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BEFORE THE

FEDERAL ENERGY REGULATORY COMMISSION

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IN THE MATTER OF: : Project No.

ROVER PIPELINE PROJECT : CP15-93-000

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Patrick Henry Middle School
7E-50 Road
Hamier, Ohio 43524

Monday, March 21, 2016

The above-entitled matter came on for Scoping Meeting, pursuant to notice, at 6:00 p.m., Kevin Bowman, the moderator.

1 P R O C E E D I N G S

2 (6:02 p.m.)

3 MR. BOWMAN: Good evening everyone. On behalf of
4 the Federal Energy Regulatory Commission I would like to
5 welcome all of you here tonight. I want to welcome all of
6 you to the public comment meeting on the draft Environmental
7 Impact Statement or DEIS for the Rover Pipeline and
8 Trunkline and Panhandle Backhaul Projects. Let the record
9 show that the DEIS comment meeting began at 6:02 p.m. on
10 March 21, 2016 in Hamler, OH.

11 My name is Kevin Bowman and I am an Environmental
12 Project Manager in the Office of Energy Project, a division
13 of the FERC. To my right is Kim Sechrist, who is also a
14 representative of the FERC tonight. Also with me tonight is
15 Christine Allen, Oliver Pahl and Jon Hess who is also
16 representing FERC today. You'll note we do have a court
17 reporter set up here tonight so we will have an accurate
18 record of this meeting. If you would like to get a copy of
19 that transcript you can make arrangements with the court
20 reporter following this meeting.

21 In February of 2015, Rover Pipeline LLC,
22 Trunkline Gas Company LLC, and Panhandle Eastern Pipeline
23 Company filed applications under Sections 7 of the Natural
24 Gas Act to construct and operate certain natural gas
25 pipeline facilities. Rover's Project would consist of the

1 installation of about 500 miles of variable-diameter and
2 some dual-natural gas pipeline in West Virginia,
3 Pennsylvania, Michigan and Ohio as well as ten new
4 compressor stations. Panhandle and Trunkline's Projects
5 would involve modifications to their existing facilities to
6 allow Rover to deliver gas into existing pipeline systems.

7 The primary purpose of tonight's meeting is to
8 give you all an opportunity to provide specific
9 environmental comments on the draft EIS prepared by FERC
10 staff on these Projects. It will help us the most if your
11 comments are as specific as possible regarding the proposed
12 projects in FERC Staff's Draft Environmental Impact
13 Statement.

14 So I would like to clarify that this project is
15 not being proposed by FERC, it is proposed by Rover and its
16 affiliates. Rather, FERC is the lead federal agency that is
17 responsible for validating applications to construct and
18 operate interstate natural gas pipeline facilities. The
19 FERC therefore, is not an advocate for the Project.
20 Instead, as we have mentioned before throughout this
21 process, particularly the FERC staff that are here tonight,
22 for us, we are advocates for the environmental review
23 process.

24 Now during our review of these projects, we have
25 assembled information from a variety of sources. Some of

1 these sources have included applicants, the public, other
2 state, local and federal agencies and our own independent
3 analysis and field work. So we analyzed this information
4 and prepared a draft Environmental Impact Statement and was
5 distributed to the public for comment. A Notice of
6 Availability of the Draft EIS was issued for this project on
7 February 19th of this year.

8 In our preparation of this Environmental Impact
9 Statement, several other Federal and State agencies assisted
10 us with our preparation of the EIS. These are what we would
11 call "cooperating agencies". I would like to thank them for
12 their continued assistance in our review of this Project. I
13 would like to thank the Army Corps of Engineers,
14 Environmental Protection Agency, U.S. Fish and Wildlife
15 Service, Ohio Environmental protection Agency and the West
16 Virginia Department of Environmental protection who also
17 assisted us in the preparation of this document.

18 So we are nearing the end of the 45-day comment
19 period of the Draft Environmental Impact Statement. This
20 comment period will end on April 11th of this year. All
21 comments that we receive, whether they be written or spoken
22 will be addressed in the Final Environmental Impact
23 Statement. I encourage you, if you plan to send comments
24 and have not, please do so today be it verbally during the
25 comment portion of our meeting or using one of the forms in

1 the back of the room.

2 You can also submit comments using the procedures
3 outlined in the FERC's Notice of Availability of the Draft
4 EIS which includes instructions on how to submit your
5 comments electronically. All comments will be considered
6 with equal weight regardless of whether they are provided
7 here tonight or submitted in writing. Also, if you have
8 received a copy of the Draft EIS, whether it be a paper copy
9 or a CD, you will automatically receive a copy of a final
10 environmental impact statement in the mail.

11 If you did not get a copy of the draft EIS in the
12 mail and you would like a copy of the final, please do give
13 use your name and address at the sign in table and we will
14 make sure that you do get a copy of the final EIS. Do be
15 advised that the final EIS and the draft EIS are not
16 decision-making documents. So that is, they do not
17 determine whether or not the Project is approved. I want to
18 differentiate the roles that distinct staff members have for
19 FERC.

20 Myself and the other FERC staff here tonight are
21 part of the Environmental Review Staff. So we do not
22 determine whether or not the Project moves forward.
23 Instead, the FERC Commissioners and there are five, who are
24 presidentially appointed, are responsible for determining
25 whether the Project moves forward. In making their

1 decisions, the Commissioners consider a host of
2 environmental information and non-environmental information
3 such as engineering, markets and rates in their decisions.

