

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH

Appendix T

T-1006

1 UNITED STATES OF AMERICA
2 FEDERAL ENERGY REGULATORY COMMISSION
3 Office of Energy Projects
4 ----- x
5 Rover Pipeline, LLC Docket No. CP15-93-000
6 Docket No. CP15-94-000
7 Docket No. CP15-96-000
8 Docket No. PF14-14-000
9 ----- x
10 ROVER PIPELINE PROJECT, PANHANDLE BACKHAUL PROJECT,
11 TRUNKLINE BACKHAUL PROJECT
12 Cadiz Central High School
13 440 East Market Street
14 Cadiz, Ohio 43907
15 Tuesday, April 5, 2016
16 The DEIS comment meeting, pursuant to notice, convened
17 at approximately 6:00 p.m., before a Staff Panel:
18 KEVIN BOWMAN, Environmental Project Manager, OEP,
19 FERC
20 JONATHAN HESS, FERC
21 With:
22
23
24
25

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20160405-4016 FERC PDF (Unofficial) 04/05/2016

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

2 MR. BOWMAN: Good evening, everyone. On behalf
3 of the Federal Energy Regulatory Commission or FERC, I would
4 like to welcome all of you here tonight to the comment
5 meeting on the Draft Environmental Impact Statement for the
6 Rover Pipeline, and Trunkline and Panhandle Backhaul
7 Projects.

8 Let the record show that the Draft Environmental
9 Impact Statement Comment Meeting began at 6:03 p.m. on April
10 5, 2016 in Cadiz, Ohio.

11 My name is Kevin Bowman and I am an Environmental
12 Project Manager with the Office of Energy Projects, which is
13 a division of the FERC. To my left is Jon Hess who is also
14 representing FERC tonight, and also Stephanie Briggs and
15 Oliver Pahl outside at the sign-in table, you may also have
16 met on your way in tonight.

17 You will note that we have arranged for a court
18 reporter to transcribe this meeting so we have an accurate
19 record of tonight's meeting. If you would like a copy of
20 that transcript you may make arrangements to do so with the
21 court reporter following this meeting.

22 In February of 2015, Rover Pipeline LLC,
23 Trunkline Gas Company LLC and Panhandle Eastern Pipeline
24 Company filed applications under Section 7 of the Natural
25 Gas Act to construct and operate certain natural gas

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

8 The primary purpose of tonight's meeting is to
9 give you the opportunity to provide specific environmental
10 comments on the Draft Environmental Impact Statement
11 prepared by FERC Staff on these projects. It would help us
12 the most if your comments are as specific as possible
13 regarding the proposed projects and the FERC's Draft
14 Environmental Impact Statement.

15 So I would like to clarify that this is a project
16 being proposed by Rover and its affiliates. It is not a
17 project that is being proposed by FERC. Rather, FERC is the
18 federal agency that responsible for evaluating applications
19 to construct and operate interstate natural gas pipeline
20 facilities. So therefore we like to say that FERC is an
21 advocate for the environmental review process, but not
22 advocates for the projects themselves.

23 During our review of Rover, Trunklines and
24 Panhandles' projects, we've assembled information from a
25 variety of sources. Those had included Applicants, public,

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1 other state and local and federal agencies, as well as
2 FERC's own independent analysis and field work. So we have
3 analyzed all of the information in the public record and
4 prepared a Draft Environmental Impact Statement that was
5 distributed to the public for comment.

6 A Notice of Availability was issued concurrent
7 with the issuance of the Draft EIS, and was issued on
8 February 19, 2016. Along with the FERC, several other
9 agencies participated in our review as what we call
10 cooperating agencies; some federal and state agencies
11 including the U.S. Army Corps of Engineers, the
12 Environmental Protection Agency, U.S. Fish and Wildlife
13 Service, the Ohio Environmental Protection Agency and the
14 West Virginia Department of Environmental Protection. I
15 would like to thank those cooperating agencies for their
16 continued assistance with the review of these projects.

17 So we are coming towards the end of the 45-day
18 comment period for the Draft Environmental Impact Statement
19 and that comment period ends on April 11, 2016. So all
20 comments that FERC receives, whether they be written or
21 spoken, will be addressed in FERC's Final Environmental
22 Impact Statement. So I do encourage you if you plan to
23 submit comments and have not at this time, please do so here
24 tonight either during the verbal comment portion of
25 tonight's meeting or by using one of the written forms at

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1 the sign-in table on your way in tonight.

2 You may also submit comments using the procedures
3 outlined in FERC's Notice of Availability, which includes
4 instructions on how to submit your comments electronically
5 to FERC. Do be assured that you comments are considered
6 with equal weight regardless of the manner in which you
7 submitted them to FERC; whether that be verbal, written or
8 electronically.

9 So if you received a copy of the Draft
10 Environmental Impact Statement, either paper or a CD in the
11 mail you will automatically receive a copy of the Final EIS.
12 So if you did not get a copy of the draft and would like to
13 get a copy of the final, please do provide your mailing
14 address, name and address to the FERC Staff at the sign-in
15 table, and we will make sure that you get a copy of the
16 Final Environmental Impact Statement.

17 So also the Draft and the Final EIS are not
18 decision-making documents. In other words that means once
19 they are issued, these documents do not determine whether or
20 not the project is approved. In addition, I would like to
21 differentiate between the roles of distinct staff at FERC;
22 that being the Commission and the Environmental Staff. So
23 myself and the other Staff members here tonight from FERC
24 are part of the Environmental Group at FERC, and we oversee
25 the preparation of the Environmental Impact Statement for

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1 this project. We do not determine whether or not these
2 projects move forward.

3 Instead the FERC Commissioners, which consist of
4 five presidentially-appointed commissioners -- by the
5 President -- are responsible for making a determination on
6 whether or not to issue a Certificate of Public Convenience
7 and Necessity or 'Certificate' to the applicants. So as I
8 mentioned before, the Environmental Impact Statement is not
9 a decision-making document but it does assist the Commission
10 in determining whether or not to approve these projects.

11 So along with the Environmental Impact Statement,
12 the Commission will consider other non-environmental
13 information; public comments, engineering, markets and rates
14 in their ultimate decision on projects. So if the
15 Commission does vote to approve these projects and a
16 Certificate of Public Convenience and Necessity is issued,
17 Rover, Panhandle and Trunkline will be required to meet
18 certain conditions outlined in that certificate.
19 Additionally, FERC Environmental Staff would monitor these
20 projects through construction and restoration, and perform
21 daily on-site inspections to document environmental
22 compliance with applicable laws, regulations, the
23 applicants' proposed plans in mitigation and any other
24 additional conditions outlined in a FERC certificate.

25 That's my brief overview of the FERC process up

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1 to this point how to get involved with our continued review.
2 I will move on to the part of the meeting where we do hear
3 from, comments from individuals here tonight.

4 As I mentioned before this meeting is being
5 recorded by a court reporter so that all your comments will
6 be accurately transcribed and placed into the public record.
7 I will call individually the speakers that have signed up
8 thus far tonight, and I will ask that the speaker identify
9 themselves and any agency or group that you are representing
10 as you come up to the lectern here tonight.

11 Please do speak clearly into the microphone so
12 that the court reporter can accurately transcribe your
13 comments. Please do also show respect for anyone else that
14 is speaking tonight, whether you disagree or agree with
15 their comments.

16 So with that, I will call the first speaker
17 tonight and that is Amelie Lipstrew.

PM5-1

18 MS. LIPSTREW: Hello. My name is Amalie Lipstrew
19 and I am a Policy Coordinator representing the Ohio
20 Ecological Food and Farm Association, OEFFA. OEFFA is a
21 grassroots organization of about four thousand members who
22 are farmers, educators, gardeners and people who care about
23 sustainable agriculture and helping food and farming
24 systems. There is a growing awareness among the general
25 public about where our food comes from, how it was produced

PM5-1

Section 4.8.5.1 has been updated to include a discussion of impacts by the Project on organic farmland.

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PM5-1
cont'd

1 and processed; and this has led to the growth of the organic
2 sector and regional food systems.

3 An increase in these agricultural systems has
4 many benefits to society in terms of personal and
5 environmental health, sustainability of rural and regional
6 economies, and the ability to sequester carbon as we attempt
7 to deal with climate change and offset the damaging effects
8 of the traditional energy sector.

9 Ohio is also in the top ten of states for the
10 number of organic farms; and again, organic certification is
11 a third-party verified program with national standards
12 overseen by the U.S. Department of Agriculture.

13 The farmers who are organic incur costs for and
14 undergo an organic certification process annually. Regular
15 standards must be met or they will lose their organic
16 certification status as well as the economic benefits they
17 will receive from being able to market their products as
18 organic. Pipeline construction and maintenance pose a
19 threat to these farms' organic certification status, and
20 once the damage is caused it will be difficult if not
21 impossible to reverse.

22 Despite the many benefits of organic agriculture,
23 it makes up only one percent of overall agriculture in the
24 United States. Given its many benefits and the relatively
25 small number of operations, it is advisable that new

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PM5-1
cont'd

1 pipeline infrastructure avoid impacting organic farms. In
2 those extremely rare instances where those facilities will
3 impact organic farms, special precautions must be put in
4 place.

PM5-2

5 While the departments of agriculture in Ohio and
6 many other states have shared agricultural impact mitigation
7 plans with FERC as a means of alleviating the impact of
8 pipeline construction on conventional farms, these measures
9 alone will not go far enough to protect the integrity of
10 organic farms and preserve the many benefits they offer.
11 OEFFA has shared an Organic Agriculture Impact Mitigation
12 Plan with FERC and Energy Transfer Partners on two
13 occasions. These procedures are absolutely necessary to
14 prevent putting organic producers out of business and negate
15 their benefits to society.

PM5-3

16 We're very appreciative that FERC requested
17 Energy Transfer to identify organic farms along the pipeline
18 route and discuss mitigation measures for those farms, but
19 we were also equally disappointed when the Draft EIS did not
20 include that information. One of our certified organic
21 farms and organic dairy producers' livelihood is hanging in
22 the balance as he waits to hear if the Rover Pipeline will
23 cross his grazing lands and if the Organic Agriculture
24 Impact Mitigation Plan will be followed.

25 We respectfully request that FERC hold the

PM5-2 As discussed in section 4.8.5.1, we are recommending that Rover develop an organic farm mitigation plan for the organic farm crossed by the Project.

PM5-3 Section 4.8.5.1 has been updated to include the organic farm identified by the commentator as well as additional discussion of impacts by the Project on organic farmland.

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PM5-3
cont'd

1 company responsible to provide the information requested and
2 ensure that his farm and other organic farms are protected.
3 Thank you for the opportunity to comment.
4 MR. BOWMAN: Thank you, Ms. Lipstrew.
5 Our second speaker tonight is Terry Bell.

PM5-4

6 MR. BELL: Good evening. My name is Terry Bell
7 from Jefferson County, I'm here representing myself. I want
8 to extend my support for the development of the Rover
9 Pipeline. Jefferson County will be host to approximately
10 twenty miles of thirty-six inch diameter pipe as well as a
11 temporary contractor set-down yard that is nearly two
12 hundred acres in size. While contemplating whether to
13 support this project, I explored whether the pipeline is
14 beneficial for our citizens, safe for our environment, or if
15 it will bring economic prosperity to my county.
16 After careful consideration, I have determined
17 that the Rover Pipeline will indeed do all of the
18 aforementioned and should be encouraged to receive approval.
19 Some of the documents submitted to the Federal Energy
20 Regulatory Commission and the documents issued by FERC such
21 as the DEIS, we appreciate that the Rover route stay south
22 of Jefferson State Lake Park, a key environmental resource
23 in Jefferson County. It also remains south of Lake Austin
24 and avoids the Drier country club, both important
25 environmental and economic assets in our county.

PM5-4

The commentor's support for the Project is noted.

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PM5-4
cont'd

1 Also, I appreciate that the horizontal
2 directional drill from Jefferson County and under the Ohio
3 River is planned to begin well back from the banks of the
4 Ohio River. It goes under the railroad and avoids a
5 residential area. These features indicate a strong caring
6 to create a pipeline route that avoids sensitive and
7 important areas of my county. We are also glad that it
8 carefully avoids heavily populated areas.

9 The Rover Pipeline is a \$3.7 million investment
10 that will contribute one billion dollars in direct spending
11 to the U.S. economy and an estimated \$107 million in capital
12 costs to be expected to be spent right in Jefferson County.

13 As construction begins, Rover will also create
14 approximately six thousand, five hundred jobs in Ohio. We
15 need these economic benefits in our county provided our
16 natural resources and population areas are protected.
17 Furthermore, the Rover Pipeline will provide us with clean
18 and affordable energy to power our homes and businesses and
19 will help solidify our nation as a producer of its own
20 energy.

21 The seven hundred and eleven mile pipeline
22 including twenty miles that are to cross my county will
23 transport the gas produced in our area as well as other
24 parts of the Eastern Ohio, West Virginia and Western
25 Pennsylvania to other parts of Ohio that need it and on into

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PM5-4
cont'd

1 Michigan. This project is a critical opportunity for us to
2 strengthen our local economies and to provide better
3 education resources for our students through increased real
4 estate tax revenue to the county and townships.

5 In conclusion, I care very deeply about
6 evaluating the status of our district and improving the
7 livelihoods of our citizens. I would not be supporting the
8 Rover Pipeline if I did not truly believe that the beauty
9 and well-being of our county will be carefully preserved. I
10 therefore encourage FERC to approve this project and allow
11 it to come to fruition. Thank you and have a good evening.

12 MR. BOWMAN: Our third speaker is Sherry Miller.

PM5-5

13 MS. MILLER: Hi. I'm Sherry Miller and I'm
14 representing me, my husband and my two kids as a landowner.
15 My family is faced with Rover stealing our property through
16 eminent domain and planting two 42-inch natural gas

PM5-6

17 pipelines with a pressure of 1400 PSI, only one hundred and
18 fifty foot from our home. I feel like we are being given a
19 death sentence. I am not afraid to die, but my greatest
20 fear as a mother is coming home one day to my entire family
21 being gone.

22 With one blow from this pipeline that would be
23 running through my backyard if FERC approves it, I feel that
24 I must do everything in my power to protect my family from
25 the threat of the Rover Pipeline. I don't care how safe

PM5-5 See the response to comment CO11-1 regarding landowner negotiations and eminent domain.

PM5-6 See the response to comment LA3-1 regarding pipeline safety. The commentor's request to deny the Project is noted.

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PM5-6
cont'd

1 anyone tells me, these gynomous pipelines are buried that
2 close to people's homes, even if there is only a one percent
3 chance of a leak or explosion I want a zero percent chance,
4 which will only happen if FERC denies this project.

PM5-7

5 We have been asked to suggest a reroute for
6 Rover. Reroute this pipeline to backyards of all who want
7 this to happen, reroute this pipeline to the CEO of Energy
8 Transfer's six homes. This project will only benefit them
9 so route it through their backyards. This project will only
10 produce temporary jobs which is when the pipeline is
11 completed, there will be no jobs.

12 I have submitted comments to FERC at least
13 monthly for a year and a half now in hopes that one day
14 someone will listen to me and stop this pipeline. A private
15 company from Texas should not be permitted to come here to
16 Ohio and take someone's property through eminent domain.
17 This is not convenient to property owners and it is not
18 necessary. It's abuse of the power of eminent domain and
19 this is not what eminent domain was intended for.

PM5-8

20 Landowners' property values will diminish and we
21 will be stuck paying taxes on land we cannot use. This is
22 our property and not one part of it is for sale. Please
23 carefully review all of our comments submitted to FERC over
24 the past year and a half and put yourself in our position.
25 What would you want for your family and your future? Thank

PM5-7

See the response to comment CO11-1 regarding landowner negotiations and eminent domain.

PM5-8

Impacts on Property Values are discussed in section 4.9.5 of the EIS.

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PM5-8
cont'd

1 you.

2 MR. BOWMAN: Our fourth speaker tonight is Mark

3 Franz.

PM5-9

4 MR. FRANZ: I appreciate the opportunity. My
5 name is Mark Franz. I am Environmental Manager with Michels
6 Corporation. Michels Corporation is one of the largest and
7 most diversified international utility construction
8 contractors with more than five thousand employees, and ten
9 thousand pieces of major equipment. Michels is involved in
10 various areas of utility construction, including pipeline
11 and directional crossings.

12 During a career span of twenty
13 years in the industry, I've had the opportunity to work on a
14 variety of projects, provided consultations on compliance
15 management and oversight environmental consulting,
16 representing various construction sectors throughout the
17 United States. Recently, I focused on utility
18 construction's impacts on waterways. I've taken some time
19 to review the Rover Pipeline's Draft Environmental Impact
20 Statement.

21 According to the document, the Commission has
22 concluded that the project's impacts on groundwater and
23 surface water and wetland resources will be effectively
24 minimized or mitigated and would be largely temporary. With
25 respect to fisheries, Rover has stated in its response to

PM5-9

The commentor's statements regarding dry-ditch crossings are noted. However, as discussed in section 4.3.2 of the EIS, the use of a dry-ditch crossing method would minimize impacts on coldwater fishery and exceptional warmwater habitat waterbodies. Therefore, we are continuing to recommend in the EIS that Rover use the dry-ditch crossing method for these waterbody types. However, Rover subsequently provided comments on the draft EIS indicating that the sensitive waterbodies crossed include those on state CWA 303(d) lists, and may not contain threatened or endangered species, critical habitat, or waters that support fisheries of special concern, waters that are designated as an outstanding resource water, and waterbodies on the Nationwide Rivers Inventory and/or similar state lists. Open-cut crossing methods are acceptable for waterbodies designated sensitive by impairments in the water column. Therefore we have revised our recommendation.

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PM5-9
cont'd

1 the EIS comments that the company will use a dry crossing
2 method for water bodies classified as designated fisheries
3 or exceptional habitats, if they are perennial or contain
4 water at the time of crossing.

5 In my estimation, Rover's mitigation plans will
6 satisfied FERC's requirements. With that said, I have some
7 concern with the Commission's requirement for dry-ditch
8 water body crossing methods. As the DEIS notes,
9 construction activities will be scheduled so that the
10 pipeline trench is excavated as close to the pipeline
11 activities as possible; and in accordance with the Rover
12 procedures, the duration of construction across minor and
13 intermediate water bodies will be limited to twenty-four and
14 forty-eight hours respectively.

15 Use of a dry-crossing method would not
16 significantly reduce impacts associated with impairment to
17 the water quality; and in fact, could result in greater
18 impacts from minor streams. Since the pipeline construction
19 is a one-time episodic event, downstream events associated
20 with an open pit crossing method would be minor and
21 temporary but would not likely impact the impairment status
22 of water bodies crossed.

23 Dry crossing methods would increase the in-stream
24 activity required to resolve the flumes or dams as well as
25 remove them, instead of a steady, minor increase of

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PM5-9
cont'd

1 turbidity, the dry crossing methods often result in periods
2 of more intense turbidity at the beginning and end of the
3 crossing.
4
5 Ultimately, dry-ditch crossing methods for non-
6 fishery or impaired streams create unnecessary expense and
7 longer term direct impacts to the water body channel in
8 associated riparian communities. Additionally, downstream
9 water quality impacts would be negligible and temporary. I
10 would encourage FERC to remove this recommendation in its
11 Final EIS.

PM5-10

11 Finally, I looked up Rover's environmental
12 mitigation plan has met the requirements laid out by the
13 Commission; and for this reason I urge FERC to approve the
14 Rover Pipeline Project. Thank you.

