tell us what alternatives were considered?

Bernie Holcomb:

That will all be part of our application to FERC and to all the other agencies from which we must obtain approvals.

APPLICATION SCHEDULE

PREFILING WITH FERC IN EARLY OCTOBER.

EIS: JULY 2015.

PERMIT FILING: JULY 2015

PERMITS RECEIVED: 2016

CERTIFICATION OF PUBLIC NECESSITY: BY DECEMBER 2016

FORMAL NOTICE, PERMITS FROM STATE, CONSTRUCTION: 2017

They intend to hold 5, informal “Open Houses” to tell residents about the project.

Pipeline Details:

The final pipeline corridor which they will own/take will be 50 feet wide.

There will be additional area, 75 feet or more, on both sides of the line for installation. The exact width will depend upon the site and conditions.

There will be a minimum of 3 feet of cover over the line.

In agricultural areas, they will leave at least 6 feet depending upon agricultural practices.

In agricultural areas, they will strip the top soil and stockpile it; strip the next layer and stockpile it, etc.; lay the pipe and then replace the soil.

The pipe is 30 inches in diameter.

They will compensate for the price of the land, and for any loss of crop for the year of the pipe installation and for 3-5 years total.

Question, Jim Borders:

How will the pipeline cross our C-1 streams?

Bernie Holcomb:

The line will be jacked under things like C-1 streams.

Question, Jim Borders:

What about septic systems and wells?

Bernie Holcomb (and/or man on the phone):

They intend to do geologic mapping and borings. Normally, “rippers” will be used to open the trench in the first 6 to 7 feet so that should not interfere.

Question, Paul Pogorzelski

Hopewell has much diabase and argillite. How will the pipeline be installed?

Bernie Holcomb (and/or man on the phone):

Low level blasting may be necessary. They would inform the landowner in advance, and then “monitor” their structures after the blast. Blasting is controlled. They don’t anticipate damage but

would have owners do a pre- and post- assessment of foundations, wells, leachfields, and any other structures that could be affected.

If the town is aware of previous issues with blasting, let them know.

Alisa Harris:

The FERC website has a full list of checklists that must be followed. Look under the Natural Gas Law. They will also post these sites on their PennEast website.

Bernie Holcomb:

FERC requires compliance with the Federal Clean Water Act, Federal Historic Preservation Act and Protection for Federally-listed threatened and endangered species.

Question: Tim Brill

What is the long-term affect of having the pipeline through your farmland? Can you have an orchard? What about livestock?

Man on the phone:

The ROW must remain clear of trees. Therefore, no orchard trees in ROW.

The ROW is re-cleared every 3 years.

Every year, a leak survey is conducted. That involves driving the length of the pipeline with some type of vehicle with a sensitive detector on it that can detect natural gas. If a leak is detected, they will immediately dig everything up to fix it. Property owners may (if they request) be notified when the vehicle drives on their property.

Livestock can use the area but the pipeline company would gate the area in some way.

There will be above-ground valves. The number of valves is set by the Department of Transportation and depends upon the population density (more dense, more valves). On average, these above-ground valves will be sited every 4 to 10 miles.

Question: Jim Borders

The Lambertville Gas Works smells for a great distance. Will there be a smell on the properties?

Bernie Holcome (or the man on the phone):

They are required to add mercaptin to the gas to make it smell. Mercaptin will be added to the gas in the pipeline.

Any more questions/comments?

Susan Lockwood: Agriculture defines Delaware Township. This pipeline will destroy the Township.

Man on the phone: The best way to preserve land is to put a pipeline through it because no one will ever be able to touch it for any reason ever again.

Jim Borders: We told our residents when we preserved their land that they would be protected from things like this industrial use.

Dan Pace: Will the County Agriculture Development Boards have a review of the impacts of this project via receipt of a letter of intent?

Brian Smith: The Federal rules supersede CADB rules so “no,” there will be no letter of intent.

Bernie Holcomb: Although those rules are superseded, if the pipeline company knows what the requirements are they will consider/try to comply with them.

Conclusion:

PennEast will hold 5 “informal” open houses for residents with questions.

FERC will require 4 formal hearings.

There will be a map on their website showing the points that they are trying to connect with this alignment.

PennEast thinks that they are going to get all of their applications and environmental impact statements in and reviewed by all entities simultaneously.

Tim Brill is willing to have more meetings on the agriculture issue if anyone wants one.