4 Only after taking the environmental and
5 non-environmental information into consideration will the
6 Commission make its final decision whether or not to move
7 approve the project. If the Commission does approve a
8 project, and a Certificate of Public Convenience and
9 Necessity is issued, Rover, Panhandle and Trunkline will be
10 required to meet certain conditions outlined in that
11 certificate.

12 FERC environmental staff would monitor an
13 approved project through construction and restoration and
14 perform daily on-site inspections to document environmental
15 compliance with applicable laws and regulations, the
16 applicant's proposed plans and mitigation measures and any
17 other additional conditions in the FERC Certificate.

18 So I'll end with the boring stuff about FERC. We
19 will get to the part where we talk and hear comments from
20 those of you tonight. If you'd rather not speak tonight, or
21 don't get to say everything you wanted or think of something
22 later, you can still hand in written comments tonight using
23 the forms we have at the back table or you can always just
24 send them into the Commission using the information detailed
25 in the Notice of Availability.

1 So as I mentioned, this meeting is being recorded
2 by a court reporter so all of your comments will be
3 accurately transcribed and put into the public record. I
4 will call you, so far eight speakers that I have signed up
5 in the order that you signed in and I ask that you state
6 your name so they can be accurately transcribed and I will
7 get to that in just a second. As the speakers are speaking,
8 the only rule that I have is that you do respect the speaker
9 as they are at the microphone, regardless of whether you
10 agree or disagree with their comments.

11 So the first speaker that I would like at the
12 lectern at this time is Glenn Miller.

13 MR. MILLER: My name is Glenn Miller with two Ns,
14 M-I-L-L-E-R. Thank you for allowing me to comment this
15 evening. I'm one of three Henry County Commissioners and
16 we're concerned about this Project, especially restoration
17 of soils and drainage systems which would be disturbed in
18 the construction process. Two important facts I feel need
19 to be mentioned in my comment and the first one is, in the
20 1950's the pipeline was installed, over fifty years ago.
21 You can still see the effects of that pipeline. You can see
22 aerial photographs that follow that pipeline through the
23 path through our county. In talking to any of the
24 landowners you will be told the productivity of the soil is
25 very poor.

1 The second fact that I would like to mention,
2 Henry County is part of what is known as "Black Swamp". To
3 make land productive required complex drainage systems to be
4 constructed to move water off the land and on into Lake
5 Erie. The combination of surface and underground drainage
6 was constructed to allow the soil to dry in a timely manner.
7 Because the Rover Project will affect many future
8 generations, it is imperative FERC require Rover to
9 responsibly restore the land, also to hold Rover responsible
10 for restoring the land drainage system with the approval of
11 the landowner. Both land restoration and drainage
12 restoration should be completed before Rover is allowed to
13 pump any gas through the pipeline. That's my comment.
14 Thank you.

15 MR. BOWMAN: Thank you, Mr. Miller. The second
16 speaker tonight is Charles Yates.

17 MR. YATES: Good evening. My name is Charles
18 Yates. Thank you for giving me this opportunity to speak on
19 behalf of the Rover Pipeline, the United Association. We
20 are members of, some of us over here and you know I was
21 going to get up here and I had something prepared to read
22 here but I would like, you know to respond to the gentleman
23 that went before me. I was speaking with another gentleman
24 here when we started, before we started here and he had the
25 same concern.

1 We are talking about fifty years ago, or better
2 when those pipelines that were laid -- in the fifties. You
3 know, we have state-of-the art training facilities now and
4 we do things a lot different than they did back in those
5 days. We have Energy Transfer Partners, they are in this
6 Rover Pipeline and they go out there and they try to put
7 everything back, better than it was when they started it.
8 They go out there and they survey the land before they
9 start, when they come back when it's opened they are going
10 to put it back just like it was before. They are going to
11 cross street crossings, they are going to make sure that
12 they go back in there to keep the roads intact.

13 We're the best of the best. I have been doing
14 this thirty-five years myself and we all go out today, and
15 we're going to go in there and we are going to put this
16 pipeline together and it's going to be put together right.
17 Our contract is to go out there and take every opportunity
18 to make sure that we get along with the landowners, we get
19 along with the communities. We are going to spend a lot of
20 money, and a lot of that money is going to be stay in these
21 communities.

22 We've been laying these things for over one
23 hundred and twenty-five years but the standards have changed
24 and I would just like to speak in support of this Rover
25 pipeline. We have so many jobs that go overseas and

1 everything and this is going to bring a lot of jobs back to
2 the United States. Thank you.

3 MR. BOWMAN: Thank you, Mr. Yates. Third speaker
4 tonight is Rob Rettig.

5 MR. RETTIG: Hello, my name is Rob Rettig. I'm a
6 farmer in Henry County. I want to thank you for the
7 opportunity to speak on behalf of the farmers along the
8 affected Rover Pipeline route. The proposed pipeline runs
9 through three of my family's farms and four others that we
10 have been entrusted to operate. My formal education is in
11 economics. I am a local school board member therefore I can
12 understand and fully appreciate the potential positive
13 impacts of the proposed pipeline. However, as a citizen of
14 a country which obviously respects an individual's property
15 rights, I would expect that those who sacrificed for the
16 benefit of a for-profit entity would be honorably treated
17 and properly compensated.