15 MR. BOWMAN: Our fifth speaker tonight is Amy
16 Rutledge.

PM5-11

17 MS. RUTLEDGE: Good evening. I'm here on behalf
18 of the Carroll County Chamber of Commerce to speak of the
19 importance of Rover Pipeline to the businesses.
20
21 The Carroll County Chamber is an organization of
22 leading business professionals in the county with the shared
23 vision for reaching the common economic, educational,
24 cultural and governmental goals that will enrich our
25 communities and businesses.
26
27 Today, I'm here to tell you why my organization

PM5-10 The commentor's support for the Project is noted.

PM5-11 The commentor's support for the Project is noted.

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PM5-11
cont'd

1 membership supports the Rover Pipeline. The answer is
2 simple: It will be good for business and have minimal
3 impact on the environmental communities along the proposed
4 route. Not only will the project create ten thousand jobs
5 or so in states along the pipeline path and put \$4.3 billion
6 into our regional economy, it will also create a massive,
7 positive economic ripple effect on all Ohio communities,
8 including Carroll County.

9 Of course, as with any project of this size there
10 are concerns, particularly in terms of protecting the
11 environment, keeping workers from our communities safe on
12 the job and minimizing any negative impacts on our
13 community. We've closely reviewed the pipeline construction
14 plans in the Draft Environmental Impact Statement and are
15 completely confident that the environmental impacts will be
16 minimal, worker safety will be a top priority, and
17 disruptive impacts like noise and light pollution will be
18 mitigated.

19 With regard to the economic impacts, the Project
20 will put money into the local economies through wages paid
21 and the direct investment, as well as purchasing of Ohio-
22 made goods and services for the pipeline itself. But then
23 these wages and investments will be in part be spent in our
24 local communities helping to drive a second wave of growth
25 and job creation at restaurants, shops, hotels and other

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1 retail and service businesses. In turn, these businesses,
2 owners and their employees will also have more money to
3 spend in the community, creating a virtual feedback of
4 investment, wages, spending, growth and job creation.

5 At the same time, all businesses and consumers
6 will benefit from cheaper energy and therefore cheaper goods
7 and services, putting even more money in their pockets to
8 keep the positive cycle going. Perhaps most importantly,
9 this loop will also feed into and amplify the positive
10 economic impacts of the shale boom that has helped transform
11 our state over the last decade. In fact, the pipeline is an
12 essential component of making sure the shale boom continues.

13 Thank you again for the opportunity to speak on
14 behalf of the Rover Pipeline.

15 MR. BOWMAN: Our next speaker will be Luis
16 Bedford.

PM5-12

17 MR. BEDFORD: My name is Luis Bedford and I am
18 speaking on behalf of myself, concerning my farm at 5189 Run
19 Road, Bellsville, Ohio 43713, and that's in Monroe County,
20 Ohio.

21 I don't have prepared remarks. I took some notes
22 here so I guess I'm not quite as professionally prepared as
23 the previous people that have presented here this evening,
24 but I want to thank the Federal Energy Regulatory Commission
25 for the opportunity to make some comments here tonight,

PM5-12

The commentor's statements regarding incidents from previous projects is noted. See the response to comment LA3-1 regarding safety.

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1 because I have some concerns and I am not sure who else
2 would hear me, so I appreciate that opportunity to make a
3 statement.

4 The farm that I have is a 109.8 acres and I don't
5 know that the audience can see this, but I just took a
6 minute -- (holding up paper) -- here. If this page was the
7 farm, the township road is here and it goes down and dead-
8 ends through the middle of my property, and there's a creek
9 here and there's a creek here. This is called the East Fork
10 of Piney Fork.

11 My house is down here. There are three large
12 existing interstate pipelines that are operated by Spectra
13 Texas Eastern that are here. There's the township road,
14 there's the creek, there is some hay fields and then there
15 are three lines that have been there since the 1940's. It's
16 probably about a thousand feet from these lines to the
17 house. So if that helps.

18 But I'd like to say that in the past, in 2015,
19 probably a little less than a mile from my home there was an
20 explosion of an 8-inch line called the Bluegrass Pipeline,
21 and it burned for a good bit of the day. It was on the Lock
22 Ridge, which is in Sunbury Township in Monroe County. That
23 didn't do any damage to my property as it was a smaller line
24 and was contained.

25 In the 1990s there was a large interstate

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PM5-12
cont'd

1 pipeline that exploded in a really nice area of waterfalls
2 and caves, it's called the White Rocks; and it blew half of
3 this area away. If you'd like to see, I could show you my
4 telephone later that has a picture of just a fantastic
5 waterfall.

6 Now during that time, that explosion which is
7 probably from a half to three-quarters of a mile away, blew
8 parts of my chimney off and damaged the chimney. Even
9 though it was down in the valley, the explosion from a large
10 line was so intense that it damaged my house, which went
11 through a valley ravine, up over the hill, and that's how
12 much of an explosion that that was.

PM5-13

13 Now, north of my house are three existing lines
14 that belong to Spectra Texas Eastern. Currently, I've been
15 contacted by E.T. Rover, Columbia Leach and Spectra Texas
16 Eastern, all wanting to build three large interstate
17 pipelines through my farm. I've also been contacted by a
18 fourth one for a smaller line called Mountain Gap.
19 Previously I was contacted by Mark West in El Paso Pipeline,
20 but apparently I haven't heard anything from them for
21 several years so I can only assume that the El Paso and Mark
22 West lines are not going to be proceeding; but it looks as
23 if the E.T. Rover, the Spectra Texas Eastern and the
24 Columbia Leach large, multiple projects, are going to go
25 through the farm.

PM5-13

Rover's proposed route through the property parallels the three existing pipelines currently located on the parcel. As the Columbia Gas Project is a separate project, the routing of that proposed project would not be a part of the current EIS.

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PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

Appendix T

T-1026

PM5-13
cont'd

1 Now considering what happened back in the 90's
2 when that big line south of the farm happened and I'm going
3 to have six big lines through the farm, I've gotten some
4 preliminary proposals from like Columbia where, if this is -
5 - you know where the lines are -- they just want to go all
6 over the farm, and I just would really like to ask or
7 request or comment that if all these lines are going to come
8 through our farm, if we could stack them up against the
9 three Texas Eastern Lines one, two, three, four, five, six
10 or maybe the additional, before the Texas Eastern line we
11 can put it above, north of the three Texas Eastern lines and
12 keep them side-by-side; that way you have all four lines
13 there and then if E.T. Rover and Columbia are going to come
14 in that they can go immediately stacked up side-by-side to
15 the three Texas Eastern lines.

PM5-14

16 That way it will give me a fighting chance to
17 survive if these -- I don't know. Maybe you can answer, if
18 one of these lines goes off, does it blow the other ones? I
19 don't know, but if we have several of these lines blowing up
20 because one blows up, I'll be living in an atomic blast
21 zone. So I'd like to keep these, if we could keep them all
22 side-by-side I'll be at least you know seven, eight hundred
23 feet, my residence from all of these lines.

PM5-15

24 So those are a couple of the things that I would
25 be interested in. The other thing is these lines are at

PM5-14

The commentor's request to collocate proposed pipelines with the existing pipeline right-of-way across the landowner's parcel is noted. Siting for each of the proposed pipelines would be evaluated as part of the environmental review conducted for each project. If one pipeline had an incident it would not necessarily trigger an incident on other surrounding pipelines.

PM5-15

The commentor's statement regarding the number of pipelines through the property are noted.

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

PM5-15
cont'd

1 minimum going to be two thousand feet or more going through
2 the width of the property. So we're not talking about just
3 a few feet coming through the property, we're talking about
4 -- well, if there's going to be six lines that's what twelve
5 thousand feet of pipelines, large thirty-six and forty-two
6 inch pipelines coming through.

PM5-16

7 The other thing as far as the environmental
8 concerns, there are a couple graves on my property. They're
9 not down by where the three Texas Eastern lines but they're
10 a little bit closer to my house. They belong to Bennet and
11 Maryann Francis and I know the names; I'm not exactly sure,
12 I couldn't pinpoint the graves but I know they're there, but
13 they're not by the three lines. So if we can keep them up
14 there we are going to avoid those grades.

PM5-17

15 There are waterfalls along that creek, the East
16 Fork, the Piney Fork, some really nice waterfalls, some
17 really nice geological features down there, some of which
18 were blown away. I would say some of these features down
19 there -- nobody hardly knows about these features because
20 they are not really accessible to the public; but I would
21 compare some of these caves and geological features to
22 Hawking County's Ash Cave and Cedar Falls and that type of
23 thing. I don't want to see any more of those pipelines
24 coming through there and destroying those.

PM5-18

25 The other thing is, if pipelines go all over my

PM5-16 The commentor's statements regarding gravesites is noted.

PM5-17 Rover would be required to cross all waterbodies using the mitigation measures outlined in its Procedures and our recommendations.

PM5-18 See the response to comment PM5-14 regarding the placement of the Rover pipeline across the parcel.

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Appendix T

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

Appendix T

T-1028

PM5-18
cont'd

1 farm willy-nilly, what is that going to do to the ability to
2 use the farm? If we don't have these pipelines all lined up
3 we are going to have pipelines like this, if I want to build
4 any type of agricultural buildings or barns I'm not going to
5 be able to do that because you can't build in the middle of
6 a right-of-way.

7 If there is that many pipelines going to go
8 through -- and I talked to one gentleman in the township
9 that has got eleven pipelines through his farm. I'm going
10 to have at least six, maybe seven and possibly more, if we
11 can't come to a compromise to try to keep these all lined
12 up, my farm's just going to be nothing but pipelines. I
13 don't think that's fair to me and I think that the pipelines
14 can afford to compromise with me and put these all in one
15 place.

PM5-19

16 The other thing is there is only one way in and
17 out of our farm. The road comes out and splits the farm in
18 half, it goes to another farm and it dead-ends. We've got

PM5-20

19 some hills there, and I know the last time the Texas Eastern
20 had to come in and do something, they run their pig through
21 and they had to go down to the one creek and the road, they
22 had to take the road out to replace the pipeline that had
23 apparently been damaged or whatnot; but then the hillside is
24 falling in and falling on the road and you know, I know

PM5-21

25 there are some wet areas in there and I just want to make

PM5-19 Rover has developed a Residential Access and Traffic Mitigation Plan (see appendix G) to address impacts on public roads due to construction and is discussed in section 4.9 of the EIS.

PM5-20 As discussed in section 4.9 and in its Residential Access and Traffic Mitigation Plan (see appendix G), Rover would be required to restore all roads to previous or better conditions once construction is complete.

PM5-21 See the response to comment PM5-14 regarding collocation on the commentor's parcel.

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

PM5-21
cont'd 1 sure that when these pipelines come in they are lined up
2 side-by-side, and they take care of the property and they
3 are not all over the property putting pipelines everywhere
PM5-22 4 and they don't tear all my timber down.
5 I've got some big trees, like if they go through
6 the hill, we've got some really old trees up here. Some big
7 white oaks, some older-growth kind of trees. If they can go
8 through the area there is going to be minimal damage to
9 trees and ravines and geological features. I'm just hoping
PM5-23 10 they'll come through and hopefully accommodate what I'm
11 asking for, put the ground back so that we can still have
12 our cattle and water and be able to farm and be safe from
13 having these gigantic pipelines real close to the house, you
14 know, wondering if you're going to wake up dead one day.
15 That's all I have to say, and I appreciate the
16 opportunity to address you.
17 MR. BOWMAN: Speaker number seven is Larry Ezell.
PM5-24 18 MR. EZELL: Hello, my name's Larry Ezell. I'm a
19 second generation 798 pipeline worker. My father up there
20 is Jack Ezell, he's got 41 years' pension credits from
21 pipeline to pipeline.
22 MR. BOWMAN: Can you just get a little closer to
23 the mic?
24 MR. EZELL: Yes. Sorry. My father has 41 years
25 pension credit going from one temporary job to the next.

PM5-22 The proposed route would be collocated with the existing pipelines on the property, minimizing impacts on resources, including tree clearing.

PM5-23 Water resource impacts and mitigation are discussed in section 4.3 and agricultural impacts are discussed in section 4.8.4 of the EIS. See the response to comment LA3-1 regarding pipeline safety.

PM5-24 The commentor's support for the Project is noted.

T-1029

Appendix T

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

Appendix T

T-1030

PM5-24
cont'd

1 I've got in eight years myself, and I just want to speak on
2 behalf of pipeline workers that it does provide a good
3 living and you do earn your own livelihood. I paid my way
4 through college, I paid my way through graduate school by
5 working on the pipelines. I just want to say that.

6 MR. BOWMAN: Our eighth speaker tonight is
7 Deborah Oberlin.

PM5-25

8 MS. OBERLIN: Good evening. Hi, my name is
9 Deborah Oberlin and I'm here representing myself and my
10 family. I'm from Carroll County, Ohio. I want to thank you
11 again for providing an opportunity for Carroll County
12 businesses and residents to voice our support for the Rover
13 Pipeline Project. I was the Director of Sales for Atwood
14 Lake Resort, and as many of you have probably heard by now,
15 Atwood just closed its doors March 19, 2016 due to the
16 downturn of oil and gas in our region.

17 Atwood Lake Resort is owned by Carroll County and
18 it's a critical asset to the County in many ways. Atwood
19 Lake Resort consisted of lodging, a conference center, a
20 golf complex that entertained most vacationers, honeymooners
21 and business gatherings in Ohio's most picturesque
22 environment. We are proud to be a major part of the economy
23 of Delroy. We support the Rover Pipeline Project for its
24 economic benefits that it will bring to the community and
25 the state at large.

PM5-25

The commentor's support for the Project is noted.

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

PM5-25
cont'd

1 We have worked with the Rover Project Team and
2 hosted many project meetings there, and would like to stay
3 involved as a community because, critical infrastructure
4 project through the continued utilization of facilities in
5 the area through the construction of Rover. Many of my
6 coworkers are now faced with the uncertainty of where they
7 will go next and trying to figure out how they will make it
8 on unemployment. All the events are forced to try to find
9 other venues to host their events, which is not an easy task
10 for most of them to do at the last minute.

11 I am in favor of the Rover Pipeline Project and I
12 am hopeful for the jobs and additional revenue it will be to
13 serve several communities. Clean, natural gas has become
14 increasingly important to the future of how we generate
15 power and help create jobs in the 21st century. With nearly
16 one-third of electricity produced in the United States
17 projected to come from natural gas by the year 2040,
18 pipeline projects like Rover Pipeline will help provide Ohio
19 with that necessary link.

20 The Atwood Lake Resort is centrally located in
21 the project area, and as well is a center of natural gas
22 production in Ohio. From generating electricity to our
23 resort located in Carroll County and powering the golf
24 complex, energy was one of the highest costs in the
25 operations of Atwood. Access to an affordable source of

T-1031

Appendix T

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

Appendix T

T-1032

PM5-25
cont'd

1 natural gas would go a long way towards controlling those
2 overhead costs that we are faced with. Businesses of all
3 types as well as domestic consumers will see the positive
4 impact of energy resource.

5 Further, we know that the Rover Team will
6 accomplish this goal in the safest manner possible. The
7 company has voiced its commitment to safety time and again
8 during both the construction process, throughout the
9 operation of the pipeline.

10 I think I am speaking on behalf of many of my
11 colleagues in the hospitality industry in Carroll County
12 when I say that we are excited for members of the
13 construction workforce to work and stay in Carroll County.
14 We believe investment in the regional and state energy
15 infrastructure can be a catalyst for energy independence to
16 support the local and regional economy as well as local
17 businesses such as the Atwood Lake Resort.

18 Thank you for your time and consideration of our
19 support for the Rover Pipeline Project. Thank you.

20 MR. BOWMAN: Okay, our ninth speaker is Donald
21 Jones.

PM5-26

22 MR. JONES: Good evening, my name is Donald
23 Jones. I'm a member of IBEW Local 246 based in
24 Steubenville, Ohio and I'm a lifelong resident of Harrison
25 County. I'm here tonight to testify support of the proposed

PM5-26

The commentor's support for the Project is noted.

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

PM5-26
cont'd

1 Rover Pipeline. A vital piece of energy infrastructure will
2 create thousands of new jobs for skilled tradesmen like
3 myself. I believe our trades have been selected for this
4 project due to our proven commitment to delivering the
5 highest quality of work in a safe, responsible manner.

6 We pride ourselves on having some of the most
7 advanced training and operating procedures that emphasize
8 clean and safe working conditions. As members of the
9 communities that the pipeline will traverse, we are
10 committed to operating with minimal disruption or impact to
11 landowners and the natural environment.

12 I urge the Commission to approve this Project
13 allowing the use of the benefits of clean-burning natural
14 gas for generations to come. I urge the Commission to
15 approve this project so an unemployed skilled tradesman like
16 myself can have a job right here at home.

17 MR. BOWMAN: Okay, speaker ten is Allan Furbee.

PM5-27

18 MR. FURBEE: Good evening. My name is Allan
19 Furbee and I am speaking tonight in my official capacity of
20 Loudon Township Trustee from Carroll County, Ohio. First
21 and foremost I would like to thank the Federal Energy
22 Regulatory Commission for taking the time and effort to set
23 up these meetings and get input from both the public and
24 private sectors involved directly or indirectly with the
25 Rover Pipeline Project.

PM5-27

The commentor's support for the Project is noted.

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Appendix T

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

Appendix T

T-1034

PM5-27
cont'd

1 The Rover Pipeline crosses approximately 5.3
2 miles of Loudon Township within Carroll County. Carroll
3 County will also host a compressor station in Orange
4 Township. We are pleased that Rover has worked to avoid
5 areas of the population within Loudon Township and taken
6 care of remaining south of Irish Creek, which is a major
7 tributary in our township. With the care that has been
8 taken to protect our local citizens and environmental
9 resources by thoughtful location of the pipeline compressor
10 station locally, we are supportive of the project.

11 As our local environmental resources such as
12 Muskegon Watershed servicing district and the Leesville
13 State Wildlife Area are avoided, the Rover Project will
14 protect our local economy which relies on those resources
15 for economic stability. At the same time, we appreciate the
16 boost our local economy will receive with construction jobs
17 and free spending at our local businesses, and the long-term
18 real estate revenue we will receive which will especially
19 benefit the school district.

20 Natural gas fracked in this part of the state has
21 been kept localized while waiting for just such a project as
22 Rover to be able to transport it to markets in Western Ohio
23 and Michigan. The longer-term result will increase our
24 local and regional economies while sustaining our
25 environmental resources. For these reasons, I support the

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

PM5-27
cont'd | 1 Rover Pipeline Project and ask you to promptly approve it.
2 Thank you for the opportunity to comment.

3 MR. BOWMAN: Speaker eleven is William Davis.

PM5-28 | 4 MR. DAVIS: Good evening. Thanks for the
5 opportunity to speak of the pipeline. My name is William
6 Davis. I'm a long-standing member of the IBEW Local 246,
7 Steubenville, Ohio. The Rover Pipeline Project has
8 demonstrated a commitment to preserving local environments
9 along the proposed route through its detailed Environmental
10 Impact Mitigation Plan. This plan will succeed thanks to
11 the dedication of skilled workers like myself and the rest
12 of the workforce.

13 The IBEW holds its members to the highest
14 standards with respect to training and adherence to Local
15 and federal regulations on the worksite. We are excited to
16 get to work on this project, both for the benefits that the
17 construction process will bring to this region as well as
18 the end result of a supply of domestically-produced natural
19 gas. I hope FERC will pursue a timely review of the Rover
20 Pipeline Project. Thank you.

21 MR. BOWMAN: Okay, speaker No. is John Hudson.

PM5-29 | 22 MR. HUDSON: Thank you. John Hudson. I'm here
23 for the Teamsters Union out of Gainesville, Ohio. I'm one
24 of the ones that will work on this project if we have it.
25 We need this for economic development because we all do

PM5-28 The commentor's support for the Project is noted.