18 The farms that we operate that lie in the path of
19 the proposed pipeline are extremely productive. We have
20 repeatedly been told that there is an expectation of slowed
21 productivity but will return to normal in like three years.
22 Our past experience with evasive activities of these
23 clay-based soils would indicate otherwise. Experience also
24 would indicate that the long-term damage to soil structure
25 will likely be predicated by soil and weather conditions at

1 the time of the installation. We will be able to
2 effectively measure productively in perpetuity with our
3 geo-reference spatial equipment. If Rover and others are
4 convinced that one hundred percent productivity is the
5 expectation, I would suggest commitment to a long-term
6 compensation agreement based upon this easily measured
7 productivity.

8 It alarmingly appears that Rover is using as its
9 baseline for some negotiations on eminent domain cases --
10 data based on less productive and differently structured
11 soil. Other pipeline projects have noted three times the
12 amount of per foot procurement of access rights. Access
13 rights procurement is a minute portion of Rover's overall
14 effort.

15 We've also been -- by Rover's reluctance to
16 accept the drainage mediation plans as recommended by its
17 agent, Land Stewards and our local contractors. If these
18 remediation efforts were handled incorrectly, the cost to
19 the individual landowner could be tens of thousands of
20 dollars on an annual loss basis. Of course and off-putting
21 factor is the fact that the landowners and landowner reps
22 have invested hundreds of hours of individual time and
23 hundreds of miles of travel to meetings that of course could
24 have been otherwise invested.

25 I also understand that some of our requests might

1 be difficult or impossible however we have a request, at
2 least at face time, do not seem unreasonable and would save
3 Rover thousands of dollars in remediation costs. It is
4 asking that Rover alter the route by 84 feet at either end
5 of the half-mile section. This would result in the pipeline
6 running exactly parallel to the existing powerlines and
7 would eliminate all the need for collecting -- domains.
8 This parcel is OH-HEM 49.

9 Thank you again for this opportunity. You have
10 been receptive to expressed concerns in the past, and for
11 that I ask for your agreement. Attached is my contact
12 information.

13 MR. BOWMAN: Thank you Mr. Rettig. Our 4th
14 speaker tonight is Terry Langley.

15 MR. LANGLEY: Good evening. My name is Terry
16 Langley and I would like to thank FERC for letting me speak
17 tonight. I represent the United Association of Workers --
18 we're the welders that will be doing the work on the Project
19 and since 2008 many of our workers have found themselves
20 underutilized and underpaid in these projects and certain
21 positions get sent overseas for less skilled workers.

22 Large Union-structured projects like Rover
23 Pipeline are the kind of endeavors our country needs to put
24 American workers and communities, in which they reside, on
25 the path to economic prosperity. Use of the Steelworker's

1 United Association, the Rover Pipeline will be constructed
2 using the most advanced engineering technology. According
3 to the first draft of the Environmental Impact Study, it
4 seems the pipeline officials have guaranteed to meet and
5 even exceed state and Federal Pipeline Safety Requirements.

6 This is due to a visual inspection conducted
7 everywhere connecting different segments of the pipeline as
8 well as pre-test for leaks and defects usually water under
9 power -- pressure. Also emergency shutoff valves will also
10 be utilized in the improbability event of an emergency.

11 Thank you for letting me speak.

12 MR. BOWMAN: Thank you Mr. Langley. Our fifth
13 speaker tonight is Richard Emens.

14 MR. EMENS: Thank you, Mr. Bowman for the
15 opportunity to speak as you said my name is Richard Emans.
16 My law firm Emans and Wolper Law Firm in Columbus represents
17 more than 200 landowners on the Rover Pipeline, that's more
18 than sixty-five miles of right-of-way and a hundred miles of
19 pipe and I guess I really want to say a hundred miles of
20 pipes, because my first comment goes to the fact that we
21 believe the draft EIS needs to emphasize that this is not
22 just one pipeline. Other than a mention early on in the EIS
23 that there are dual pipelines, the entire report continues
24 to talk about a pipeline. These are two huge, 42-inch
25 pipelines, twenty feet apart that will have a major impact

1 on the land and we think the report needs to indicate that.

2 Secondly, I want to say that we appreciate in
3 Section 4.8.4.1 the comment that Rover should commit to
4 hiring locally trained contractors to install and repair
5 drain tiles that are damaged and need to be rerouted.
6 However, we think it's important that be amended to say that
7 Rover should commit to work with the local landowners who
8 are impacted and with local drain tile contractors to come
9 with mutually acceptable plans.

10 The drain pile -- as was mentioned by Mr. Miller,
11 especially in the Black Swamp area where many of our clients
12 have land, as mentioned by Mr. Rettig, impact not just the
13 several thousand acres that the pipeline goes through but
14 tens of thousands of acres of these landowners and if the
15 drain tile work is not done correctly there will be
16 additional tens of thousands of acres of the neighbors of
17 the directly impacted landowners. So it's vital that
18 acceptable drain tile plans be worked out acceptable to the
19 landowners and to Rover working with the local drain tile
20 contractors.

21 I want to mention also, there are several, seems
22 to us, very brief mentions of compaction in the DEIS, but
23 nowhere do we find any statement that compaction will reduce
24 the yields on these properties. With these huge pipelines
25 and the enormous equipment that is involved there is going

1 to be tremendous compaction that will adversely affect the
2 yield, not just where the pipeline is but where ever this
3 equipment comes on the property and this needs much more
4 writing and recommendations to Rover in the EIS we believe.

5 We also want to comment that while we're not
6 privy to the financial arrangements that Rover has with its
7 partners, we did notice in the SEC documents that Rover took
8 in more than 25% partner and we don't know currently what
9 it's called. At one point it was called AUR, at one time it
10 was called AAU, at one time it's called Ascent, but there
11 have been numerous mechanics liens filed against that entity
12 in Ohio and typically when you find a mechanics liens being
13 filed against an oil and gas producer, that means they have
14 financial problems and we don't have access to the documents
15 that show what the relationship between ETE, ETP, Rover and
16 Ascent, AAU, AUR or whoever they are but we think that FERC
17 needs to make sure that this will not adversely impact
18 Rover's ability to do the things that FERC is going to
19 require them to do.

20 We do appreciate the fact that FERC is making a
21 number of recommendations. We think there are additional
22 that need to be made some we've commented on tonight and we
23 will be filing additional comments. Thank you again for
24 letting us comment.

25 MR. BOWMAN: Thank you, Mr. Emens. Our sixth

1 speaker will be Ben Polasck.

2 MR. POLASCK: Good evening. I'm Ben Polasck. I
3 first want to start off by thanking the FERC and thank you
4 Kevin for your time and allowing us to comment this evening.
5 I am a third generation landowner and farmer, that will be
6 significantly affected by the proposed ETO Pipeline Project
7 in both Defiance and Fulton Counties. The Pipeline crosses
8 four farms, four different farms owned by my family and one
9 farm that I rent. My family has owned much of this land for
10 many years going back for many generations so this land is
11 our home, our passion, and our way of life. It is our
12 entire life. It is not just a business to us. We are
13 passionate about taking great care of our land.

14 I would like to thank the FERC for allowing me to
15 share some additional -- some significant concerns I have
16 after I reviewed the Draft EIS statement. I would also like
17 to thank FERC for taking so many of our comments into
18 consideration from the previous scoping meetings as well as
19 some of the comments that we filed directly with FERC. I
20 feel that the draft EIS does not accurately reflect the
21 long-term damage that's going to occur to the farm land when
22 the excavation occurs. This is especially true if at any
23 time the ground is disturbed when conditions are not
24 optimal.

25 Over the years we have taken great care not to

1 trod upon the land or disturb the soil when it is too wet or
2 the conditions are not fit. Even in these optimum
3 conditions, compaction does occur. The larger the
4 equipment, the more compaction. Things such as tractors,
5 spreaders, combines, etc. all can cause significant yield
6 reductions for many years if the traffic patterns are not
7 maintained.

8 Yield monitors indicate significant reduction in
9 production over pipelines that have been installed as many
10 as fifty years ago. In addition, if you look at satellite
11 photos or on Google Earth, or other satellite photos, you
12 can clearly see these pipelines some thirty years, forty,
13 fifty, sixty years ago that have been installed and clearly
14 see the effects they have on the land yet today.

15 I do have some photos of that that I would like
16 to submit to FERC as well to show some of this damage. What
17 struck me is that a couple of times this year I drove past
18 several pipelines that have been installed a long time ago
19 and there were 2-3 inches of snow on the ground except over
20 the pipeline. The heat from the gas is actually melting the
21 snow completely off the pipelines.

22 In addition, any excavators, staging pipe,
23 bulldozers or other heavy equipment will create a very
24 long-term environmental impact on the soil from compaction.
25 I would ask the FERC to clearly require Rover to address

1 this long-term environmental damage that will occur on the
2 land. It is not something that will go away in three years.
3 This will require a combination of remediation and
4 restoration efforts, compensation for the many years of
5 reduced productivity and ensuring that work only occurs when
6 conditions are optimal.

7 This is not something you can come in and simply
8 say tomorrow we are scheduled to lay a mile of pipe and we
9 have to do it. You have to look at the ground conditions
10 and make sure that you are not damaging the ground any more
11 than is absolutely necessary. In reviewing the Draft EIS,
12 it often appeared to me that more focus is put on conserving
13 wildlife and other environmental concerns, but not to the
14 farmers and the landowners.

15 I would like to ask FERC to give these
16 responsible landowners similar protection to what's given to
17 the bats that are nesting, the birds and the other wildlife
18 that may be disturbed by actually being near it. I also
19 work in construction as well so I understand how much work
20 -- a lot of the activities that go through, cleaning,
21 building, building paths and so forth. I have a lot of
22 respect for the highly-skilled Union workers that will be
23 doing this. I am sure they will do a very quality job.
24 However, some of these environmental impacts are beyond
25 their control if they are forced to put them in at the wrong

1 time.

2 In the many years we have been farming we have
3 moved over to a significant portion of our ground being
4 no-till ground. With no-till, we do not till the soil.
5 Tilling the soil, especially at the wrong times does
6 significant damage and destroys microbes in the soil and
7 also breaks down the soil structure. Many of the studies
8 that we have looked at show that in order to convert to a
9 no-till system takes 15 to 20 years to get the soil restored
10 back to the original conditions to get the micro-bacteria
11 where they need to be. Again when the soil is excavated as
12 it is going to be for this 42-inch pipeline, that's going to
13 take at least twenty years if not longer to restore that
14 soil.