PM5-29 The commentor's support for the Project is noted.

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Appendix T

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

Appendix T

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PM5-29
cont'd

1 different things. We've the doctors, lawyers, farmers, but
2 we all we buy the farm products. We go to the doctors on
3 what we make on the pipeline. it will give us a huge, huge
4 economic benefit. But aside from that we are trained to
5 build pipelines, just like doctors and lawyers are trained
6 in their positions.

7 We have operators, laborers, the IBEW, all of us
8 are trained to put the ground back like it is. There's
9 thousands of miles of pipelines across this state, and I
10 would venture to say that coming here everybody here has
11 probably crossed fifty, sixty pipelines. When we look at
12 that thermostat over there we tend to forget that we're
13 sitting here really, really comfortable because we can go
14 turn that thermostat on. But pipeline that brought us that
15 gas turns that thermostat on to make it comfortable here.

16 Again, we are trained to do this. This is what
17 we do for a living. We treat your land as we come across it
18 just like we would if it was on my own farm. We give
19 training courses, safety courses, everything; and it's all
20 geared toward the environment. We all know that we have to
21 protect our environment and these pipelines probably do more
22 to protect the environment than the farms and things that
23 they go across than any other form of energy that we have.
24 If this is approved, three years from now you won't even
25 know it's there because it will all be covered up and nobody

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

PM5-29
cont'd

1 will know it's there with hardly any type of environmental
2 problems at all, if any. I thank you.
3 MR. BOWMAN: Speaker number thirteen is Michael
4 Engbert.

PM5-30

5 MR. ENGBERT: Good evening. Thank you for having
6 us today. My name is Michael Engbert. I'm a member of the
7 Laborers International Union of North America whose
8 construction workers will be helping construct the Rover
9 Pipeline, and let me say that I fully, one hundred percent
10 support this project. I would like to go on and on
11 regarding the economic and positive local effects on our
12 communities this project will bring.

13 The focus of this hearing this evening is on
14 environmental impacts. With that said, a number of
15 precautionary measures will be taking place to ensure
16 minimum disruption to the environment, and also restore the
17 land in as good if not better condition than it was found.
18 As a potential worker on this project, I do have concerns
19 with your insistence on a three-foot maximum for clearance
20 for construction. In the construction industry, smaller
21 workspaces always create higher levels of risk to the
22 worker.

23 A more protective safety measure would be for
24 FERC to adopt a ten-foot clearing standard. Three feet is
25 not enough space to access and operate construction

PM5-30

The commentor's support for the Project is noted. See the response to comment PM3-2 regarding clearing between HDD entry and exit sites. The commentor's support for wet waterbody crossings is noted.

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Appendix T

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

Appendix T

T-1038

PM5-30
cont'd

1 equipment especially when talking about horizontal drilling
2 techniques which will need more than thirty feet to operate
3 safely and access equipment for it.

4 Another of my concerns is with FERC's requirement
5 for dry-ditch water body crossing methods. Rover should be
6 allowed to use standard crossing methods on water bodies
7 when appropriate. Wet crossings take less time, thereby
8 reducing the length of risk to the water body which is being
9 crossed.

10 The training our contractors, will execute
11 standard crossing methods with the utmost precaution and
12 adherence to time. Additionally, as the Draft Environmental
13 Impact Statement notes, construction work will take place in
14 a manner where the pipeline trench is excavated as close to
15 the pipe-laying activities as possible. Also, the duration
16 of construction access across perennial water bodies will be
17 limited to forty-eight hours across minor water bodies,
18 those ten feet wide or less; and intermediate water bodies
19 between ten and one hundred feet wide.

20 To conclude, I urge FERC to move as soon as
21 possible forward with the approval of the Rover Pipeline
22 Project. Its benefits are numerous and its construction
23 will be carried out using experienced and professional
24 contractors, employing tradespeople who are safe, skilled
25 and trained to do this work. The wages earned from this

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

PM5-30
cont'd

1 project will help pay off mortgages, put children through
2 college, and help also bolster our cities, townships and
3 counties tax bases.

4 Thank you for your time.

5 MR. BOWMAN: Speaker No. 14 is Clint Powell.

PM5-31

6 MR. POWELL: Hello. My name is Clint Powell and
7 I'm the business manager for Laborers International Union of
8 North America Local 809. We're based out of Steubenville.
9 The Rover Pipeline will use local union labor along a
10 proposed route, creating ten thousand constructions jobs and
11 providing billions in investment into the state and local
12 economies. The labor benefits created by the pipeline are
13 clear.

14 There will be thousands of construction jobs for
15 local union workers in our towns and communities providing
16 wages to laborers and other construction crafts. The
17 construction of this line will provide indirect benefits.
18 Laborers will patronize restaurants, retailers and local
19 businesses, providing the economy with resources of income.
20 Once constructed, the proposed underground pipeline will
21 also provide economic stimulus to our local communities and
22 long-term tax revenues for our counties to invest in roads,
23 schools and public safety.

24 Rover is committed to acquiring many goods
25 including pipes and compressor stations from U.S.

PM5-31

The commentor's support for the Project is noted.

T-1039

Appendix T

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

Appendix T

T-1040

PM5-31
cont'd

1 manufacturers, further benefiting the labor sector. The
2 benefits of this pipeline are regional and national. In an
3 area of ever-growing global threats, our country must work
4 to become more self-reliant, not dependent on energy imports
5 from unstable regions in the world. The Rover Pipeline will
6 be an important step to ensure long-term, low cost, stable
7 supplies of natural gas to consumers here.

8 A majority of this gas will stay right here in
9 the United States for American consumers and American
10 businesses. The laborers have the knowledge and experience
11 to build this pipeline safely and with minimal impact to the
12 community. Today, there are more than 2.6 million miles of
13 pipeline across the U.S. safely transporting affordable
14 energy across the country. Most of the transmission line
15 will remain underground, and parallel existing easements
16 such as pipelines, power lines and roads to minimize the
17 impacts on the community.

18 Most importantly, our trade has been selected to
19 do this work because Energy Transfer Partners knows that we
20 will do this work the right way. The skilled trades
21 responsible for the pipeline construction pride ourselves on
22 having the most advanced training. We expect and work to
23 ensure a safe workplace, and we are committed to operating
24 with minimal disruption or impact to the landowners. This
25 proposed underground pipeline is designed to mitigate

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

PM5-31
cont'd

1 potential environmental impacts, both short-term and long-
2 term.
3 Rover Project Team is committed to minimize
4 potential risks, adopting protective safety measures. They
5 have hired experienced agriculture and land consultants.
6 The company will be rigorous about minimizing impacts to our
7 environment, and that requires 24/7 safety measures,
8 regulatory oversight and regular pipeline maintenance plans.
9 For this reason I urge for FERC to approve this project.
10 Thank you for the opportunity to comment.

11 MR. BOWMAN: Speaker No. 15, John McLuber.

PM5-32

12 MR. MCLUBER: Hello, my name is McLuber and I'm
13 an organic farmer, I'm here in Harrison County. I've been
14 farming for thirty-plus years. All the talk about putting
15 land back the way it was, it just doesn't happen simply.
16 People work on land for thirty years, forty years and the
17 soil structure is very particular for organic farms. So if
18 you're planning on putting these things through farms, you
19 want to try to avoid organic farms because you cannot put
20 back the same thing that thirty years building a farm will
21 do. Thank you.

22 MR. BOWMAN: Speaker No. 16 is Ed Gerst.

PM5-33

23 MR. GERST: Hello, I want to thank you for giving
24 me the opportunity to talk. We are here to talk about
25 environmental impact stuff on this. Well, I'm from the

PM5-32

The commentor's statements regarding organic farming are noted. Section 4.8.5.1 has been updated to include a discussion of impacts by the Project on organic farmland.

PM5-33

The commentor's statements regarding compressor stations is noted. As stated in section 4.11.1.3 air quality emissions from proposed compressor stations would not have significant impacts on local or regional air quality. As stated in section 4.11.2.3 of the EIS, noise impacts from operation of the proposed compressor stations would not be significant.

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Appendix T

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

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PM5-33
cont'd

1 Summerfield area where they put one of the compressor
2 stations in. They talk about putting everything back, not
3 bothering everything.
4 I understand about the jobs and everything but
5 when the pipelines are laid and the construction jobs are
6 over, the compressor stations are still there, and any time
7 you put more and more lines in, you've already got one other
8 compressor station in there, Mark West plant; it keeps
9 getting bigger and bigger and bigger. Rogue is already
10 twice what it's supposed to be, and they've added a
11 compressor station. Downriver's coming in. They want to
12 put their compressor station in there, and we're right
13 against a little town.

PM5-34

14 They talk about preserving these towns and
15 everything, but they're drag their butt. That's the part
16 that concerns me. Because the more lines you put in,
17 there's a percentage of risks that goes with them so the
18 more there is, the better the risk is going to be. You're
19 putting more and more in one spot and that adds to it. Last
20 meeting they had over here from Rover, for when they changed
21 the maps around last summer, they came into the public
22 library to show you what was supposed to be a compressor
23 station added over there.

24 Well, then when they sent the last maps out here
25 two months ago or whatever it's been, it shows now they want

PM5-34

The proximity of the Seneca Compressor Station to the town of Summerfield is noted. The commentator's statement that Rover has added a compressor station along the Seneca Lateral is incorrect; however, we acknowledge that Rover's site for the compressor station changed between pre-filing and the filing of its application. Relocating the compressor station site further from the town of Summerfield would require the construction of additional miles of pipeline, resulting in increased impacts on forested land and potential bat and migratory bird habitat. As stated in section 4.11.2, operation of the compressor station would not result in a significant impacts due to noise.

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

PM5-34
cont'd

1 to put another one in over there. That's the part that
2 concerns me, is why you have got to keep putting these
3 against these little towns instead of taking them back away
4 someplace. I know it's maybe more convenient, takes less
5 lines so on so forth, but I just don't see why the hazard
6 that when you're laying that many miles there's thousands
7 and thousands of acres over there of undeveloped coal ground
8 and everything else that's been bought up since the 40s and
9 50s, that that can't be moved back away from these towns.

10 You could drop the risk factor and the noise
11 because the traffic, the roads are tore up, the noise it's
12 continuous. It's twenty-four hours a day, seven days a
13 week, holidays, it don't matter, it don't quit. It's the
14 more you bring in the worse it's going to be. That's my big
15 concern is why can't it be back away from the population.

16 I want to thank you for your time and giving me
17 the opportunity to voice my opinion here. Thank you.

18 MR. BOWMAN: Okay, so that's everyone that we
19 have signed up here to speak tonight. I'd like to offer the
20 opportunity for anyone else to provide comments tonight that
21 did not sign up to speak. If they so choose to.

22 (No response.)

23 MR. BOWMAN: Okay, so there's no one else. At
24 this time then the formal part of this meeting will close.
25 Within the FERC website at FERC.gov there is a page called

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Appendix T

PUBLIC MEETINGS

PM5 – Cadiz Central High School, Cadiz, OH (cont'd)

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1 eLibrary and within that page if you type in the project
2 Docket numbers, which are CP15-93, CP15-94 and CP15-96. You
3 can use eLibrary to gain access to everything on the record
4 containing to these projects; filings by Rover, comments by
5 the public, and issuances by FERC Staff. Those docket
6 numbers are on the information materials at the sign-in
7 table.

8 So on behalf of the Federal Energy Regulatory
9 Commission, thank you for coming here tonight. Let the
10 record show that the public comment meeting ended at 7:03
11 p.m.

12 (Whereupon, at 7:03 p.m., the public comment
13 meeting in Cadiz, Ohio concluded.)

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PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH

20160407-4017 FERC PDF (Unofficial) 04/07/2016

1

1 UNITED STATES OF AMERICA

2 FEDERAL ENERGY REGULATORY COMMISSION

3 Office of Energy Projects

4 - - - - - x

5 Rover Pipeline, LLC Docket No. CP15-93-000

6 Docket No. CP15-94-000

7 Docket No. CP15-96-000

8 Docket No. PF14-14-000

9 - - - - - x

10 ROVER PIPELINE PROJECT, PANHANDLE BACKHAUL PROJECT,

11 TRUNKLINE BACKHAUL PROJECT

12 Fairless High School

13 11885 Navarre Road, SW

14 Navarre, Ohio 44662

15 Thursday, April 7, 2016

16 The DEIS comment meeting, pursuant to notice, convened

17 at approximately 6:00 p.m., before a Staff Panel:

18 KEVIN BOWMAN, Environmental Project Manager, OEP,

19 FERC

20 JONATHAN HESS, FERC

21 With:

22

23

24

25

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Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

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20160407-4017 FERC PDF (Unofficial) 04/07/2016

2

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

2 MR. BOWMAN: Good evening everyone. We can go
3 ahead and get started here.

4 On behalf of the Federal Energy Regulatory
5 Commission or FERC, I want to welcome all of you here
6 tonight for the comment meeting on the Draft Environmental
7 Impact Statement for the Rover Pipeline, Trunkline and
8 Panhandle Backhaul Projects.

9 Let the record show that the Draft Environmental
10 Impact Statement Comment Meeting began at 6:04 p.m. on April
11 7, 2016 at Fairless High School.

12 My name is Kevin Bowman and I am an Environmental
13 Project Manager with the Office of Energy Projects which is
14 a division of FERC. To my left is Jon Hess who is also
15 representing FERC tonight and also Jonathan Brewer and
16 Oliver Pahl who are at the sign-in table who you may have
17 also met on your way in tonight.

18 You will note that we do have a court reporter to
19 transcribe this meeting so we will have an accurate record
20 to be placed into the public record for these projects.

21 If you would like to have an immediate copy of
22 the transcript you make arrangements to do so with the court
23 reporter following this meeting. In February of 2015, Rover
24 Pipeline LLC, Trunkline Gas Company LLC and Panhandle
25 Eastern Pipeline Company LP filed applications under Section

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

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3

1 7 of the Natural Gas Act to construct and operate certain
2 interstate natural gas pipeline facilities.

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

10 The primary purpose of tonight's meeting is to
11 give you an opportunity to provide specific comments on the
12 environmental impact statement prepared by FERC Staff for
13 these Projects. It will help us the most if your comments
14 are as specific as possible regarding these proposed
15 projects and the FERC Staff's Draft Environmental Impact
16 Statement.

17 So I would like to clarify that this is a project
18 being proposed by Rover and its affiliate partners; it is
19 not a project being proposed by the FERC. Rather, the FERC
20 is the lead federal agency that responsible for evaluating
21 applications to construct and operate natural gas pipeline
22 facilities. FERC therefore is an advocate for our
23 environmental review process and evaluating these
24 facilities.

25 During our review of the projects, we have

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PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

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4

1 assembled information from a variety of sources including
2 applicants, the public, other state, local and federal
3 agencies and our own independent analysis and field work.
4 FERC staff analyzed all the information in the and public
5 record and prepared a Draft EIS that was distributed to the
6 public for comment.

7 A Notice of Availability of the Draft EIS was
8 issued for this project on February 19, 2016. Along with
9 the FERC Staff that prepared the Draft EIS, several other
10 agencies assisted FERC in our review. These included the
11 U.S. Army Corps of Engineers, the Environmental Protection
12 Agency, the U.S. Fish and Wildlife Service, the Ohio
13 Environmental Protection Agency and the West Virginia
14 Department of Environmental Protection. Each of these
15 agencies participated as what FERC calls cooperating
16 agencies and I would like to thank those agencies for their
17 continued assistance with our review of these projects.

18 So we are coming close to the end of the 45-day
19 comment period for the Draft Environmental Impact Statement
20 and that comment period ends this Monday, April 11, 2016.
21 So all the comments that FERC receives, whether they be
22 written or spoken, will be addressed in FERC's upcoming
23 Final Environmental Impact Statement. I encourage you, if
24 you plan to submit comments and have not, at least do so
25 here today either in the verbal comment portion of tonight's

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

1 meeting or by using one of the written comment forms that we
2 have outside the auditorium at the sign-in table.

3 In addition to commenting tonight, you can also
4 submit comments using the procedures outlined in FERC s
5 Notice of Availability of the Draft EIS, which includes
6 instructions on how to submit your comments electronically
7 to FERC. Do be assured that your comments will be considered
8 with equal weight regardless of whether they are provided
9 tonight either verbally, written or electronically at a
10 later date.

11 So, if you received a copy of the Draft EIS,
12 either a paper copy or a CD in the mail, you will
13 automatically receive a copy of the Final Environmental
14 Impact Statement. So if you did not receive a copy of the
15 Draft EIS in the mail and you would like to receive a copy
16 of the final EIS from FERC in the mail, please do provide
17 your name and address to the FERC Staff at the sign-in table
18 so we can make sure that you get a copy of the final EIS.

19 So I'd like to state that neither the Draft or
20 the final EIS are decision-making documents. In other
21 words, that means once they are issued they do not determine
22 whether or not the projects are approved. In addition, I
23 would like to differentiate the difference in roles of the
24 distinct staff members at the FERC. Myself and the other
25 staff here tonight are part of the Environmental Group at

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PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

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6

1 FERC, and we are responsible for overseeing the preparation
2 of the Environmental Impact Statement for Rover and its
3 affiliates' projects. We are not the ones who are
4 responsible for determining whether or not the project moves
5 forward.

6 Instead, the FERC Commission consists of five
7 Presidentially-appointed individuals who are responsible for
8 making that decision. That is decision is determining
9 whether or not to issue a Certificate of Public Convenience
10 and Necessity or certificate to an applicant. As I
11 mentioned earlier, the EIS is not a decision-making document
12 but it does assist the Commission in determining whether or
13 not to approve such a project.

14 The Commission will consider the environmental
15 information contained in the impact statement; public
16 comments as well as a host of other non-environmental
17 information such as engineering, markets and rates in its
18 ultimate decision of whether to move forward with a gas
19 project. If the Commission does vote to approve a project
20 and a Certificate of Public Convenience and Necessity is
21 issued, Rover, Panhandle and Trunkline will be required to
22 meet certain conditions outlined in the certificate.

23 FERC Environmental Staff would monitor a project
24 through construction and restoration. FERC Staff would
25 perform daily onsite inspections to document environmental

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PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

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7

1 compliance, applicable laws and regulations; an applicant's
2 proposed plans in mitigation; and any other additional
3 conditions to the FERC certificate.

4 So with that I will finish talking about the FERC
5 role and we will move into the part of the meeting where we
6 take comments from people here tonight.

7 As I mentioned before, this meeting is being
8 recorded by a court reporter, so all your comments will be
9 transcribed and accurately placed into the public record. I
10 will start to call speakers individually and invite you to
11 come up to the podium and give us your comments. I will ask
12 you to restate your name and identify any agency or group
13 you are representing. Please do also speak clearly into the
14 microphone so that the court reporter can accurately
15 transcribe your comments. Please also do show respect for
16 anyone that is speaking at the time, whether you agree or
17 disagree with their comments.

18 With that, our first speaker tonight is Larry
19 Orr.

PM6-1 20 MR. OOR: Hi. I'm Larry Orr from Orr
21 Construction out of Applekirk, Ohio. I'm here this evening
22 wearing three hats, and I'm going to limit my comments to
23 the environmental part of this project.

24 My first hat is that of Land Steward, I'm
25 participating with the Land Steward Group. I feel part of

PM6-1

See the response to comment A1-49 regarding our recommendation that Rover hire local drain tile contractors for any repairs.

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PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

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PM6-1
cont'd

1 our goals are to make a positive solution out of an issue
2 that most people in this audience really didn't invite into
3 their farms. So as Land Stewards, we are actively working
4 to inventory the existing field tiles so that they can be
5 documented and the landowners can be fairly compensated for
6 the damages to those.

7 Secondly, I am here as a drainage contractor with
8 49 years of experience in this area and thirdly; a
9 landowner. The Rover Pipeline crosses our family farm so I
10 feel like we have some concerns. So I have three points
11 here.

12 Point number one is the importance of local
13 drainage contractors doing the drain tile repair. In this
14 area, through this part of the State of Ohio we are blessed
15 with many springs and wet weather springs. Those are caused
16 by soil types. So those of us that work in this area are
17 familiar with those soil types and where the wet weather
18 springs come from, how to collect those and how to handle
19 those. So that's why I feel we need local people doing that
20 remediation.

PM6-2

21 Number two is the concern that repairs be done
22 correctly. In my 49 years of experience I have worked
23 around a lot of pipeline repairs. I would estimate about 5
24 percent of the pipeline repairs were permanent. The
25 remaining 95 percent has been employment for me to go back

PM6-2

The commentor's request that drain tile repairs be done correctly is noted. We have included a recommendation in section 4.8.4.1 of the EIS for Rover to provide information on encountered, severed, and or damaged drain tiles to the landowner and the county Soil and Water Conservation District for future reference. Landowners that have difficulty resolving issues with the applicants can contact the FERC's helpline via our Dispute Resolution Service at 1-877-337-2237 for assistance. A landowner can use this service for any FERC regulated pipeline at any time.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-2
cont'd

1 and repair. Usually that happens shortly after the warranty
2 expires on the contractor that was putting in the pipeline.
3 The drainage tile settles, comes apart and then it's the
4 landowner's problem.

PM6-3

5 Number three, drain tile is a good method of soil
6 erosion prevention because it keeps the excess water out of
7 the soil. It is also essential for healthy root systems for
8 the field crops.

9 I would like to compare this evening to the
10 vehicle that you probably drove here. I would imagine it
11 had four wheels when you came into the parking lot. If one
12 of those wheels goes flat or falls off, the vehicle doesn't
13 move very far and is pretty much useless. I believe the
14 farmer's field would be very comparable to that. They spend
15 a lot of time, a lot of money to get those fields properly
16 drained so they can get their harvest off of them. If the
17 tile breaks and is unserviceable after the pipeline goes
18 through, the field is probably going to be just about as
19 useless as your vehicle on three wheels.

PM6-4

20 In our area, average drain-tile depth is about
21 three feet. Rover is requesting two feet of isolation
22 distance between the bottom of the utility which will be the
23 farm tile in this case and the top of their pipeline, two
24 feet of difference there. So for that reason, I think it's
25 imperative that this pipeline be installed with five foot of

PM6-3

The commentor's statements regarding the importance of functioning drain tiles is noted.

PM6-4

The commentor's request to bury the pipeline to a depth of 5 feet in agricultural areas is noted. See the responses to comments CO5-1 and CO20-58.

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Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

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PM6-4
cont'd

1 cover on it, across all agricultural land, with no
2 exceptions.

3 I appreciate your time this evening.

4 MR. BOWMAN: Okay. Second speaker is Mike Chadsy.

PM6-5

5 MR. CHADSY: Good evening and welcome to Stark
6 County, Fairless High School. This building is pretty
7 special to me and my family; my wife graduated from Fairless
8 and my mother-in-law was superintendent for many years. I'm
9 here on behalf of the Ohio Oil and Gas Association, and
10 Rover is certainly a member of ours.

11 And my comments are thank you for the opportunity
12 to deliver these remarks this evening. I'm grateful to have
13 the time to express our strong support for the Rover
14 Pipeline and the massive benefits we believe that it will
15 bring to Ohio, our region and the United States.

16 The Ohio Oil and Gas Association represents more
17 than 3,000 members involved in all aspects of the
18 exploration, production and development of crude oil and
19 natural gas resources in our state. Our mission is to
20 protect, promote and foster in advance the common interests
21 of the natural gas industry of Ohio. Supporting
22 construction of the Rover pipeline is a vital component of
23 this mission. Rover will help bring Ohio shale gas to
24 market, strengthening our industry in this state and helping
25 to strengthen the massive economic boon the state is

PM6-5

The commentor's support for the Project is noted.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-5
cont'd

1 currently experiencing as a result of shale development.
2 At the same time, the Rover Pipeline itself will
3 create thousands of Ohio jobs and put more than \$4 billion
4 into our regional economy as well as deliver inexpensive
5 energy to our state's homes, businesses and institutions.
6 This project will be a major driver of economic growth in
7 Ohio for years to come. The Ohio Oil and Gas Association
8 strongly urges swift approval and implementation of the
9 Rover Pipeline.
10 Again, thank you for your time and your
11 attention. We appreciate your work on this critically
12 important issue for Ohio, the jobs, economic growth and
13 energy security that comes with it. The Rover Pipeline is
14 an essential component of Ohio's continued economic growth
15 and job creation as well as a key factor in helping to make
16 our region and nation energy secure. It's good for Ohio,
17 it's good for America, it's good for business. With your
18 help we can ensure reliable and affordable energy and the
19 jobs and growth that comes with it as well as better
20 security for our nation for decades to come.
21 I'd also like to thank our friends in Labor that
22 are here this evening. The operators, the laborers, the
23 Teamsters as well as our friends from the Chemistry Council
24 who are here to support this project. Thank you for your
25 time and I appreciate the opportunity to speak.

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Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

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PM6-6

1 MR. BOWMAN: Okay, Speaker 3 is Jenn Klein.
2 MS. KLEIN: Good evening. My name is Jenn Klein
3 and I'm the President of the Ohio Chemistry Technology
4 Council. I appreciate the opportunity to express our strong
5 support for the Rover Pipeline Project. The Ohio Chemistry
6 Technology Council is the leading advocate for our State s
7 significant chemical technology industry, the second largest
8 manufacturing industry in Ohio and the sixth largest
9 chemical manufacturing state in the U.S.
10 Natural gas is essential to chemical production.
11 Having a reliable, affordable source of natural gas will not
12 only help our member companies keep their energy costs low,
13 it will also cut the cost of a critical raw material, as
14 natural gas serves as an important feed stock for a huge
15 number of chemical products. The Rover Pipeline Project can
16 provide the source of energy, and the company's Draft
17 Environmental Impact Statement has demonstrated that it will
18 have a minimal impact on communities along the pipeline
19 route.
20 Of course, other manufacturing sectors in Ohio
21 also rely on natural gas for heating, cooling and
22 electricity. They, too, stand to gain from lower energy
23 prices and natural gas is also used in the production of a
24 wide variety of consumer goods utilizing chemical products
25 such as fertilizer and fabrics, plastics and

PM6-6

The commentor's support for the Project is noted. See the response to comment PM3-2 regarding clearing between HDD entry and exit sites.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-6
cont'd

1 pharmaceuticals. The Rover Pipeline will help Ohio
2 manufactured goods of all kinds be more competitive in the
3 global marketplace, helping to create jobs and roads right
4 here in Ohio.

5 Those are just the downstream jobs you can expect
6 from the Rover Pipeline. In the shorter term, the project
7 will inject more than \$4 billion into our regional economy
8 and create thousands of jobs along the pipeline's pathway.
9 This economic growth will greatly help our state economy as
10 a whole, which means it will also benefit our industry,
11 workers and the consumers who use our many, many products.
12 Given all the benefits to our State, region and nation, we
13 are concerned that FERC or other government bodies will
14 impose unnecessarily restrictive limitations on the
15 project's implementation that could hinder its positive
16 impacts.

17 One example of such a restriction is FERC's
18 insistence on a three-foot clearing maximum. The usual
19 standard is ten feet. Cutting this distance by more than
20 two-thirds will hinder progress in the project and more
21 importantly put the builders who are working on this project
22 at risk.

23 I appreciate the opportunity to present testimony
24 as to why the Rover Pipeline is not only good for our
25 State's chemical manufacturing industry but also for the

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Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

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PM6-6 cont'd | 1 State of Ohio as a whole. We look forward to your decision.
| 2 Thank you.
| 3 MR. BOWMAN: Speaker No. 4 is Roger Mauer.

PM6-7 | 4 MR. MAUER: My name is Roger Mauer, Mauer Farms.
| 5 Our family grows fruits and vegetables and grain south of
| 6 Wooster, Ohio. The Rover Pipeline is proposed to transgress
| 7 land that we farm. Good quality soil is the basis of any
| 8 farming operation. The status of the soil helps determine
| 9 the profitability of an agricultural business. Farming
| 10 today is a business and all business must make a profit to
| 11 survive.
| 12 We employ people to work for us to produce
| 13 quality fruits, vegetables and grain. In turn, our
| 14 employees spend their earnings at local stores, thus
| 15 contributing to the economic robustness of Wayne County and
| 16 Ohio. We have employed no-till and cover crops on this land
| 17 for over twenty years. Our soil is alive, and rainfall
| 18 infiltrates the soil easily and does not run off. Soil
| 19 erosion has ceased to be an issue. This will all change on
| 20 the permanent and temporary easement when the pipeline
| 21 construction commences.
| 22 Heavy equipment and construction when the soil is
| 23 too wet will result in soil compaction and destruction of
| 24 all life living in the soil. The soil structure that has

PM6-8 | 25 evolved over the years through our use of no-till and cover

PM6-7 See the response to comment PM1-18 regarding no-till soils.

PM6-8 The commentor's statements regarding soil impacts are noted.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-8
cont'd

1 crop practices will be destroyed. We vehemently disagree
2 with Energy Transfer Partners and the FERC Impact Statement
3 that claims that there will be no long-term damage to the
4 soil.

PM6-9

5 FERC uses the example of the study in the State
6 of Arizona. This study does not fit the conditions or soils
7 of Ohio. There has never been a project this large in Ohio
8 but there are examples of large pipeline projects in Iowa,
9 Illinois and Pennsylvania. From what we found in our
10 research, farmers would not agree with the conclusion that
11 there is no long-term yield loss associated with these large
12 pipelines. These farmers have seen yield losses of 40-50
13 percent and some of these lines have been in for more than
14 ten years. They seem to think it will take more than a
15 generation before the yields become comparable to the rest
16 of the ground.

PM6-10

17 This will change our rotation. The quality
18 needed for fresh market fruits and vegetables is dependent
19 on several factors. The most important is soil with an
20 excellent structure and till. Again, excavation and
21 compaction involving both the temporary and permanent right-
22 of-ways during the construction of this pipeline will
23 destroy the soil structure.

PM6-11

24 The tilt of the soil is related to the biological
25 activity in the soil. This includes bacteria, fungi and

PM6-9 See the response to comment CO9-1 regarding crop productivity.

PM6-10 See the response to comment FA4-5 regarding soil compaction.

PM6-11 See the response to comment FA4-5 regarding soil compaction. Given that topsoil would be segregated prior to construction, and Rover's measures to minimize compaction, the biological activity in the soil is not expected to be significantly impacted.

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PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

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PM6-11
cont'd

1 invertebrates. All these organisms are dependent on oxygen
2 in the soil for their survival. The compaction caused by
3 the construction equipment will result in the death of these
4 organisms. The organic matter will be oxidized when the
5 soil is tilled or disturbed. Certain pathogens are more
6 active in soils that are waterlogged and compacted.
7 An example is fitofert disease complex that can
8 be found in crops such as strawberries, raspberries,
9 tomatoes, peppers and cucurbits. This pathogen causes root
10 and fruit rot. Compaction also leads to shallow rooting.
11 Shallow rooted crops will have issue with water and nutrient
12 uptake. There will be heat generated by compression of the
PM6-12
13 gas and the friction from the movement of the gas through
14 the pipeline. This will mean growing fall-planting crops
15 and perennial crops such as alfalfa, strawberries and
16 raspberries will become very risky due to the fact that the
17 heat from the pipeline will force these crops to break
18 dormancy earlier and in many years will cause these crops to
19 winter-kill.
20 Heat will cause the soil to dry out faster and in
21 dry periods will cause drought stress. We will no longer
PM6-13
22 want to grow fruits and vegetables on the land affected by
23 the pipeline because the above-listed conditions will result
24 in low-quality product with limited profit potential.
25 FERC should, at the minimum, require Energy

PM6-12 Slight warming of the ground near the pipeline would not be expected to significantly change the soil temperature outside of the area directly around the pipeline.

PM6-13 The commentor's request to remove soil in three lifts on agricultural land is noted. As stated in section 4.2.5 of the EIS, timber mats would be used to prevent rutting and compaction of soils. See the response to comment PM6-1 regarding drain tile repair.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-13
cont'd

1 Transfer Partners to remove the soil in three lifts on all
2 agricultural land; only work when soil conditions are dry
3 enough for agricultural operations such as tillage; mats
4 must be used to mitigate compaction; drainage must be
5 repaired properly by local contractors of the landowner's
6 choice, drainage issues will continue to show up for years
7 after construction is completed.

PM6-14

8 Energy Transfer Partners shall be required to
9 correct the problems in a timely manner and compensate the
10 landowner for their loss of productivity. Neighbors'
11 drainage will also be affected and must also be addressed in
12 a timely manner. Reclamation must be done in a manner that
13 is approved by the landowner. The cost of soil amendments
14 and cover crop seed should be paid for by Energy Transfer
15 Partners for at least five years if the landowner is using
16 these in the reclamation of their farm.

PM6-15

17 The settling that will occur over the trench
18 shall be brought level with the surrounding ground. This
19 shall be accomplished by bringing good, quality topsoil.
20 Energy Transfer Partners shall be responsible for the
21 introduction of weeds not found on the property before the
22 construction of the pipeline. These include weeds such as
23 waterhemp, giant ragweed and Palmer amaranth.

PM6-16

24 According to the March 25th Wall Street Journal,
25 fifty percent of all of oil field loans at several major

PM6-14

See the response to comment CO9-1 regarding productivity. See the response to comment CO14-3 regarding drain tiles. Agricultural lands would be restored in accordance with Rover's Plan and its AIMPs. See response to comment CO14-2 regarding compensation for agricultural land impacts.

PM6-15

As stated in section 2.3.1 of the EIS, the top of the trench may be slightly crowned to compensate for settling. See the response to comment FA4-39 regarding invasive species.

PM6-16

See the response to comment CO3-3 regarding financial stability of the applicants.

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Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

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PM6-16
cont'd

1 banks are labeled 'in danger of default.' This probably
2 includes companies providing gas for this pipeline and may
3 include Energy Transfer Partners themselves. The contract
4 oil and gas producers entered into with Energy Transfer
5 Partners may become null and void if they declare
6 bankruptcy. Then the fees for transmission will be
7 determined by the bankruptcy court judge. Bonding shall be
8 required so landowners are not stuck with an open trench for
9 years while the terms of bankruptcy are determined by a
10 court in Texas. Rover should not be allowed to proceed
11 unless the above conditions are met.

PM6-17

12 Energy Transfer Partners is using the threat of
13 eminent domain to coerce landowners to sign easement
14 agreements. Landowners are concerned that once FERC issues
15 the Certificate of Need, Energy Transfer Partners will
16 immediately impose the right of eminent domain, thus
17 depriving the landowner of any say on how their land is
18 treated during construction.

PM6-18

19 Energy Transfer Partners has not negotiated in
20 good faith. They have been trying to undermine the
21 landowner's right to legal representation. We know that
22 there need to be pipelines to transport oil, gas and
23 petroleum products. These pipelines cross farmland. We did
24 not ask for the pipeline to cross our property but we
25 realize it is necessary. We also expect to be compensated

PM6-17

The commentor's statements regarding eminent domain are noted. See the response to comment CO11-1 regarding eminent domain.

PM6-18

The commentor's statements regarding compensation are noted. See the response to comment CO11-1 regarding easement negotiations.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-18
cont'd

1 fairly for the value of the land that they are using and the
2 reduction in the value of the land adjacent to the pipeline.
3 FERC Commissioners are either all former utility
4 executives or government bureaucrats. Who represents the
5 landowners? The agricultural community is
6 disproportionately affected by these utilities, and no one
7 with a working knowledge of agriculture is there to litigate
8 the damage and make us whole. The list of authors of the
9 DEIS lists one person with an agricultural background, not
10 in agronomy, but pre-veterinary science.

PM6-19

11 All of us in agriculture are concerned about the
12 havoc that will be wreaked upon farmland by the construction
13 of the Rover Pipeline. Agriculture is the biggest industry
14 in Ohio. It is sad to see so many organizations and
15 businesses throwing the agricultural community under the
16 bus. Our businesses and livelihoods are threatened, but to
17 some people we are just collateral damage. Thank you.

18 MR. BOWMAN: Speaker 5 is David Draper.

PM6-20

19 MR. DRAPER: David Draper. I'm a landowner in
20 Ashland County and I want to discuss five concerns that I
21 have with the E.T. Rover Pipelines crossing our property.

22 The first has to do with drainage. Our farm is
23 systematically tiled every fifty feet. The drainage is from
24 south to north and the pipelines are crossing east to west.
25 Several laterals and three mains will be cut. This will

PM6-19

The commentor's statements in opposition are noted.

PM6-20

The commentor's statements regarding drainage are noted. See the response to comment CO9-2 regarding drainage. See also the response to comment IND120-1 regarding the FERC's landowner helpline.

T-1063

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix I

T-1064

PM6-20
cont'd

1 affect the drainage for seventy acres.
2 If any of you have ever dug a hole or a trench,
3 you realize that soil settles. That is my main concern over
4 the trench. The soil will settle, the tile will sag or pull
5 apart and there will be drainage problems. I think we need
6 to have some type of a long-term guarantee that is written
7 that E.T. Rover will pay for any future repairs of any
8 drainage problems that are developed as a result of
9 construction.

PM6-21

10 Number two has to do with the soil. Rover is to
11 separate the topsoil from the subsoil. If the ground is
12 frozen during excavation, there is no way to separate two
13 layers without some mixing. Another soil factor is
14 compaction, especially in the work lane. A healthy soil has
15 pockets for air and water so roots can penetrate and take up
16 water and nutrients. Compacting the soil reduces or
17 eliminates these pockets so roots cannot penetrate and
18 absorb the required water and nutrients to produce a healthy
19 plant. The result is a stunted plant and reduced yield.

20 Several major universities all agree that
21 compaction reduces yields, and the greater the compaction
22 the more reduction in yield. They also point out that
23 neither mechanical needs or freezing and thawing can
24 effectively break up subsoil compaction.

PM6-22

25 Safety is my third concern. I agree that pumping

PM6-21

See the response to comment CO22-12 regarding topsoil segregation during the winter. See the response to comment FA4-5 regarding soil compaction.

PM6-22

See the response to comment LA3-1 regarding safety. The commentor's statement regarding their building site are noted.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-22
cont'd

1 natural gas through a pipeline is much safer than trucking
2 it or transporting it by rail. However, pipeline accidents
3 have happened with huge explosions and fires. Also, eight
4 years ago we built a new house on our farm. We were not
5 able to build it where we wanted to because there is a gas
6 well on our property and Columbia Gas dictated that we could
7 not build within three hundred feet of the well. E.T.
8 Rover's two 42-inch high pressure pipelines that will have
9 3.2 billion cubic feet of gas rushing through them every day
10 are located about 200 feet from the farmhouse and about 400
11 feet from our new house, and will only be buried a few feet.

PM6-23

12 Another concern is how I and many others feel
13 about the E.T. Rover company. Rover has done an excellent
14 job of promoting their project to the public. They have run
15 several full page ads in our local newspaper, explaining how
16 jobs will be created and the amount of tax revenue that will
17 be going to the local community. This is all wonderful, but
18 what are they doing for the landowners?