15 In addition to the environmental and
16 socioeconomic impact on farmers such as myself that have
17 invested their life and both time and money to the land to
18 support their families could be detrimental. Our land is
19 not for sale however we do face the strong possibility that
20 it could be taken from us via eminent domain. This pipeline
21 will have a negative impact on our land and its production
22 for many generations, much longer than my lifetime, into my
23 children's and my grandchildren's.

24 As we realize the pipeline project is likely to
25 continue and I do understand the need for progress in

1 America to transport natural gas. We have attempted on
2 numerous occasions to negotiate with Rover to insure that
3 they will continue their project, but at the same time
4 reduce the environmental impact and protect the land for
5 future generations. However Rover has refused to respond to
6 our efforts to negotiate in good faith.

7 For over a year, I through my attorneys have
8 presented Rover items that need to be addressed in an easement
9 to mitigate these environmental impacts and we've requested
10 written proposals from Rover detailing these safeguards in
11 terms that would be acceptable to both ourselves and Rover.
12 However, Rover refuses to provide any written agreement to
13 address these issues. The terms of the agreement are just
14 as important as financial compensation. My attorneys have
15 provided to Rover a written list of these details that we've
16 desired in mutual agreement, however Rover will not agree or
17 disagree in writing to these conditions.

18 Rover is absolutely refusing to negotiate in good
19 faith. It is currently my understanding that less than
20 thirty percent of the right-of-ways have been secured by
21 Rover for this project. While I understand the limited use
22 of eminent domain is necessary once a Certificate of
23 Necessity is issued, that will help obtain a few holdouts
24 that are not negotiating. However, it seems completely
25 unreasonable for Rover to think that they can acquire up to

1 seventy percent of the land needed for a project by eminent
2 domain, especially if landowners have come to negotiate and
3 Rover is refusing. Clearly, this shows Rover's complete
4 disregard for the landowners and the effects that this
5 project is going to have on them.

6 Instead of communicating and negotiating in good
7 faith, Rover is sending threatening letters, called and
8 asked to stop using the attorneys because it's too
9 complicated for them and failed to provide the information
10 we are requesting to help us negotiate fairly with them. I
11 ask FERC to require Rover to negotiate in good faith and to
12 prevent Rover from using eminent domain or issuing a
13 certificate until we can clearly establish that they have
14 attempted to negotiate with landowners in good faith. FERC
15 should also require that a significant percentage of the
16 land be obtained with negotiated agreements prior to
17 allowing Rover to use eminent domain to obtain the remaining
18 land needed.

19 This project should not be permitted going
20 forward until Rover can demonstrate that they have
21 negotiated in good faith and are addressing these
22 environmental concerns with the landowners. As each
23 property is different, it is very important that each
24 landowner has an opportunity to have their issues addressed.
25 In addition to loss of production, I also request that FERC

1 ensure Rover addresses the environmental impact the pipeline
2 will have on our homesteads. By putting the pipeline right
3 next to our homes through our front yards, we will see a
4 significant impact on our property value. FERC needs to
5 clearly require Rover to address the significant decrease in
6 our homes' value. We ask the members of FERC to think about
7 would you pay the same for a home that had a pipeline
8 running right through the front yard.

9 Another environmental issue I ask FERC to fully
10 address is drainage. Rover has worked with Land Stewards to
11 plan some of the mediations and corrections to the tile
12 systems that we have grading in our fields. Following the
13 plans to work with the Land Stewards' drainage consultants,
14 he recommended placing the tile at twenty foot rather than
15 at thirty-three foot that are on some of our properties to
16 help compensate for the drainage issues as he saw compaction
17 as a significant issue after the pipeline is installed.
18 However, after a few calls to him, it was moved to another
19 person assigned to work on it with me.

20 At this time I was told although their drainage
21 experts recommended the twenty-foot basin, Rover would not
22 approve this change to the plans. After many more hours of
23 phone calls and emails, Land Stewards worked with me to
24 present plans to Rover that appeared to be acceptable to
25 both myself and Land Stewards noting that they were

1 reasonable and economically sound. However, Rover has yet
2 to approve any of those plans. However, Rover did
3 immediately reject one of the plans as being too expensive.
4 Now even though this plan is approved by Land Stewards and
5 the pricing was within reasonability according to Land
6 Stewards, Rover rejected that plan. After they rejected it,
7 I contacted Land Stewards and asked them to have Rover
8 contact me or Land Stewards to provide some options that we
9 can use to -- in the current mediation, however this is
10 several months ago and I have still heard nothing from
11 Rover.

12 As I pointed out earlier trenching, excavating
13 and any work of land can only be done under proper soil
14 conditions. This also holds true for installing and
15 modifying drainage tile. Last fall provided almost three
16 months of perfect weather conditions and soil conditions to
17 have provided some of this pre-pipeline work that is
18 required. However, I made multiple attempts to contact
19 Rover through Land Stewards to get approval on the plans,
20 and they would not approve any of these. It would have been
21 very nice to have this three month window to get those
22 changes made.

23 Again, I think this goes to show Rover's complete
24 disregard for the environmental impacts that they are going
25 to have by putting in this pipeline. We are trying to work

1 with Rover to reduce the negative impacts, the environmental
2 impacts that you are going to see but again Rover refuses to
3 work with us. I ask FERC to require Rover to comply with
4 the tile remediation plans that are provided by their
5 consultants and landowners in agreement and also I do thank
6 FERC for recommending local drainage contractors to be
7 available to put this in and I ask that they continue to
8 keep that in the EIS statement.