19 We have received letters to inform us that they
20 have the right of eminent domain if we do not accept their
21 low offers. I see this as using strong-arm scare tactics to
22 try to get us to agree to their low offers. As it stands, I
23 am aware and think it's unfair that with eminent domain E.T.
24 Rover can gain immediate possession of property without the
25 landowner's consent.

PM6-23

The commentor's statements regarding Rover are noted. See the response to comment CO11-1 regarding eminent domain.

T-1065

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1066

PM6-24

1 Finally, my major concern is the devaluation of
2 our property. I am a small operator but I still have
3 several hundred thousands of dollars invested. This not
4 only affects my wife and me but also my children and future
5 generations. An example of how this affects families, my
6 92-year-old father-in-law lives just down the road on a 50-
7 acre, square shaped scenic property.

8 These pipelines enter the southeast corner of his
9 land, cut diagonally all the way to exit near the northwest
10 corner after crossing two creeks and eliminating several
11 maple and walnut trees. The worst problem for him will be
12 that the pipelines will run between his house and his barn
13 where he keeps his lawn tractor and a small loader tractor.
14 Think of the trouble that that will cause him. He realizes
15 he will be compensated for the trees, but they will never
16 mature or be replaced and his view will be ruined.

17 We worry, and he understands. He likes to
18 comment or he makes the comment that after the pipelines go
19 through the property will basically be worthless. Now that
20 is true as far as development goes because it will ruin any
21 building lots. However, when the estate is settled, we all
22 understand that it will be worth something less than what it
23 is today before the pipelines have gone through. This not
24 only affects us; the same holds true for all landowners; and
25 I hope that you realize that the value of our land will be

PM6-24

The commentor's statements regarding property values are noted.
See the response to comment CO14-4 regarding property values.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-24
cont'd

1 greatly devalued by this project. Thank you.
2 MR. BOWMAN: Speaker 6 is Greg Sautter.

PM6-25

3 MR. SAUTTER: Thank you. My name is Greg
4 Sautter. I'm a landowner from Wayne County, Ohio and first
5 thing I'd like to talk about is the Appendix II route
6 deviations.
7 I would like to thank FERC as part of the DEIS
8 for identifying a problem of the pipeline location which it
9 has been moved closer to our house after it was farther
10 away, and asking Rover to work with us in terms of why it
11 was moved so much closer to the house where it was further
12 away earlier. There has been some confusion over which maps
13 shows the final change and how it changes where the pipeline
14 enters and leaves our property. Rover has not yet contacted
15 us to clarify the location and the possible relocation.
16 Hopefully that will happen in the future and your follow-up
17 with us in getting this done would be very, very helpful.

PM6-26

18 We really request this relocation on the pipeline
19 as it increases the distance away from our home. Again, we
20 keep hearing these kinds of statements. Moving, it's in the
21 200 to 300 foot area away from our house where there is
22 plenty of room to move it further away. It would also get
23 it off the end of our geothermal lines and also would allow
24 for more room to repair two tile lines that are in this
25 area.

PM6-25

In March 2016, Rover filed updates, including a response to our request that it reevaluates the route along this parcel. Rover's updated response and our conclusions are located in appendix I and tables 3.4.3-1 and 3.4.3-3 of the EIS. Based on our analysis, we determined that the proposed route is acceptable and we are not recommending a reroute through this parcel.

PM6-26

See the response to comment PM6-25 regarding the reroute request.

T-1067

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1068

PM6-27

1 Second item I'd like to discuss is Section 4.9.5,
2 Property Values and Mortgages mainly emphasizing property
3 values. I would have thought that a discussion of easement
4 compensation in this document would have been done in a very
5 neutral manner. The slight mention of the pipeline causing
6 a reduction in property values is far overshadowed by the
7 information stating that it would not affect property values
8 at all. Trying to compare Ohio to other states, especially
9 western states, I question how fair that is.

10 Also, we are not having not only one but two
11 extremely large pipelines, which is not very common. One
12 must then look at a real estate market that changes from one
13 community to the next as the line crosses Ohio. I feel
14 those who are trying to evaluate the landowners' property
15 are not fully considering these issues. If we believe in
16 the concept of property rights then we must believe in fair
17 compensation. There must be some respect for the
18 landowners' knowledge of fair market value and what this
19 pipeline does to property values. I would also ask the
20 question of whether this type of information should be part
21 of an environmental impact statement. I would encourage
22 that this section be taken out of the EIS or in some way
23 rewritten.

PM6-28

24 Item number three. After reading the DEIS and
25 reading the soon-to-follow letter from Rover, which at first

PM6-27

The commentor's statements regarding property values are noted. The evaluation of impacts on property values was included based on comments received on the Project. In addition, this is a standard section within all FERC EISs. See the response to comment CO14-4 regarding property values.

PM6-28

The commentor's statements regarding filings from Rover are noted.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-28
cont'd

1 I really thought was a follow-up letter from FERC because it
2 referenced a lot of FERC information, and then reading the
3 rest of it, I look back and yes, it was from Rover. It put
4 me in a very defensive state of mind. The letter from Rover
5 was threatening, unprofessional and was full of misleading
6 information. Rover has never sent an information sheet to
7 us or an update sheet and then come around and sending
8 something like this was I think in poor taste.

9 I would prefer Rover to come up with some really
10 good solid specific information. As an example, how the
11 repair of our tile and lines and waterway systems is to be
12 completed and warranted. How our fence lines are going to
13 be reconstructed, and gates that they request to be in fence
14 lines are going to be handled and maintained. Specific
15 information that would help us make better decisions. Also

PM6-29

16 making the information more accurate.

17 As an example, on our farm they listed all of our
18 easement footage as timber and pasture where clearly if you
19 look across it you can see about 80 percent of it is
20 cropland as it was corn all last year and there are corn
21 stalks there now. I'm sure they listed it as pasture and
22 timberland for a reason and you can guess for what reason
23 that would be.

24 So these are some of the things that we would
25 like to get out and get cleared up with Rover. These are

PM6-29

See the response to comment CO11-1 regarding easement negotiations.

T-1069

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

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PM6-29
cont'd

1 the ways of getting easements resolved and mutually signed.
2 We must have communication. We must have respect and we
3 must have fair negotiations. Thank you.

4 MR. BOWMAN: Speaker 7 is Craig Wilson.

PM6-30

5 MR. WILSON: Good evening, we appreciate to be
6 here and be able to comment on the Draft Environmental
7 Impact Statement that FERC has put together. I have some
8 specific comments that I would like to make.

9 First, I want to tell you that I'm an attorney
10 from Columbus, Ohio with the law firm of Emmets & Walpert
11 Law Firm. We represent about 220 landowners affected by
12 this pipeline project, about one hundred miles of the
13 pipeline itself. A lot of our clients are here tonight, and
14 a lot of them have asked us to speak on their behalf rather
15 than them themselves as they are intimidated by this
16 process.

17 First thing I would like to comment on is the
18 Federal Government, FERC does several different analyses of
19 these different pipeline projects. One is the analysis we
20 are here to talk about tonight, under NEPA. Another
21 analysis FERC does is under its policy statements for
22 certifying new natural gas interstate lines. A part of that
23 analysis is Rover's potential use of eminent domain and
24 FERC's conscious decisions on how eminent domain impacts
25 landowners.

PM6-30

The commentor's statements regarding Rover are noted. See the response to comment CO11-1 regarding eminent domain. The commentor's request to deny the Project is noted.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-30
cont'd

1 In its policy statement, FERC clearly states that
2 Rover Pipeline can use eminent domain against a few holdout
3 landowners or some landowners. Today, as of four days ago,
4 E.T. Rover, Rover Pipeline has acquired about one-third of
5 the necessary easements it needs for this pipeline project,
6 which means that seventy percent of the Ohio landowners have
7 not settled with E.T. Rover.

8 We believe that that is a product of the bad
9 faith negotiations that Rover has put in place and
10 implemented since the start of this project. There is
11 serious mistrust between Rover and landowners as you can
12 hear from Mr. Sautter, Mr. Oor and Mr. Mauer tonight. Rover
13 seems to be more interested in just sending landowners
14 threatening letters and telling them that they're going to
15 sue them than actually sitting down in a room and actually
16 negotiating with them to address their individual concerns.

17 Of all the landowners we represent, I don't think
18 we have anybody that wants this pipeline, but I think all of
19 our clients recognize that there may be a need for pipeline
20 projects like this but want to be treated fairly. They are
21 not looking here to get rich, they want to be treated fairly
22 and make sure their property is protected. To date, that is
23 not happening. Rover has in essence seized all negotiations
24 with all landowners at this point.

25 Instead, it's telling us that they are preparing

T-1071

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1072

PM6-30
cont'd

1 to sue five or six hundred landowners in Ohio. That is not
2 a few holdout landowners or just some landowners. We
3 believe at this point Rover is going to be filing eminent
4 domain against at least fifty percent of Ohio.

5 We do not believe FERC should tolerate this and
6 allow a company to go forward with a project when it is so
7 clear that landowners are not being treated fairly. We
8 request that FERC deny this project, or if it doesn't deny
9 it require Rover to acquire at least 90 percent of the
10 necessary easements it needs to construct this pipeline
11 project. We believe that is consistent with FERC's policy
12 statement.

PM6-31

13 As to FERC's review under the NEPA and the Draft
14 Environmental Impact Statement, the first comment I have
15 related to that is, FERC has concluded that agriculture land
16 and soils will just be a temporary impact and as it defines
17 temporary it's just a three year impact, and after three
18 years the land will be back to the productivity levels it
19 was before the pipelines were installed. We do not agree
20 with that opinion.

21 We have yield monitor maps which we will be
22 providing to the Federal Government in a written follow up
23 comment to my testimony tonight which will have yield
24 monitor maps attached to them. Yield monitor maps are in
25 combines from some of these farmers that show how much

PM6-31

See the response to comment CO9-1 regarding crop productivity.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-31
cont'd

1 production they get on each field. The yield monitor maps
2 we have are on several different fields throughout Ohio over
3 existing pipelines that have been installed for more than
4 fifty years. Those yield monitor maps will clearly show a
5 10-20 percent yield loss in fifty years after the pipeline
6 was installed.

7 We presented these yield monitor maps to E.T.
8 Rover in Houston in February. Rover's response to us was,
9 'Rover does things differently than what other pipelines
10 do.' They were not able to provide us with any other
11 evidence as to how the yield would be not impacted like
12 this. We also will look at what FERC has put in the
13 information, and we have not found any information of how
14 FERC came up with that determination. There is no evidence
15 from FERC that this is just temporary; a conclusion was just
16 made.

17 We request that FERC provide us with information
18 of how the yields will be back in three years, and if that
19 has happened on other projects. That will be helpful to
20 understand what the impact is. Without this information all
21 we can go on is the yield information we have from other
22 pipelines in this state, which will clearly show a fifty,
23 sixty, seventy year loss from these pipelines being
24 constructed.

25 We strongly believe that the impact to soil and

T-1073

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1074

PM6-31
cont'd

1 agriculture land will be a permanent impact. We request
2 that FERC change its conclusion in its DEIS that the impact
3 to agricultural land and soils will just be temporary.
4 Without further information, we don't see how a different
5 conclusion can be made.

PM6-32

6 The second comment I have on the Draft
7 Environmental Impact Statement is related to FERC's
8 conclusion that property values will not be decreased. We
9 heard tonight that landowners firmly believe that their
10 property values will be decreased. Each property that is
11 affected by this pipeline project will be impacted
12 differently. We have a client that has this pipeline 15
13 feet from his house. Two 42-inch pipelines will be 15 feet.
14 We also have many clients that have a pipeline in an 80 acre
15 field with no homes. I can tell you that the value of that
16 home that is 15 feet from the pipeline is much more damaged
17 than the guy with the 80-acre field.

18 We do not believe it's right for FERC to come out
19 and make a general conclusion about property values not
20 being decreased by this pipeline. As Mr. Sautter just
21 stated in his, that is an unfair and seems to be biased
22 conclusion toward favoring E.T. Rover on this project. We
23 request FERC remove that comment from its DEIS or instead
24 change it to a neutral one where FERC does not comment on
25 whether or not property values are decreased. It

PM6-32

The commentor's statement regarding property values are noted. See the responses to comments PM6-27 and CO14-4 regarding property values.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-32
cont'd

1 acknowledges in the DEIS later on that each property will be
2 affected and an appraisal needs to be done. That is the
3 comment that we believe FERC should be making, which is a
4 neutral comment.

PM6-33

5 The third comment I have on the Draft
6 Environmental Impact Statement is related to drain tile,
7 which I am very thankful that Larry Oor is here tonight and
8 was able to provide his expertise in this area. We greatly
9 appreciate FERC putting in its DEIS that Rover is required
10 to use local drainage tile contractors. That is something
11 that is critically important as the local drainage
12 contractors know the soil types and how to install tile in
13 Ohio.

14 As FERC knows, Rover has hired a company called
15 Land Stewards from Marion, Ohio which is a locally-based
16 company which has been hired to specifically address
17 drainage tile. This Land Stewards company is out meeting
18 each one of the landowners and creating an individual
19 drainage tile repair plan for each property that has
20 drainage tile. Some of those drainage tile repair plans
21 require some pre-pipeline construction drainage tile
22 relocation.

23 If this pre-pipeline drain tile work is not
24 completed, what will happen is Rover will come through and
25 cut all the drainage tile off and the landowner is going to

PM6-33

See the response to comment CO14-3 regarding drain tile plans. As discussed in Rover's AIMP, Rover would be responsible for correcting all tile line repairs that fail provided those repairs were made by Rover.

T-1075

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1076

PM6-33
cont'd

1 be the one left picking up the pieces. The pre-pipeline
2 drainage tile work is absolutely critical to maintaining the
3 drainage systems on each landowners' property. We have seen
4 on other projects that if this pre-pipeline drain tile work
5 is not complete, there will be five to ten years of drainage
6 tile repair work that will never result in the drainage
7 system working the same way it did before.

8 We request that FERC require Rover to implement
9 in its DEIS or its final EIS that Rover is obligated to
10 follow and implement the repair plans for each individual
11 property, which will include any pre-pipeline construction
12 on drain tile that's needed. As we heard from Larry Orr and
13 from Greg Sautter, Rover's working on the drain tiles is
14 very important and there is likely to be long-term issues
15 that come up. We ask that FERC require Rover to warrant all
16 drainage tile work that is completed for the entire length
17 of this pipeline being in the ground.

18 The only reason why the drainage tile is going to
19 have to be impacted is because of this project and so for
20 the drainage tile work that gets done it should be warranted
21 by Rover for the entire life. Our firm has worked with

PM6-34

22 many, many pipelines in Ohio. Rover by far has been the
23 worst to work with. Rover is uncompromising in its
24 positions, it's refusing to work with landowners and is
25 unwilling to discuss individual concerns that landowners

PM6-34

The commentor's statements regarding Rover are noted. See the response to comment CO11-1 regarding easement negotiations.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-34
cont'd

1 have here.

2 It's clear to us that Rover has intended to sue

3 most landowners in Ohio since the start of this project.

4 Rover is just one of five other major pipeline projects

5 coming through the state.

6 And if you look at Rover's public budget, which

7 is available to FERC and everybody else and you compare that

8 budget to other pipeline projects in Ohio, Rover has under-

9 budgeted about a third to a quarter and is paying -- I will

10 give you a specific example. On the Nexus Pipeline Project,

11 which runs semi-tandem but north of the Rover Pipeline

12 Project, Nexus has budgeted for landowner compensation \$123

13 a foot. The E.T. Rover Pipeline Project which is two 42-

14 inch pipelines, larger in size than the Nexus, has budgeted

15 \$36 a foot for landowners.

16 A company like Rover and the strong-arm tactics

17 it has used since day one should not be rewarded for

18 refusing to work with landowners, and we ask FERC to go

19 ahead and deny this project or otherwise implement not only

20 the terms and conditions we have asked for tonight, but the

21 conditions we are going to set forth in the follow-up

22 written comment that we have. I appreciate your time and

23 thank you for coming to Ohio.

24 MR. BOWMAN: Speaker 8 is Patsy Schmuki.

PM6-35

25 MS. SCHMUKI: Hello. My family has a dairy farm

PM6-35

As part of landowner negotiations, landowners could require Rover to follow the drain tile plans developed by landowners. See the response to comment CO11-1 regarding easement negotiations.

T-1077

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1078

PM6-35
cont'd

1 here in Sugar Creek Township in Stark County. There's three
2 generations that make their living on this farm so we can't
3 just think about today, we have got to think about years to
4 come, for the lifetime of this right-of-way lease.

5 Rover is creating drainage tile plans for our
6 property through the Land Stewards, and we believe the FERC
7 should require Rover to follow the specific drainage tile
8 plan that is being made for our property. FERC is
9 recommending Rover to use the local drainage tile
10 contractors. We believe this is very important. We
11 appreciate that you have acknowledged that concern of ours.

PM6-36

12 FERC has concluded that the impact to
13 agricultural land is temporary, which means no more than
14 three years of damage. We strongly disagree. We believe
15 that the impact of this pipeline will have long term effects
16 on our productivity.

PM6-37

17 FERC, we have tried to understand weight limits
18 Rover is going to implement over its pipeline. We are very
19 concerned that they will not allow us to continue our
20 farming operations as we have large equipment. We request
21 that FERC insert language that says we have the right to use
22 farming equipment to cross the pipeline without conditions
23 at any angle, whether it is going perpendicular or parallel
24 to the pipeline right-of-way.

PM6-38

25 FERC has concluded that it does not believe our

PM6-36 The commentor's statements regarding productivity are noted.
See the response to comment CO9-1 regarding crop productivity.

PM6-37 See the response to comment IND114-1 regarding heavy
equipment crossings.

PM6-38 The commentor's statements regarding property values is noted.
See the response to comment CO14-4 regarding property values.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-38
cont'd

1 property value will be decreased due to the pipeline. we
2 strongly disagree with this conclusion. We believe this
3 pipeline will have major negative impacts on the property
4 value for several reasons. One, we can't build on it.

PM6-39

5 We're dairy farmers. We don't know what our sons are going
6 to be doing in the future so we feel this is limiting our
7 use of our land.

PM6-40

8 Number two, this is a danger to our family and
9 our neighbors. It's not just us. To our family, it's our
10 business, which is our means of living. Three, it's a major
PM6-41
11 inconvenience to move our farm machinery and cattle during
12 construction for which Rover really hasn't addressed.

PM6-42

13 Not only do we have the cropland, we also have
14 pasture that's in the right-of-way. Rover is proposing a
15 valve site on our property in crop land that we are actively
16 farming. This valve site we understand is going to be 600
17 feet long and I forget the width, well 60-foot, so a
18 considerable area that will have a fence around it. We are
19 strongly opposed to the valve site being put where we have
20 to farm. We request that Rover would move the valve site to
21 another area that we don't have to farm around such as the
22 pasture land or even the neighbor's property. We believe
23 this will have less impact on our farmland.

PM6-43

24 Rover's land agent told us that if there were
25 ever a leak, the automatic valve would shut off

PM6-39 See the response to comment CO19-39 regarding lost use within the permanent right-of-way.

PM6-40 See the response to comment LA3-1 regarding safety.

PM6-41 The commentor's statements regarding the inconvenience to move machinery and cattle is noted.

PM6-42 Our analysis and conclusions regarding the requested relocation of the mainline valve on the parcel is presented in table 3.4.3-3. Based on our analysis, we determined that the proposed MLV site is acceptable and we are not recommending that Rover relocate the MLV site.

PM6-43 Typically the valves close within a couple minutes of the closure signal. This time is much less than it would take to manually close a valve. See the responses to comments LA3-1 and CO3-5 regarding safety and emergency response.

T-1079

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1080

PM6-43
cont'd

1 automatically. He told us, 'the valve would be shut before
2 the man would have his boots on if it got him up in the
3 middle of the night.' After talking with others, we don't
4 believe that this is possible that we've been told the truth
5 about this. We would believe that it would take some time
6 at 1400-pound pressure with a 42-inch line to shut it
7 immediately because of some kind of explosion.

8 This is a concern for us since we have the valve
9 site on our property.

10 Which brings to my last concern, is if there is
11 an explosion, how will this be handled if there is a fire?
12 Our fire departments in the area are all volunteer. We
13 don't have paid fire departments in our area. As I said we
14 are the Sugar Creek. We have the Wilmont Fire Department,
15 the Brewster Fire Department, the Beach City Fire Department
16 which are all volunteer fire departments. I'd understand
17 that they couldn't put out that fire. I've understood that
18 it has to be a foam which there is in Stark County
19 somewhere. They have the foam capabilities, but if there's
20 a grass fire with that many residents that close, to be able
21 to handle a grass fire of that extent.

22 Wilmont is our local fire department and its
23 grass fire truck is a 1978 model. Since Rover is the reason
24 for this potential disaster I think that they should be
25 financially helping them update their equipment.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-43
cont'd

1 Thank you.

2 MR. BOWMAN: Speaker No. 9 is Greg McNaull.

PM6-44

3 MR. McNAULL: Good evening. I'm Greg McNaull

4 from Ashland County. We have about 3100 feet of pipeline

5 that crosses a property that's owned by my dad and I. And

6 the main thing I wanted to touch on is that FERC said there

7 would only be a temporary crop loss of three years and I'd

8 really like to dispute this.

9 On my dad's property where he lives, in 1992 they

10 ran a gas line across his property and if you read the EIS

11 and the method in which -- I don't know if it's FERC or

12 Rover -- has mentioned moving the dirt out and putting the

13 dirt back and all that. The methods are very similar to

14 what was used on his property, and as of today, this last

15 year we still see a 33 percent yield loss over that

16 pipeline, and we have yield maps to back that up. When you

17 take that soil, out no matter what they tell you there's no

18 way to put it back to where you have the same tilth in that

19 soil.

20 They tried to separate it. The contractors sure

21 had good intentions to do it; it's just not really possible

22 to do.

PM6-45

23 Second thing I'd like to touch on, well also at

24 Dad's is the tile line. Every couple of years we are out

25 fixing the tile line from settling over the gas line. We do

PM6-44 See the response to comment CO9-1 regarding crop loss.

PM6-45 See the response to comment CO9-2 regarding drain tiles. See the response to comment CO20-81 regarding complaint resolution.

T-1081

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1082

PM6-45 cont'd
1 have it in the easement that they are supposed to come out
2 and actually fix the tile line for twenty-five years. Good
3 luck getting them to do it. You have to get a lawyer
4 involved if you actually want them to come out and fix it.
5 So I don't know if there is anything you can put
6 in the EIS, the final EIS that would force Rover for a long
7 period of time without a lot of hassle on our part to get
8 them to come out and fix the tile. It would be very much
9 appreciated.

PM6-46
10 Second thing that I'd like to hit on that several
11 other people have hit on was FERC's statement about no
12 devaluation in property. Even if this is for crop
13 production use and you can farm over it after we get done,
14 if we want to go put up say a livestock facility on our
15 property, it goes at an angle across our property. It
16 doesn't even hit it straight on a 90, it comes across it on
17 an angle, affects about sixty acres.

PM6-47
18 We can't build on this property or over the gas
19 line, and I don't really know if we want to build that close
20 to it. I don't know what it is, how close we're allowed.
21 Do you know how close we are allowed to build it to this gas
22 line? Are there any stipulations on that?

23 MR. BOWMAN: There's no FERC requirement for it.

PM6-48
24 MR. McNAULL: Okay, but anyways. The last thing
25 that I would like to hit on is this is a public utility.

PM6-46 See the response to comment CO14-4 regarding property values.

PM6-47 See the response to comment CO19-39 regarding structures near the pipeline.

PM6-48 See the response to comment IND54-8 regarding benefits to local communities. See the response to comment CO11-1 regarding compensation.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-48
cont'd

1 We'd love to have natural gas on our farm, but 'no way they
2 said that's going to happen.' So we benefit from this gas
3 line in no way. It's more of a pain to us than anything.
4 We'd prefer it didn't happen. We realize that natural gas
5 is shipped safest through pipelines, we recognize that; but
6 without any direct benefit to us through compensation what
7 Rover has offered us to this point has been a joke to even
8 consider.

9 If they could come up with terms that would be
10 agreeable to us we would be willing to consider them, but at
11 this point there is not a lot we'd consider, I guess. And

PM6-49

12 even we met with a representative from Rover back in July
13 with a Land Stewards individual and they were supposed to
14 have tile plans made up for us in a week, and we are now
15 nine months removed from that. We still have not heard from
16 them or have any tile plans. So to this point our
17 experiences with this whole pipeline have been pretty much
18 negative.

19 So thank you for your time.

20 MR. BOWMAN: Speaker 10 is Bradley Belden.

PM6-50

21 MR. BELDEN: Good evening. My name is Brad
22 Belden and I'm here representing the Ohio Manufacturers
23 Association and the Belden Brick Company. I appreciate the
24 opportunity to speak with you today about the proposed Rover
25 Pipeline Project. My name is Brad Belden and I am the

PM6-49

The commentor's statements regarding interactions with Rover are noted.

PM6-50

The commentor's support of the Project is noted.

T-1083

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1084

PM6-50
cont'd

1 Director of Support Services with the Belden Brick Company.
2 I am also here in my capacity as the Chairman of the Energy
3 Committee of the Ohio Manufacturers Association, or OMA.

4 My testimony is both on behalf of Belden Brick
5 and the OMA. Belden Brick is headquartered in Canton, Ohio
6 and operates six manufacturing facilities in Sugar Creek,
7 Ohio. We employ about 500 people in this area making face
8 brick and pavers. Access to reliable, affordable energy is
9 a big competitive issue for our company. Our process takes
10 locally-mined clay and shale and fires it with natural gas.
11 Combined with the electricity, the price of energy has a
12 large impact on our bottom line.

13 While we have made many investments to use energy
14 efficiently, natural gas remains as the single largest cost
15 to our production process outside of wages. It is also
16 proving to be the most volatile. Before shale gas increased
17 the domestic supply of natural gas, there were moments where
18 the high price of natural gas threatened our business. The
19 brick industry is still feeling the effects of the recession
20 and the more stable, affordable price of natural gas is one
21 of the many reasons we are able to stay profitable today.

22 The OMA represents over 1400 manufacturing
23 companies across the State. Ohio manufacturers produce
24 every product you can think of ranging from automotive
25 components to medical equipment to pizza rolls. In

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-50
cont'd

1 aggregate, Ohio ranks among the top few states for
2 manufacturing. The economic output for manufacturing in
3 2013 reached 100 billion dollars, up from 87 billion dollars
4 in 2012. Investments in new production are underway that
5 would drive that figure even higher in subsequent years.

6 As for employment, in 2010 Ohio again ranked
7 third nationally in manufacturing employment, with 5.5
8 percent of manufacturing jobs nationwide; 663,000 Ohioans
9 are employed in the State's manufacturing sector.
10 Manufacturing leads all industry sectors in payroll with
11 over 36 billion dollars in 2012, paying an average annual
12 wage of \$55,525. The men and women who work in Ohio
13 manufacturing are among the most skilled and most productive
14 anywhere on the globe.

15 Manufacturing productivity is a competitive
16 advantage to Ohio's economy. Manufacturers in Ohio excel in
17 both product and process innovation and investments are
18 underway in plants across the state that will improve
19 productivity while saving energy, minimizing waste and
20 reducing environmental emissions. Ohio competes with other
21 states for manufacturing investment. Energy policy and
22 energy infrastructure are both important considerations when
23 companies make investment decisions.

24 The OMA believes energy policy can enhance or
25 hinder Ohio's ability to attract business investment,

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Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1086

PM6-50
cont'd

1 stimulate economic growth and spur job creation, especially
2 in manufacturing. State and Federal energy policies must A)
3 ensure access to reliable economical sources of energy; B)
4 support the development of a diverse energy resource mix;
5 and C) conserve energy to preserve our natural resources
6 while lowering cost.

7 The OMA has a long-standing position of support
8 for a modernized energy infrastructure to maximize energy
9 supplies and stabilize energy pricing and reliability.
10 Additionally, the construction of a natural gas pipeline
11 from the Marcellus and Utica Shale formations will increase
12 access to gas as a feedstock. Gas is not just an energy
13 source. It is also a raw material utilized in many
14 manufacturing processes such as chemicals, polymers and
15 fertilizer.

16 Finally, construction and operation of a pipeline
17 will afford manufacturers from the region with expanded
18 market opportunity to bid to supply needed parts, materials
19 and technologies. These will all serve to protect and grow
20 Ohio manufacturing. Just as energy policy is important for
21 Ohio's competitiveness, so too is sustainable environmental
22 regulation. Manufacturers understand that fair and
23 reasonable regulations on business must be balanced with
24 reasonable stewardship of our natural resources.

25 I have reviewed Rover's Draft Environmental

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-50
cont'd

1 Impact Statement and noted the developer's commitment to
2 environmental mitigation. Rover has a plan in place that
3 will minimize disturbances during construction, restore land
4 after construction and ensure property values remain intact
5 into the future. Rover pipeline stands to benefit
6 manufacturing in Ohio and throughout the Midwest. Therefore
7 OMA encourages the Federal Energy Regulatory Commission to
8 approve the Rover Pipeline Project. Thank you.

9 MR. BOWMAN: Speaker eleven is Aaron Brown.

PM6-51

10 MR. BROWN: Good evening. My name is Aaron
11 Brown. I am here a member of Local Union 540, the
12 International Brotherhood of Electrical Workers out of
13 Canton, Ohio. I am here tonight to testify in support of
14 the proposed Rover Pipeline, a vital piece of energy
15 infrastructure that will create a thousand local jobs,
16 construction jobs for skilled tradesman like myself and
17 provide millions in investment into the state and local
18 economies.
19 Our local union represents members in seven
20 counties of which four of these counties the pipeline will
21 traverse. We commit to delivering the highest quality of
22 work in a safe, responsible manner. We pride ourselves on
23 having some of the most advanced training and operating
24 procedures that emphasize clean and safe working conditions.
25 As members of the communities that the pipeline will

PM6-51

The commentor's support of the Project is noted.

T-1087

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1088

PM6-51
cont'd

1 traverse, we are committed to operating with minimal
2 disruption or impact to landowners and the natural
3 environment. I urge the Commission to approve this project
4 and allow our region the benefits of clean-burning natural
5 gas for generations to come.

6 Thank you.

7 MR. BOWMAN: Speaker 12 is Mike Heppe.

PM6-52

8 MR. HEPPE: Good evening. My name is Mike Heppe,
9 Jr. I am an electrician/technician and have been for the
10 last twenty plus years, but also I'm here and I represent
11 over 500 active electricians in the IBEW Local 540 as their
12 Vice President. So it takes great pride to be able to come
13 here and have the opportunity to speak on behalf of support
14 for the Rover Pipeline Project. I will state that I'm not
15 here to combat any of the individual landowners on concerns
16 that they have; but in those concerns, I too agree that they
17 should be fairly compensated.

18 The concern that I do want to address is the
19 concern of the effect on the environment. What has curbed
20 my personal concern toward this has been the detail of the
21 Environmental Impact Mitigation Plan, which I feel is going
22 to be a plan to succeed. This plan to succeed is going to
23 be made through their approach and through their dedication
24 to hire highly-skilled craftsmen, like several of my
25 brothers that are in the back of the room, like my fellow

PM6-52

The commentor's support of the Project is noted.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-52
cont'd

1 sisters, myself, and also to the other skilled trades.
2 I can't speak on behalf of the other skilled
3 trades but I will speak on behalf of the IBEW. The IBEW
4 holds each of their members to the highest of standards in
5 respect to training and also to adhering to both local and
6 Federal regulations.

7 So with that being said, I do think this will be
8 an exciting time for all of us because these times will
9 bring great benefits to the construction process and what
10 that's going to bring to this region. Also on top of that
11 will be the end result. The end result is supply of a
12 domestically-provided natural gas which I think will be
13 great for this nation.

14 So in closing I just hope that FERC will pursue
15 in a timely manner this Rover Pipeline Project. Thank you
16 for your time.

17 MR. BOWMAN: Speaker 13 is Don Forni.

PM6-53

18 MR. FORNI: My name is Don Forni. I've grown up
19 with pipelines all my life. We farm dairy and beef. We've
20 picked up rocks after every pipeline went through and all my
21 life I still continue to pick rocks up. I gave Rover land
22 agent a four page addendum to put on their easement after we
23 was approached the first time. We have not seen one
24 addendum listed.

25 The way we have been treated by Rover is far

PM6-53

The commentor's statements regarding interactions with Rover are noted. Our analysis and conclusions regarding the requested reroute is provided in table 3.4.3-3 of the EIS. Based on our analysis, we are recommending a reroute on this parcel.

T-1089

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1090

PM6-53 cont'd
1 worse than any other pipeline we have dealt with. If this
2 pipeline takes the proposed route, they will cut a 300-foot
3 wide path of trees that was unnecessary. If they switched
4 to the other side of the existing lines, there is already
5 wasteland there from the previous lines. There would also
6 be two less crick crossings and less drain tile affected.

PM6-54
7 The lines that they are following are a 30, a 24
8 and a 20. They have not had gas running in them since 2009.
9 The lack of FERC enforcing most of the construction
10 regulations is costing the American farmer millions of
11 dollars from yield production of hay, corn, beans. I have
12 seen with my own eyes over the last 40 years crop loss where
13 the lines cross our property.

14 When Rex went through in 2009 I took soil samples
15 after they reconstructed the right-of-way. Soil tests
16 showed that I needed 400 pounds of nitrogen per acre on the
17 right-of-way when the rest of the field was all right. Ohio
18 strip mines have more regulations to follow than what your
19 pipelines do. The rocks that are still on top of the ground
20 do not grow corn, hay or trees. We are considered a highly
21 erodible ground, and when Rex went through there was no
22 mulch, straw or anything put down, and it was seeded
23 November 15th. So you can imagine what kind of washouts we
24 had.

PM6-55
25 FERC should also consider diseases that are being

PM6-54 See the response to comment CO9-1 regarding crop productivity. As stated in section 2.3.2.7, Rover would remove rocks 4 inches in size or larger to a depth of 36 inches in agricultural areas. See the response to comment FA4-12 regarding erosion. See the response to comment FA4-7 regarding third-party environmental compliance monitoring.

PM6-55 We are recommending in section 4.5 that Rover update its Invasive Species Plan to include mitigation measures during construction, including cleaning of equipment prior to entering the construction right-of-way. See the response to comment CO15-9 regarding compliance monitoring during construction to ensure Rover is adhering to its CMPs and our recommendations.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-55
cont'd

1 carried in by the equipment being trucked around out of
2 state into, affecting cattle. For the most part if these
3 pipeline companies had put their lines in the way they were
4 supposed to it would have a less detrimental effect on
5 farmers instead of trying to ramshod over the top of them.
6 Thank you.

7 MR. BOWMAN: Speaker 14 is Ed Hill.

PM6-56

8 MR. HILL: Good evening. Thank you for the
9 opportunity to speak in favor of Energy Transfer's Rover
10 Pipeline. My name is Ed Hill, Jr. I'm a member of the
11 IBEW. The IBEW is pleased to be involved with Energy
12 Transfer in the proposed Rover Pipeline Project because
13 Energy Transfer's commitment to safety and to follow the
14 highest standards in the construction industry.

15 Like Energy Transfer, the IBEW is committed to
16 safety and working with minimal impact to the community and
17 the environment on the Rover Project. The IBEW provides the
18 most comprehensive training in the electrical industry and
19 holds ourselves to very high standards with regard to laws,
20 regulations and safe work practices. We also believe we
21 have a reliable partner with Energy Transfer to that end.

22 FERC has concluded that Rover's construction
23 plans will effectively mitigate impacts to the land. I know
24 we've heard a lot about that this evening. The plans were
25 supposed to mitigate the impact of both the long and short

PM6-56

The commentor's support of the Project is noted. See the response to comment PM3-2 regarding clearing between HDD entry and exit sites.

T-1091

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1092

PM6-56
cont'd

1 terms, and of course the IBEW will support that effort in
2 the field.

3 I understand there are some concerns with FERC's
4 insistence of a three-foot maximum clearing for
5 construction. This is relatively impractical and is
6 atypical for construction activities of any kind; and more
7 importantly it could potentially pose a risk for the safety
8 of the workers in the field due to tight and confined
9 working spaces.

10 Two reasons why is primarily, you need more than
11 three feet to operate the construction equipment required by
12 horizontal drilling techniques used to mitigate the impacts
13 over the water bodies. Secondly, for the longer term there
14 are concerns that plants located within 15 feet of the
15 pipeline centerline, the rooting system could compromise the
16 coating on the pipeline. That is a safety concern over the
17 long-term consideration of the project.

18 I urge FERC to look toward adopting a more
19 standard ten-foot clearance on the project, and I look
20 forward to approval of the project by FERC. Thank you.

21 MR. BOWMAN: Speaker 15 is Curt Richrath.

PM6-57

22 MR. RICHRATH: Good evening. I would like to
23 start off by thanking FERC for having me speak. My name is
24 Curt Richrath. I am with the Laborers out of 1015 out of
25 Canton, Ohio. I want to start out by saying that my local

PM6-57

The commentor's support of the Project is noted.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-57
cont'd

1 hall is one of the halls that could be hired out for Rover
2 Pipeline work in Ohio. I just want to take a few minutes to
3 share what I know about the construction of pipelines and
4 how this process is benefiting my fellow Ohioans, friends
5 and neighbors.

6 The issues that I believe to be most important to
7 us as citizens are as follows: Protecting the safety and
8 beauty of our environment, providing for the health and
9 safety of the construction workers and providing an economic
10 boost to our state and local economies.

PM6-58

11 First, protecting our environment has several
12 components. We must minimize the impact on the ground,
13 water surfaces, water and wetland resources. Rover has
14 procedures to limit water quality and aquatic resources'
15 impacts during and after construction. They performed
16 studies at 26 sites and evaluate the subsurface conditions.
17 FERC has determined that most impacts of soil would be
18 temporary, although I do have some concerns with the dry-
19 ditch requirements by FERC. I would like to encourage FERC
20 to consider wet crossings when appropriate, because that
21 method actually takes less time therefore reduces the risk
22 to water bodies.

PM6-59

23 We must consider the impact of tree removal and
24 clearing. I am concerned that FERC is insisting on a
25 maximum three foot clearing. Although I favor preserving as

PM6-58

The commentor's request to utilize wet crossing methods to cross waterbodies is noted. A discussion of dry-ditch crossings and our recommendation can be found in section 4.3 of the EIS.

PM6-59

See the response to comment PM3-2 regarding clearing between HDD entry and exit sites. As stated in section 4.4.4 of the EIS, the FERC Procedures specify that a corridor centered on the pipeline and up to 10 feet wide may be cleared at a frequency to maintain the 10-foot corridor in an herbaceous state. Rover has proposed to clear vegetation within a 30-foot corridor where dual 42-inch-diameter pipe would be installed.