9 In addition, I think it is vital that FERC
10 require Rover to approve these plans and provide a
11 reasonable amount of time and proper soil conditions to
12 perform the pre-pipeline tile mitigation. It is FERC's job
13 to balance public needs with the negative impacts of
14 landowners and other stakeholders of the Project. I've read
15 numerous letters and comments to FERC from those that would
16 be getting a temporary employment lasting one year or less.
17 While I appreciate their desire for work and understand that
18 they are very skilled, I do ask FERC to balance this very
19 short-term benefit with the long-term negative impacts that
20 landowners will face for this and many future generations.

21 In summary, I ask a few things of FERC: ensure
22 that tile plans are approved, adequate time is given for the
23 installation of the tile with proper conditions by local
24 contractors. This is going to allow all three pipeline
25 drains to be corrected prior to Rover beginning construction

1 of the pipeline project. I would also ask that FERC only
2 allow those construction activities when ground conditions
3 are dry and correct to reduce the compaction and other soil
4 damage that's going to occur during pipeline installation.
5 I ask FERC to require Rover to address and compensate for
6 yield losses and other environmental damage that will last
7 decades into the future.

8 I also ask that FERC require Rover to negotiate
9 in good faith so that proper terms can be agreed upon to
10 reduce the negative environmental impacts of the farmers and
11 landowners and their homesteads before they would allow FERC
12 to use eminent domain to take that land. Again, I do
13 understand if there's some holdouts that they do need
14 eminent domain to move the project forward and I do
15 understand that, however I think that seventy percent of the
16 landowners not agreeing to Rover's demands at this point
17 shows that Rover is not negotiating in good faith.

18 I would also welcome an opportunity to meet with
19 FERC and if appropriate, Rover, on my farm or homestead to
20 show them firsthand the significant environmental impacts
21 that we face should this project be completed. As I realize
22 it is likely that this Project will be moving forward, I do
23 ask FERC to perform its duties and require Rover to mitigate
24 as much as possible the environmental impacts it will cause
25 for landowners. I look forward to working with FERC on

1 solutions to these issues. Thank you for your time this
2 evening.

3 MR. BOMAN: Thank you Mr. Polasck. Our seventh
4 speakers is Jon Rosenberger.

5 MR. ROSENBERGER: My name's Jon Rosenberger. I
6 have the honor to serve the Ohio Chapter of the
7 International Brotherhood of Electrical Workers. Thank you
8 for your time today. I appreciate the opportunity to tell
9 you about the importance of the Rover Pipeline Project, for
10 Ohio's skilled electrical workers and the economy as a
11 whole. The IBEW represents approximately seven hundred and
12 fifty thousand active and retired members in the United
13 States and Canada with a wide variety of fields including
14 utilities, construction, telecommunications, broadcasting,
15 manufacturing, railroads and building.

16 Given the range and nature of the trades we
17 represent it will come as no surprise to this panel that the
18 IBEW wholeheartedly supports approval of the Rover Pipeline
19 Project. The Rover Pipeline Project is set to deliver a
20 major economic stimulus to not only Ohio's economy but to
21 the regional and national economies as well. In total, the
22 Rover Pipeline Project will invest more than four billion in
23 our local economies and create ten thousand jobs for
24 regional workers and focus on many of the trades we
25 represent.

1 It will also create and maintain other jobs
2 through domestic pipeline component purchases and help
3 further stimulate local economies over the long term as
4 wages are spent in Ohio towns, cities and counties and
5 pipeline tax revenues begin to be generated to support
6 critical public services. In short, the Rover Pipeline
7 Project is exactly the kind of economic stimulus that Ohio
8 needs to finally fully recover from the Great Recession that
9 began in 2008.

10 We strongly urge FERC to approve the Rover
11 Pipeline Project as soon as possible. Thank you again for
12 your time and attention.

13 MR. BOWMAN: Thank you Mr. Rosenberger. Our
14 eighth speaker is Tim Behrman.

15 MR. BEHRMAN: Good evening. Thanks for this
16 opportunity. My name's Tim Behrman. I'm a farmer and
17 landowner in Hanover County and we're affected personally
18 with three tracts.

19 One of my first comments is on the issue of
20 property value that the Draft EIS focuses on the "no loss of
21 value". I recently attended a farm real estate auction on
22 March 10th attended by approximately sixty people that had
23 the proposed Rover Pipeline running through it. After about
24 thirty minutes of the auction, a price of forty-two fifty
25 was offered and it did not sell at this time. In the last

1 week, on the same road approximately seven or eight miles
2 west of this auction, another farm sold. This farm
3 contained the same -- price, but was not affected by the
4 local pipeline. It sold in the seventy-five hundred dollar
5 range. I strongly disagree with the Draft Environmental
6 Impact Statement stating that Rover is not likely to reduce
7 the property values.

8 I also feel that any residents within a thousand
9 feet of a giant double forty-two inch pipeline could very
10 possibly be in a very dangerous zone if any problems should
11 occur. I do believe, as an excavation worker, I think if
12 this pipeline is done it should be a triple lift process.
13 This is because of the different soft structures at
14 different depth and soil fertility variations and soil
15 compaction could also be reduced if this method was used and
16 as a final statement, the number of growing seasons affected
17 by the pipeline -- in 1957, we had a single 20-inch pipeline
18 that was installed on our property which is now considered a
19 crossroads pipeline and to this date the crop differences of
20 heights and yields are still shown as a loss.

21 Thanks for this opportunity. That's it.

22 MR. BOWMAN: Thank you, Mr. Behrman. Our ninth
23 speaker is Edwin Nagel.

24 MR. NAGEL: Good evening. I'm a landowner that
25 will be affected by the proposed E.T. Rover Pipeline

1 Project. Our farm is located in Section 21 of Ridgerville
2 Township in Henry County, Ohio and this has been owned by
3 our family since 1889. The environmental issues in regard
4 to this Project are many, including drainage tiles on
5 existing farm land, crop production and soil compaction as
6 well as trees and an issue of protected or endangered
7 species such as the Indiana bat.

8 In the case of the proposed pipeline in
9 Ridgefield Township, an organization without any property
10 involved in the pipeline, is causing additional harm in the
11 environment by requesting that E.T. Rover move the pipeline
12 and reroute it away from their property and thus extending
13 the route, linear footage affected and the number of
14 environmental problems as I had mentioned earlier.
15 Northwest State Community College located in Section 28
16 Original Township of Henry County, Ohio has requested of
17 E.T. Rover that the project be moved farther east, more than
18 1320-feet away from their property to allow for a proposed
19 expansion of their facility on land that the college does
20 not currently own. The college currently has sufficient
21 land for any foreseeable expansion and thus no further land
22 is needed for their community college.

23 E.T. Rover has apparently complied with this
24 request as the Project was rerouted in 2014 after the
25 college made the request. This rerouting will result in

1 significant additional footage being required for the
2 Project, adding to environmental issues for two additional
3 landowners that were previously not to have had the project
4 run through their property as well as the significant
5 injuries for a third landowner that had minimal linear
6 footage passing through their parcel before the rerouting
7 occurred.

8 The proposed pipeline should be constructed with
9 as few intrusions on the environment as possible. Safety
10 precautions are feasible and available that can be utilized
11 in high density areas such as housing units and existing
12 education buildings that will still result in completion of
13 the Project with the end objective. These practices should
14 be put to use in Section 28 of Ridgeville Township of Henry
15 County as well as in other places on the proposed route
16 wherever possible. Thank you.

17 MR. BOWMAN: Okay. Our tenth speaker is Robert
18 Wilds.

19 MR. WILDS: Good evening. My name is Robert
20 Wilds. I represent the International Brotherhood of
21 Engineers. I would like to thank the FERC for the
22 opportunity to speak. I would like to talk about a couple
23 of things. I like to speak about what I know. I worked the
24 first pipeline project in 1986, thirty years I've been
25 involved in the industry. I have seen many changes in the

1 industry through the thirty years, some of the biggest
2 changes have been on the environmental side. The way things
3 are done to be more environmentally friendly.

4 The reason a lot of these changes have come about
5 is because of some of the things some of these farmers have
6 spoken about; thirty, forty, fifty years ago the pipeline
7 was put in and are still seen dropping in their crops. What
8 happens is they work with all the big universities such as
9 Ohio State, such as Penn State, University of Illinois,
10 Nebraska, and they've developed some of the environmental
11 practices which the FERC -- from the studies that these
12 colleges do and agriculture through all the changes. I have
13 seen changes as far as separation of topsoil, --
14 de-compaction after the project is done, before the topsoil
15 is spread and the subsoil is put down, it is being de-tilled
16 on projects I have worked on. It's de-tilled, de-compacts
17 soil and then topsoil is being put down and then it is being
18 de-compacted again.

19 The workers, a lot of them are local workers.
20 Our agreements with the contract when we are doing this --
21 more or less say 50% of the workers are local hire. Some
22 people are Ohioans. A lot of them are my brothers and
23 sisters. They may have farms too, they have property too.
24 They take pride, this is their land. They will take care of
25 the tree -- and be good stewards to the land. As far as

1 temporary jobs, like I said, I've been doing this since
2 1986. I've made a thirty-year career of temporary jobs.
3 It's not jobs for us; it's careers. It's our career, okay.

4 As far as the safety of the pipeline, I've heard
5 one gentleman speak about the testing where it applies to
6 the service, DOT requires that it is tested 1.5 times of
7 natural operating pressure with water, highly tested to test
8 the safety of the pipe welds, everything else. I will leave
9 it at that. Thank you for your time and I'm in favor of the
10 project.

11 MR. BOWMAN: Okay, so that's everyone who has
12 signed up to speak tonight. If there is anyone else that
13 did not sign up at the back table and who would like to
14 provide comments for the EIS I would like to extend that
15 opportunity to anyone now. Yes, sir. You can come on up.
16 Please do speak -- state and spell your name, because I
17 don't already have it written down.

18 MR. SMITH: Good evening. Steve Smith. You need
19 me to spell that?

20 (Laughter.)

21 MR. SMITH: I'm from Seneca County. With
22 approximately twenty-three miles of pipeline, Seneca County
23 and our farming operation is little we have approximately
24 ten percent or thirty miles of it. I understand it's like a
25 four billion dollar project and twenty-five percent of the

1 cost is payroll, one billion dollars in payroll. That's
2 what these gentlemen said. I'm curious if that is in
3 minimum-wage jobs. In some of the literature on internet ---
4 they expect to buy all easements for the pipeline for one
5 hundred million dollars. That's two and a half percent of
6 the projected cost of the pipeline. Like I told people,
7 this is chump change and they are getting twenty-five
8 percent in labor only.