T-1093

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix I

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PM6-59
cont'd

1 many trees as we can, it must be done with safety and
2 practicality at the front of our minds. I would also ask
3 FERC to consider adopting a more standard ten-foot clearing
4 that construction equipment can be accessed and operated
5 safely.
6 Additionally, I would also propose that trees and
7 shrubs be removed within fifteen feet of the pipeline
8 centerline, that they may compromise the integrity of the
9 pipeline's coating. FERC has determined that Rover's
10 construction plans would effectively mitigate the impacts to
11 the land. Rover is designed to minimize potential
12 environmental impacts in both the short and long term by
13 using protective safety measures and utilizing experienced
14 agriculture land consultants.

PM6-60

15 Second, we must protect our workforce. The
16 Laborers have been chosen to do this because the Energy
17 Transfer Partners know that we will do the job right. Our
18 skilled trades take pride in having the most advanced
19 training. We expect safe work environments and work hard to
20 maintain the safety of all of the involved in the
21 construction. We are committed to clean and safe working
22 conditions for our workforce and minimal disruption to
23 nearby landowners.

24 This is our home and we will protect it and we
25 want to see it prosper. These are our neighbors. These are

PM6-60

The commentor's support of the Project is noted.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-60
cont'd

1 our communities. I for one am glad that our local voices
2 are heard and our concerns addressed. I believe this
3 project will have positive impact for all of us.
4 Finally, I will briefly address the economic
5 boost this will bring to our area. Local men and women,
6 approximately ten thousand, will be put to work building
7 this pipeline. Thousands of our friends and neighbors in
8 the Union will be employed bringing a multitude of dollars
9 and influx of wages. This will, in turn, bring business to
10 local hotels, restaurants and businesses, and bring long
11 term tax benefits for our counties, our school districts and
12 other economic benefits.

13 I would like to thank you and say that I am in
14 support of this pipeline. Thank you and have a good night.

15

16 MR. BOWMAN: Speaker 16 is Jake Croston.

PM6-61

17 MR. CROSTON: My name is Jake Croston. I'm with
18 Laborers Local 1015 in Canton, Ohio and I'm here to show
19 support for the Rover Pipeline Project.

20 This project is going to create thousands of
21 construction jobs and it's going to create them for local
22 residents, people who live in this community and people who
23 are from here. So that means that local people are going to
24 be able to provide a good living for their family and put
25 food on their table.

PM6-61

The commentor's support of the Project is noted.

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Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

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PM6-61
cont'd

1 Also it's going to be very good just for the
2 overall economy because it is being done by local people.
3 That will be people that are buying new cars and trucks in
4 this area or buying building supplies to remodel their
5 houses, not taking that money away with them to other
6 communities or other states.

7 As far as the environmental concerns and the
8 landowners concerns, I completely understand, but know that
9 we want this work done safely as well. Because local
10 tradesmen are going to be doing this work, it will be done
11 safely. We are qualified, skilled and trained and we've
12 done this work for decades and decades and decades.

13 Also because it's local residents doing the work,
14 this is our community. We live here. It's not like you
15 know when this pipeline ends we're going to be five states
16 over. We're going to be living here. This is our land.
17 This is our community. This is our family's land, our
18 friends' land so we're not going anywhere. So as much as
19 anybody else we want it done safely, we want the land taken
20 care of, we want the landowners taken care of and
21 appreciated and we want things to be good for everybody
22 involved.

23 We believe that this Rover Pipeline going forward
24 and being done will be the best road for everybody involved.
25 Thank you.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

1 MR. BOWMAN: Speaker 17 is Deborah Oberlin.
2 MS. OBERLIN: Thank you very much for the
PM6-62 3 opportunity to present my testimony regarding the Rover
4 Pipeline Project here this evening. My name is Deborah
5 Oberlin and I am here tonight in support of the Rover
6 Pipeline as a landowner of Carroll County.
7 Carroll County will host a little over 26 miles
8 of pipeline and a compressor station with the county in the
9 Township of Loudon, Orange and Perry. The compressor
10 station will be located in Orange Township in an area that
11 is buffered from residents. I have met with members of the
12 Rover team to discuss the project. We have reviewed
13 portions of the Draft Environmental Impact Statement and
14 others related project documents.
15 As Carroll County and Eastern Ohio have become an
16 important nexus for the domestic energy now produced in the
17 Marcellus Shale region and traditional manufacturing centers
18 of the Midwest, the construction of critical pipeline
19 infrastructure needed to transport natural gas reserves from
20 their source to manufacturers and consumers is a critical
21 issue in our state. The Rover Pipeline serves that purpose
22 and it is a necessary component of Ohio's energy
23 infrastructure development.
24 I could not support the economic benefit of this
25 project at the cost of impacts to the county landowners or

PM6-62 The commentor's support of the Project is noted.

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Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

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PM6-62
cont'd

1 the environment, so I am pleased to see that the Rover route
2 circumvents our critical environmental resources including
3 the Muskegon Watershed Conservancy District, the Leesville
4 State Wildlife area, Leesville Lake and the McGuire Lake.
5 These are critical natural resources within the county, not
6 only from a purely environmental perspective, but they are
7 also valuable economic asset to the county.

8 It was imperative that the Rover Team recognized
9 and avoided those resources, also left them intact for the
10 large number of migratory birds that utilize these
11 resources. I look forward to sharing in the economic
12 benefit Rover will bring to eastern Ohio by providing well-
13 paying construction jobs, by increasing spending at our
14 local businesses and to finally be able to export another
15 local resource, natural gas, to other parts of Ohio and on
16 to Michigan where it is needed. I see Rover as a win-win
17 in Carroll County and the State of Ohio. The State of Ohio
18 will also receive significant revenues as a result of this
19 project. Even when you discount the sales taxes generated
20 from ancillary economic benefits in the local economy,
21 Carroll County will receive an additional six million in
22 real estate taxes during the initial year of operation. The
23 State of Ohio will also receive additional revenues,
24 including an estimated payroll tax collection of \$24 million
25 as a result of the project.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-62
cont'd

1 For all these reasons, I support the Rover
2 Pipeline Project. I look forward to seeing the economic
3 benefits of this important infrastructure project in both
4 the near and long term. In closing, I just want to say that
5 I have a personal relationship with many of these workers
6 that will be working on this project. I am the local
7 coordinating officer for Toys For Tots for nine counties,
8 which many of the counties are where this project is being
9 placed.

10 These are local workers. They live in the
11 community. They come and show up every year during my
12 project for Toys For Tots. They are in the trenches helping
13 to take care of the local residents. They care about the
14 people. They are here in the trenches with us so to speak.
15 So for the pun, but they will do that. They will come out
16 and they will help take care of the kids. So I really don't
17 feel, the kids are important to these people as well as they
18 are to myself and I'm hoping that they will take the
19 necessary steps to do what's right and take the safety
20 measures which they have assured me; so I am just hoping
21 that the project will move forward. Thank you for your
22 time.

23 MR. BOWMAN: Speaker 18 is Lisa Kantorik.

PM6-63

24 MS. KANTORIK: First of all I want to apologize;
25 I didn't write anything because I only came with my friend

PM6-63

The commentor's support of the Project is noted.

T-1099

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1100

PM6-63
cont'd

1 Deb. However, I'm very glad I'm here and I'm a little bit
2 disappointed.

3 I am an Ohio Oil and Gas worker, I've been in the
4 field for five years. I was probably one of the first
5 females hired locally, and I do support the Rover Pipeline.
6 However, I am the granddaughter of a dairy farmer. I live
7 in East Canton, Ohio. I am from a small town with 69 kids
8 in my senior class.

9 To hear what has happened to the landowners here
10 disgusts me. It has given the oil and gas industry a huge
11 black eye that I don't feel we need. I feel that every day
12 we have trained Ohio professionals like our brothers and
13 sisters in the back, like myself, out here working safe. We
14 have the EPA breathing down our neck, we have OD&R breathing
15 down our neck, and we are educated, we are safety-trained
16 annually by every producer we work for, and we are not
17 educating our landowners.

18 So I am quite disgusted there because I come from
19 a small town, I come from a dairy farm, my grandfather and I
20 am an oil and gas professional. Now, with that being said,
21 my profession is erosion control. I have worked on dirt and
22 gravel roads, I do dust control to ensure the air quality
23 that the Rover Pipeline going in will make sure that there
24 are not dust particles flying all over the houses of our
25 landowners. We go back and we have local companies, one is

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-63
cont'd

1 from Carrollton as well as the company I work for is based
2 out of PA.
3 We do our erosion control to the point we are
4 working in Southern Ohio. I drive from East Campton to
5 Barnsville, Zaynesville, Cambridge, Marietta, Caldwell every
6 single day. We have put the land back together to the part
7 you will see in pictures I can show you. Goats grazing,
8 cattle grazing on top of the land. So with that being said,
9 I am in support of the Rover Pipeline as an oil and gas
10 professional in the erosion control/dust control business,
11 but I am quite disappointed that nobody is educating our
12 landowners better than this.
13 With that also being said, there was a question
14 about the volunteer fire departments. My husband is a U.S.
15 soldier deployed because we are not producing enough
16 American oil out of American soil and we are fighting wars,
17 probably for oil -- but that's a whole another subject.
18 When he is home, he is an Austinburg Township volunteer
19 firefighter, and in a small community such as Carroll
20 County, and in every other community, when the oil and gas
21 industry comes in they are to help educate and also provide
22 those communities and those fire departments with equipment
23 so that if there was a catastrophe that those men and women,
24 whether they are volunteer, part time pay or full time
25 firefighters, are able to respond in a quick manner and take

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Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1102

PM6-63
cont'd

1 care of not only our landowners, our property, and all the
2 citizens of our community.
3 Thank you and I hope you guys work this out.
4 MR. BOWMAN: Okay, so I don t have anybody else

PM6-64

5 MR. WEINBERG: I signed up. I'm number 19.
6 MR. BOWMAN: Okay. Please come up.
7 MR. WEINBERG: My name is Marshall Weinberg. My
8 family has a couple hundred acre farm out here in the area,
9 and firstly I'd like to say that I m honored to be standing
10 amongst these people here who are the people who are feeding
11 our country, who are the backbone of this country. We tend
12 to look over that, because an awful lot's been built on your
13 backs.
14 Now my perspective is a little bit different than
15 these people. I've only lived in Ohio for about 25 years.
16 I met a gal and I moved out here from Manhattan. I worked
17 on Wall Street. I took meetings in the World Trade Center
18 that isn't there any longer, right. I come from a very
19 different perspective, coming from finance.
20 What I can tell you first of all is, where I come
21 from we're not very na ve. You drive down Route 21 and you
22 look at a giant pile of pipeline already sitting ready to go
23 and it's fairly obvious to people from where I come from
24 that this is a done deal. We appreciate you being here, but
25 truly, we're not that na ve.

PM6-64

The commentor's statements regarding Rover are noted.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-64
cont'd

1 I could tell you that I have negotiated with an
2 awful lot of people in my day. Professionals of large
3 corporations, small businesses and what I've learned is a
4 very old school lesson. It isn't the deal, it's the
5 relationship. If you're dealing with someone honorable, you
6 know things will come up and they'll be worked out. The
7 people from Rover Pipeline are about some of the most
8 dishonorable humans I have ever had to deal with. Nothing,
9 nothing they've said has any semblance of truth.

10 The only time the Land Stewards or any of these
11 people showed up at our farm was after the Utopia Pipeline
12 showed up, because they decided to follow right across our
13 land or at least attempt to, right alongside the Rover
14 Pipeline. We have stopped talking about money, we just want

PM6-65

15 to know about the impact to our land. We have a couple
16 hundred acres, a third of it is tillable, right, but our
17 perspective is that this is our home, this is our estate;
18 and if you've ever lived in a place like Manhattan and you
19 come out here to Stark County and you stand on a farm -- and
20 I could look across the road at the Smucky's Farm. This is
21 a little piece of heaven.

22 If you haven't been in another area you might not
23 fully understand that. I walked across the road and I saw I
24 followed the line that was laid out by Rover. When you get
25 up to a hill on the Smucky's farm, as the line had been

PM6-65

See the response to comment LA3-1 regarding safety.

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Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix I

T-1104

PM6-65
cont'd

1 following the old Columbia line on the edge of our property,
2 they decided to take a 45-degree angle, perfectly cutting
3 our farm in half, right.

4 Now when I inquired and did a little research as
5 to why they can't just go back to the original line, let you
6 run along the edge of our property, take a nice curve, I
7 found out that they basically were saving three million
8 dollars in costs. Didn't matter to them what it was doing
9 to us. They don't want to hear about sharing any of that
10 great savings. That's the way they were coming, didn't even
11 want to talk about it with us.

12 What we looked at is firstly some people
13 mentioned how close this pipeline is to their home. The
14 Canton Repository is our regional newspaper here, and they
15 went out and hired some engineers. The engineers tell us
16 that a single 42-inch pipeline with the pressures that
17 you're talking about could have a thousand-foot blast
18 radius. A thousand feet, right. My in-laws live right
19 there in that farm and they're within a thousand feet.

20 You could tell us how safe it is, but this is a
21 modern world. People like me go on YouTube. I could show
22 you an endless number of videos of these pipes and valves
23 bursting and flames shooting in the air. We're not that
24 na ve. So people are curious about the safety issues,
25 they're not just blowing smoke. This is our lives.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-66

1 Now, we'll talk about property value. Right,
2 we're having a good time talking about property value with
3 these people? Let me tell you something, my farm when I
4 wanted to know what my farm was worth, I called up Peter
5 Kego, right. Peter knows what land is worth around here.
6 He says 'Oh, at least a couple million dollars. This is
7 beautiful.' This is where professionals like me come out of
8 the cities and we want to live.

9 I have to tell you, there is no one going to
10 write me a two million dollar check or any check to buy a
11 piece of property with dual 42-inch high pressure gas lines
12 running under it, because real estate value is based on
13 perception. Maybe you're an expert and you know how safe it
14 is or what the impact is, but in the real world most people
15 don't. All we know is when you come crudding across our
16 property you will just decimate the value of my property.

PM6-67

17 In addition, you will eliminate my ability to
18 develop my own property, right. No one ever wants to talk
19 about that because maybe right where I wanted to build my
20 retirement home there's a pipeline there and I'm not
21 sticking my family there right on top of a pipeline, right?
22 I also know a little bit of something about money. All of
23 the money we're discussing is they talk about our current
24 real estate values, right? An appraiser came out, right?

25 When you do an appraisal in the State of Ohio

PM6-66

The commentor's statements regarding property values are noted. See the response to comment CO14-4 regarding property values.

PM6-67

See the response to comment CO19-39 regarding lost use within the permanent right-of-way. See the response to comment CO11-1 regarding landowner negotiations and compensation.

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Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1106

PM6-67
cont'd

1 there are rules and regulations on how it works. You don't
2 show up not looking at any of the other property values, any
3 of the other sales and come up with a number that is so far
4 below the actual activity going on around you that it's
5 basically fraud. This was not based in anything. You know,
6 we're not Texas. I've been out to Texas hog-hunting. You
7 can go out to Texas, shoot your rifle anywhere you want and
8 you're not going to hit a darn thing. But this is Ohio,

PM6-68

9 right. You're just cutting through our land and you know
10 we've all talked about the environment.

11 I keep asking what are you going to do with my
12 wetland? They don't get back to me. What are you going to
13 do with the fact that your cutting right along the side of a
14 sloping hill? My pond is at the bottom of that. We put
15 that pond in. We stocked it ourselves. We put a drainage
16 line around that to protect it, right? We said 'Well, what
17 are you going to do when it rains and it's just going to
18 wash down into here? Is there any type of protection?'

19 How about my natural streams, right? In New York
20 we don't have nice eight-foot deep stream beds running with
21 stones along it. It's like someone drew a picture, and they
22 look at you: 'Well, maybe we'll go under it, maybe we'll go
23 over it.' No one wants to give you an answer.

PM6-69

24 We turned around and we look at the drainage tile
25 plan. What a joke! This recommendation you have, and I

PM6-68

Wetland crossing methods are discussed in section 4.4 of the EIS. Rover would implement the measures in its Plan and Procedures, including temporary and permanent erosion control measures. Section 4.3 and appendix L discuss streams that would be crossed by the Project and the proposed crossing methods.

PM6-69

See the response to comment CO14-3 regarding drain tile plans.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

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PM6-69
cont'd

1 don't understand it. We all want to cut it off on the top
2 and divert the water to the sides, all that sounds great on
3 paper but what I do know, not being a plumber though, is
4 that water runs downhill. There is no plan for what you do
5 underneath where the pipeline goes. Where the actual water
6 is going to go.

PM6-70

7 Our problem is right now that we have absolutely
8 positively no realistic information about the impact on our
9 land. We don't. Okay. We understand a pipeline's coming.
10 You folks are going to give them eminent domain abilities to
11 show up, and they're very arrogant about it. But if you

PM6-71

12 walk out there and look at the impact, the real life value
13 on our property -- and let's not even talk about the value
14 today, right.

15 You could come, if you want to rent a piece of
16 property from me, I'm going to charge you a monthly rent.
17 Next year, two years from now your rent might be a little
18 bit higher. Now I understand that there's a difference
19 between present value of money and future value of money.
20 Don't show up on my property and tell me that you're going
21 to estimate the value of my land and write me a one-time
22 check and then continue to use my property for the next --
23 I don't know -- How long does the pipeline last
24 for? Thirty years, forty, a hundred?

25 My property will be worth significantly more

PM6-70 See the response to comment CO11-1 regarding eminent domain.

PM6-71 See the response to comment CO11-1 regarding compensation.

T-1107

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1108

PM6-71
cont'd

1 thirty years from now, fifty years from now, a hundred years
2 from now. So all of the financial information you folks
3 look at is totally fictitious, right. You have to look at
4 the impact on my property over the life of the project.
5 That's how real estate works in this country, anyway.

PM6-72

6 So my problem really here -- and one last point,
7 because a gentleman brought it up who had pipelines run on
8 his property. Something very simple for you to add into
9 this agreement is that a local arbitration board needs to be
10 utilized when there are disputes. We have very good
11 arbitration boards in the State of Ohio.

12 I don't want to have to go sue somebody, some
13 shell corporation in Texas and try to find somebody to fix
14 something. You have to have, if issues come up, and they
15 will come up because that's just life, that we can handle it
16 right here locally in a timely manner. That's a very easy
17 thing for you to work into this deal.

18 All I'd like to leave you with, and basically
19 it's what everyone here is saying in a nutshell: We are not
20 dealing with honorable people. Unfortunately as we watch
21 the process, there's an awful lot of distrust in our
22 government and its agencies these days to actually look out
23 for our interests and not just the interests of big
24 business. This is a multimillion dollar development and it
25 will generate billions of dollars over the life of it and I

PM6-72

The commentor's request to use a local arbitration board is noted. As stated in comment CO11-1, a landowner could request the use of a local arbitration board be added to the easement agreement.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

PM6-72
cont'd

1 can't get a straight answer why nobody wants to pay me a
2 royalty, right. You put a pipeline down in my ground and
3 you're going to come up and make a financial benefit, you
4 pay me a royalty.

5 It's not very much because for some reason the
6 law lets them take some deal that was cut fifty years ago or
7 one hundred years ago and enforce it, but right now you're
8 going to come across my property, you're going to allow
9 people to earn literally billions of dollars, pay me on a
10 present value of money as opposed to the real-life value of
11 it, and you don't want us to share, right. I mean, I don't
12 understand why that seems to be such an odd concept. They
13 want to make money, it's America, that's great. I want to
14 share if you're going to make money off of my property
15 because there is no amount of money that anyone's talking
16 about that is truly going to compensate us for the impact of
17 what they're going to do there.