9 Now, we had meetings with Rover and some higher
10 up people that won't stay at our property because their
11 gonna disturb two of the third miles we have. Once that
12 was over with, I asked this one gentleman, "I read someplace
13 where this pipeline is the biggest project in the State of
14 Ohio." He says "Oh yes, it's bigger than Keystone."
15 Keystone is one 36-inch pipeline. His next comment was that
16 he is pretty proud of, "this is the biggest pipeline project
17 in the history of the United States. Nobody has ever buried
18 two 42-inch pipelines in this kind of capacity. This is a
19 history maker.

20 Now, also I got in some of the end-users, the
21 people who will buy this natural gas -- . Then he threw in
22 one statement "E.T. Rover reserves the right to remain
23 financially viable in this pipeline." In other words, if
24 this thing costs them more money to build than they expect,
25 they pass it on. They can't lose. Keep in mind. They plan

1 one hundred million dollars so they can buy all the
2 easements. That's in their literature. Two and a half
3 percent of the full projected price and the landowners are
4 the only ones here that are going to end up with a mess. No
5 matter what happens. Nobody else has nothing to lose and
6 everything to gain. Two and a half percent. That's what
7 they think of us landowners.

8 Now we farm along the Sandusky River. They come
9 in here they had some borings inside the Sandusky River.
10 Our side is about fifty feet higher than the east side. Why
11 they are going to this spot, I don't know. It's six hundred
12 feet away. They emptied out 135-feet. And sort of muddy
13 when they're done, I think they poured a little concrete
14 that they stand around this boring machine. And there are
15 easements -- to say about 4-inches and over to pick up the
16 stones. I've got about six pounds of concrete left behind.
17 Then, when they'd done their walkthrough land survey one of
18 the gentleman was smoking a cigarette and threw the
19 cigarette butt beside a tree, went up like a chimney. The
20 fire department, they had to come and put it out.

21 They haven't removed one shovel-full of dirt yet.
22 They found it burned down to the roots. Does Rover have any
23 intentions of honoring this? Or will they do the least they
24 can? That's what we worry about. We like our land, we
25 think it's pretty modest. -- We watched some of these tiles

1 this year. We figure they will cut 250 to 300 squares of
2 tile, twice. We want to try to get it rerouted before
3 spring plantings. Basically, you haven't got an
4 easement with us you aren't going to do anything. Land
5 Stewards are involved in our tiling tracking, too. Like I
6 said, how many miles of it because we don't have feet, we've
7 got miles of it. As of today, we don't know which side of
8 the river the boring machine is going to be standing on.
9 That's how low the landowners -- we don't know. We don't
10 know what kind of mess we're going to have. We've got
11 hardly anyone from H.R. Rover with us and what we do get we
12 don't believe. Thank you for your time.

13 MR. BOWMAN: Thank you Mr. Smith. Is there
14 anyone else at this time? No? Yes.

15 MS. JENKINS: Hi. I'm Kerissa Jenkins,
16 K-E-R-I-S-S-A; last name Jenkins J-E-N-K-I-N-S and I want to
17 comment on contamination in our community based upon the
18 cigarette. Jobs I have worked on, we carry bags on every
19 job site, they are on every rowing rig which is in each job
20 with water on it or any company vehicle. All trash from
21 lunch, to gum wrappers to cigarette butts, it's picked up
22 and put in a container and if it's not, someone on the job
23 you're working with, that I've been aware of and have worked
24 with has to pick that cigarette butt up and put it in the
25 bag.

1 We take pride in our work and when we leave a job
2 we want people to have a positive impact and not a negative
3 impact. When I joined this Union, that's because I took
4 pride in my work, the quality of work I have in the job.
5 The comment of the pay scale of the people who are employed
6 in this job, this project, men and women who work on this
7 job, they are qualified. They have to go through tests. If
8 they came from the gas company, if they failed a test, their
9 families, their food, their livelihood is in jeopardy. This
10 money is not guaranteed. It is short-term, not long-term.
11 They may work for six months and maybe not depending on
12 projects in the area. That also needs to be taken into
13 consideration.

14 They do have families just like the men and women
15 here today, so they may receive a really good pay scale on
16 this job but just remember that money's not long-term and
17 they work very, very hard. Sometimes driving not seeing
18 their families for days -- they drive, working -- I know I
19 worked at one point in time seventy hours, eighty hours a
20 week which I know many farmers go through that as well.
21 Just take that into consideration when thinking about pay
22 scale because they are qualified, they work really hard at
23 their job and they deserve those scales. Thank you.

24 MR. BOWMAN: Thank you. Anyone else? Okay,
25 well, if there is not anyone else that would like to provide

1 comments at this time, the formal part of tonight's meeting
2 will close. Before we end the meeting, I'll quickly mention
3 the FERC website. If you type in the lead project docket
4 number for these projects, which is CP15-93 at the e-library
5 link on the FERC webpage at FERC.GOV you can find everything
6 related to this project, copies of the Draft Environmental
7 Impact Statement, transcripts of this meeting will
8 eventually be posted on the website there and you can also
9 find any filings submitted by the applicant on the website
10 as well.

11 So on behalf of the FERC, thank you for coming
12 here tonight and filing comments on the draft EIS. Let the
13 record show that the comment meeting at Hamler, Ohio ended
14 at 7:01p.m. Thank you for coming.

15 (Whereupon, the meeting was adjourned at 7:00
16 p.m.)

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