18 We're the kind of people, I mean they throw
19 around these dollars. We don't want their dollars. We'd
20 rather you just plain didn't come. But again, as I drive
21 down Route 21 and I look at that giant pile of pipe, it's
22 nice of you gentlemen to be sitting here but it's fairly
23 obvious to most humans that this is already a foregone
24 conclusion. So what we ask you is to force these people,
25 compel them to actually, really come out to our farms. To

T-1109

Appendix T

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

Appendix T

T-1110

PM6-72
cont'd 1 really come up with a real live plan for drainage.
2 How are you going to handle my wetlands? How are
PM6-73 3 you going to handle my streams and my ponds, right? Why
4 can't you just move the pipeline? A couple of us asked
5 that. You know, why are you looking at their bottom line as
6 opposed to mine? You are cutting right through my maple
PM6-74 7 woods, right. I like that maple syrup. My Amish neighbors
8 come, tap my trees, right. It's quite a wonderful little
9 industry and they're going to tear that down.
10 Matter of fact, they're going to come right
11 through where all the buzzards on the way to Hinkly, they
12 love to stop on our property. We are a great stop for them.
13 That is all gone because you're just tearing down the woods
14 as you come cruising through. So, our concerns are real.
PM6-75 15 We understand that this is a big money project, but if you
16 could please turn around and actually enforce the rules and
17 regulations that you guys speak about.
18 They should show up our land, show us how
19 drainage is affected, show us what they are going to do and
20 then talk about actual compensation for the use of my
21 property over the next hundred years, and stop sending out
22 these fictitious people -- it's just been truly nonsense and
23 I find it insulting to the intelligence of all of us here.
24 All we are asking you to do is to actually enforce your own
25 rules as opposed to people just giving it lip service.

PM6-73 Rover would follow the measures outline in its CMPs to minimize impacts on wetlands (see section 4.4) and waterbodies such as streams and ponds (see section 4.3). We were unable to locate the parcel for the commentor. See the response to comment IND57-2 regarding how FERC assesses Project alternatives.

PM6-74 Impacts on forested land is discussed in sections 4.5 and 4.8 of the EIS. Impacts on migratory bird habitat is discussed in section 4.6.

PM6-75 See the response to comment FA4-7 regarding third-party environmental compliance monitoring.

PUBLIC MEETINGS

PM6 – Fairless High School, Navarre, OH (cont'd)

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PM6-75
cont'd

1 Thank you very much. Enjoy your night.

2 (Applause)

3 MR. BOWMAN: Since we have gone through everyone
4 that has signed up to speak at this point, I would like to
5 offer the opportunity to anyone that did not already speak
6 and would like to provide comments here tonight.

7 (No response.)

8 MR. BOWMAN: So if there is no one that would
9 like to provide any additional comments, the formal part of
10 tonight's meeting will end. I will mention that the
11 complete administrative record for these projects is
12 available on the FERC's website under the eLibrary link on
13 the FERC website at FERC.gov. You can find all the
14 communications here, filings by the applicant, comments by
15 individuals and issuances by FERC. Use the Docket Nos.
16 CP15-93, CP15-94 and CP15-96 to access materials related to
17 Rover and its affiliates. Those docket numbers are
18 available on the information material forms at the sign-in
19 tables if you would like to get a reference for those.

20 So on behalf of the Federal Energy Regulatory
21 Commission, I'd like to thank you all for coming here
22 tonight. Let the record show that the public comment
23 meeting concluded at 7:53 p.m.

24 (Whereupon, at 7:53 p.m., the DEIS comment
25 meeting in Navarre, Ohio concluded.)

T-1111

Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH

Appendix T

T-1112

1 UNITED STATES OF AMERICA
2 FEDERAL ENERGY REGULATORY COMMISSION
3 Office of Energy Projects
4 ----- x
5 Rover Pipeline, LLC Docket No. CP15-93-000
6 Docket No. CP15-94-000
7 Docket No. CP15-96-000
8 Docket No. PF14-14-000
9 ----- x
10 ROVER PIPELINE PROJECT, PANHANDLE BACKHAUL PROJECT,
11 TRUNKLINE BACKHAUL PROJECT
12 Buckeye Central High School
13 938 S. Kibler Street
14 New Washington, Ohio 44854
15 Wednesday, April 6, 2016
16 The DEIS comment meeting, pursuant to notice, convened
17 at approximately 6:00 p.m., before a Staff Panel:
18 KEVIN BOWMAN, Environmental Project Manager, OEP,
19 FERC
20 OLIVER PAHL, FERC
21 With:
22
23
24
25

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

20160406-4020 FERC PDF (Unofficial) 04/06/2016

2

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

2 MR. BOWMAN: Good evening everyone. On behalf of
3 the Federal Energy Regulatory Commission or FERC, I would
4 like to welcome you all to the public comment meeting for
5 the Draft Environmental Impact Statement for the Rover
6 Pipeline, and Trunkline and Panhandle Backhaul Projects.
7 Let the record show that the Draft Environmental Impact
8 Statement Comment Meeting began at 6:00 p.m. on April 6,
9 2016 in Washington, Ohio.

10 My name is Kevin Bowman and I am an Environmental
11 Project Manager with the FERC's Office of Energy Projects.
12 To my left is Oliver Pahl who is representing FERC tonight,
13 and Jonathon Brewer and Jon Hess who are outside at the
14 sign-in table who you may have also met on your way in
15 tonight.

16 You will note that we have arranged for a court
17 reporter to transcribe this meeting so we will have an
18 accurate record, which will be placed in the record for this
19 project. If you would like to make arrangements with the
20 court reporter to get a copy of the transcript quickly after
21 this meeting, you may make arrangements with him to do so.

22 In February of 2015, Rover Pipeline LLC,
23 Trunkline Gas Company LLC and Panhandle Eastern Pipeline
24 Company LP filed applications under Section 7 of the Natural
25 Gas Act to construct and operate certain interstate natural

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PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

20160406-4020 FERC PDF (Unofficial) 04/06/2016

3

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

8

9 The primary purpose of tonight's meeting is to
10 give you the opportunity to provide specific environmental
11 comments on the Draft Environmental Impact Statement or DEIS
12 prepared by FERC's Staff for these Projects. It will help
13 FERC Staff the most if your comments are as specific as
14 possible regarding the proposed projects and the
15 FERC Staff's Draft EIS.

16 So I would like to clarify that this is a project
17 being proposed by Rover and its affiliate companies; it is
18 not a project being proposed by the FERC. Rather, the FERC
19 is the lead federal agency responsible for evaluating
20 applications to construct and operate interstate natural gas
21 pipeline facilities. FERC, therefore, is not an advocate in
22 any manner for the projects themselves. Instead, FERC Staff
23 and particularly the Staff here tonight at the advocates for
24 the environmental review process.

25 During our review of the projects, we have

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PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

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4

1 assembled information from a variety of sources. Those have
2 included applicants, the public, other state, local and
3 federal agencies as well as our own independent analysis and
4 field work. FERC staff has analyzed the information and
5 public record and prepared a Draft Environmental Impact
6 Statement that was distributed to the public for comment.

7 A Notice of Availability of the Draft EIS was
8 issued for this project on February 19, 2016. Along with
9 the FERC Staff that prepared the Draft EIS, several other
10 federal agencies and state agencies assisted us with the
11 preparation of that document as cooperating agencies. Those
12 agencies were the U.S. Army Corps of Engineers, the
13 Environmental Protection Agency, the U.S. Fish and Wildlife
14 Service, the Ohio Environmental Protection Agency and the
15 West Virginia Department of Environmental Protection. I
16 would like to thank those agencies for their continued
17 assistance with our review of these projects in the
18 preparation of the Draft EIS.

19 So we are coming towards the end of a 45-day
20 comment period for the Draft Environmental Impact Statement,
21 and that comment period ends on April 11, 2016. So all the
22 comments that FERC receives, whether they be written or
23 spoken, will be addressed in FERC Staff's Final
24 Environmental Impact Statement. I do encourage you, if you
25 plan to submit comments and have not, please do so here

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PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

20160406-4020 FERC PDF (Unofficial) 04/06/2016

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1 tonight in the verbal comment portion of tonight's meeting
2 or you can use one of these forms in the sign-in table
3 outside the room.

4 You can submit comments also using the procedures
5 outlined in FERC's Notice of Availability of the Draft EIS
6 which includes instructions on how to submit your comments
7 electronically to FERC. Do be assured that you comments
8 will be considered with equal weight regardless of the form
9 on which you submitted them to the FERC, whether it be
10 verbally, written or electronically.

11 So if you received a copy of the Draft EIS,
12 either a CD or a paper copy in the mail, you will
13 automatically receive a copy of the Final Environmental
14 Impact Statement. So if you did not get a copy of the Draft
15 EIS in the mail and you would like to get a copy of the
16 final, please do give your name and address to the FERC
17 Staff at the sign-in table and we will make sure that you
18 get on our mailing list to receive a copy of the Final EIS.
19 Also, if you received a CD in the mail and you would like a
20 hard copy or vice versa, please also let us know that
21 information as well.

22 So I'd like to state that neither the Draft or
23 the Final EIS are decision-making documents. In other
24 words, once those documents are issued they do not determine
25 whether or not the projects are approved.

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PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

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6

1 There are two groups of FERC staff members that I
2 would like to distinguish for you tonight. Myself and the
3 other FERC staff present here tonight are part of the
4 Environmental Staff at FERC, and we oversee the preparation
5 of the environmental impact statements for these projects.
6 So that means we do not determine whether or not these
7 projects are approved or denied.

8 Instead, the FERC Commissioners make that
9 decision. The Commissioners are five individuals who are
10 presidentially-appointed. They are the ones responsible for
11 making the final decisions for these projects. So while the
12 EIS is not a decision-making document, it does assist the
13 FERC Commissioners in determining whether or not to approve
14 such a project.

15 So along with the environmental information
16 provided in the environmental impact statement, the
17 Commission does consider a host of non-environmental
18 information as well such as engineering, markets and rates
19 in its ultimate decision. If the Commission votes to
20 approve a project and a Certificate of Public Convenience
21 and Necessity is issued to a project applicant, those
22 applicants would be required to meet certain conditions
23 outlined in a certificate.

24 Also, FERC Environmental Staff including myself,
25 would monitor the project through construction and

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Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

T-1118

1 restoration, perform daily on-site inspections to document
2 environmental compliance with applicable laws and
3 regulations, and applicant's proposed plans and mitigation,
4 and any other additional conditions proposed by a FERC
5 certificate.

6 That is the super-brief overview of the FERC role
7 and process up to this point in this project. We will move
8 into the part of the meeting where we do take verbal
9 comments from individuals here tonight. As I mentioned
10 before, this meeting is being recorded by a court reporter
11 so that all your comments will be transcribed and accurately
12 placed into the public record. I will ask that each speaker
13 identify themselves and if appropriate, identify any agency
14 or group you are representing. Please do speak clearly into
15 the microphone at the lectern here when you are called so
16 that the court reporter can transcribe your comments.
17 Please also do be respectful of who is ever speaking at the
18 time, with no interruption.

19 With that, I will now call the first speaker and
20 invite them to come up to the microphone and provide their
21 comments. The first speaker will be Michael Braunstein.

PM7-1

22 MR. BRAUNSTEIN: Thank you. My name is Michael
23 Braunstein, and I am with the law firm of Goldman and
24 Braunstein. We represent approximately 250 families on this
25 pipeline; so first of all I want to thank you for giving me

PM7-1

The commentor's statement regarding difficulties negotiating with Rover are noted. See the response to comment CO11-1 regarding eminent domain. The commentor's statement regarding the cost to landowners to litigate is noted; however, calculating those costs as part of our analysis would be speculative and outside the scope of the EIS.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-1
cont'd

1 the opportunity to speak here tonight to make these
2 comments.

3 As I said, we represent approximately 250
4 families who own property that would be directly affected by
5 this pipeline, and together they comprise more than 125
6 miles of pipeline right-of-way. It's important to note that
7 there have been no significant negotiations with E.T. Rover
8 that would enable us to resolve these cases without resort
9 to eminent domain.

10 Although the FERC policy says that eminent domain
11 is to be used sparingly, in fact in this particular pipeline
12 there will be a virtual tsunami of eminent domain lawsuits
13 that will flood the federal courts and perhaps state courts
14 as well as a result of the failure to negotiate. Although
15 the Environmental Impact Statement does not mention it, this
16 imposes a tremendous cost. It imposes a tremendous cost to
17 the judicial system that will have to hear these cases, but
18 perhaps more importantly it imposes a tremendous cost on the
19 people in this audience who will be spending literally
20 thousands of hours preparing for and involved in litigation,
21 instead of spending that time preparing for and harvesting
22 crops on the fields that are affected by this project.

23 Not only are there the litigation costs, but
24 there are the demoralization costs that are being imposed on
25 landowners all across this pipeline, all across the state of

T-1119

Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

T-1120

PM7-1
cont'd

1 Ohio and perhaps in other states as well. The people are
2 seeing what they have worked at for years and in some cases
3 generations. I represent a number of century farms, where
4 the land has been farmed continuously by one family for over
5 a hundred years who had spent this time balancing the soil,
6 getting it the way they want to, and now they see a private
7 company -- and I'm all for private enterprise making a
8 profit and I'm all for profits -- but making it on the backs
9 of these people. That is not fair and it's not appropriate
10 and it imposes a tremendous cost on people when they realize
11 that what they have thought of as private property, as
12 theirs, is subject to being taken by another private entity.

PM7-2

13 The second point that I'd like to make is that
14 FERC says, or the Draft Environmental Impact Statement says,
15 that there are 9,998.3 acres impacted. I presume that's
16 acreage in Ohio although it's not entirely clear. In fact,
17 the number is hundreds of thousands of acres that are
18 impacted. Just a simple example, and I know the audience is
19 not going to be able to see this (holding up a notebook) but
20 I hope that those running the meeting will. As a simple
21 example, this is a client's farm in Wood County that you can
22 see the pipeline is running parallel to a roadway. There is
23 about 50 feet between the easement and the roadway.

24 That is just dead land. That is as impacted as
25 if the easement ran on it, and it runs all across the front

PM7-2

Acreage impacts presented in the EIS include land that is directly impacted by the Project, including construction rights-of-way, ATWS, access roads, and aboveground facilities. As part of easement negotiations, landowners could negotiate compensation for additional land that may be impacted indirectly by the Project. See the response to comment CO11-1 regarding landowner negotiations.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-2
cont'd

1 of the property. In order to ever develop this land,
2 driveways are going to have to be built an additional 100
3 feet. Permission is going to have to be obtained from Rover
4 to build those driveways across the pipeline. The land is
5 basically unusable and it is -- it is as affected and
6 impacted by this pipeline as if the pipeline were directly
7 on top of it.

PM7-3

8 The easement itself -- and this is a point that
9 really has to be brought out -- the easement itself requires
10 a tremendous number of changes, one of which was noted in
11 the Draft Environmental Impact Statement; that is the
12 question of insurance. Will this pipeline cause people's
13 insurance rates to increase? Then the Environmental Impact
14 Statement says: "Well, Rover should monitor it."

15 Monitoring the increase is no help at all. What
16 Rover should be doing is providing the insurance for
17 whatever deleterious effects this pipeline causes at Rover's
18 expense. The only reason that this expense will be incurred
19 is because of the placement of the pipeline. If it poses no
20 significant risk as Rover says, then the premium for this
21 insurance will be small. If the premium is high, it's
22 because the risk is high and Rover is the one that ought to
23 pay it. The best way for them to monitor insurance rates if
24 for them to pay for the insurance.

PM7-4

25 The last point that I want to make is that the

PM7-3

As discussed in section 4.9, our recommendation would require Rover to document not only cases where insurance policies were changed or cancelled due to the presence of the pipeline, but also identify measures to mitigate those impacts.

PM7-4

See the response to comment CO28-4 regarding the studies noted by the commentator.

T-1121

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PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

T-1122

PM7-4
cont'd

1 Draft Environmental Impact Statement talks about value and
2 concludes that this pipeline is not going to have a negative
3 effect on land values in proximity to it. This defies
4 common sense. I would ask anybody in this room if given the
5 choice between land that is encumbered with two 42-inch,
6 high pressure natural gas pipelines and land that is not
7 encumbered by those, everything else being equal, which
8 parcel would they prefer to own?

9 The answer of course is the parcel without the
10 pipeline. The Draft Environmental Impact Statement takes
11 the view that if you can't conclusively prove that there has
12 been a decrease in value, that there is no decrease in
13 value. Why the burden of proof should be on the landowner
14 is nowhere stated and it's not where it belongs in an
15 environmental impact statement.

16 That in fact as part of a written comment and the
17 remarks I have made tonight will be elaborated upon in a
18 written comment, but as part of the written comment we will
19 be submitting a written statement -- or a report rather by a
20 University of Wisconsin economist named Peltier, showing
21 that the property adjacent to the pipeline, the entire
22 parcel on which the pipeline sits is diminished in value
23 because of the presence of the pipeline. Dr. Peltier
24 concludes that diminution is approximately 20-30 percent.

25 We additionally will have a report by Mr.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-4
cont'd

1 Keithleich of Forensic Appraisers out of Milwaukee who
2 concludes roughly the same thing. A report by appraiser,
3 again all of these are certified appraisers, by an appraiser
4 named Richard Van Atta out of Columbus who concludes the
5 same thing. And in addition it concludes that one of the
6 reasons that older studies do not show this is because: (A)
7 Many people who buy property encumbered by a pipeline don't
8 know that it's there. It's buried. (B) The hazards
9 associated with these pipeline has become much better known
10 and better appreciated by the buying public than was true in
11 earlier times. Partly because of the proliferation of these
12 pipelines.

PM7-5

13 In addition to these three experts, I would refer
14 you as well to an article which will be part of our written
15 comments that was recently published in the Richmond Times
16 dealing with the Commonwealth Pipeline that is being
17 proposed in Virginia. That article, after exhaustive
18 research, points out that these pipelines do result in
19 diminished values unless the easement contains a hold-
20 harmless clause they do result in higher mortgage rate, and
21 they do result in increased insurance premiums.

PM7-6

22 Now these are facts that cannot be ignored. We
23 are not talking just about land here. We are not talking
24 just about trees or wetlands or farmlands or Indiana bats,
25 we are talking about human beings that had spent their lives

PM7-5

See the response to comment CO14-4 regarding property value and mortgages. See the response to comment CO14-5 regarding insurance.

PM7-6

See the response to comment CO9-1 regarding crop productivity monitoring.

T-1123

Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

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T-1124

PM7-6
cont'd

1 making their land productive who are going to see that work
2 disrupted, and disrupted in a way that may likely be
3 permanent.

4 Well, it's not the right time of year but in the
5 summer if you drive through Ohio you will see where
6 pipelines are located because you'll see that thirty years
7 later the corn still doesn't grow as high on these pipelines
8 as it does outside of them.

9 We are talking about permanent impacts on land,
10 permanent impacts on human beings, and these impacts and
11 costs associated with them should be taken into account in
12 deciding on what the environmental impact of this pipeline
13 is.

14 Thank you very much for your time and I
15 appreciate your patience in listening.

16 (Applause)

17 MR. BOWMAN: Speaker No. 2 is Clint Stahler, and
18 Speaker No. 3 is Matt Stayer, and you're both saying that
19 you're passing your time? Okay. Thank you.

20 So that brings us to Speaker No. 4, Keith
21 Rowland.

PM7-7

22 MR. ROWLAND: Good evening. My name is Keith
23 Rowland, and I have been a community member in this area for
24 the past forty-five years. I'm also an IBEW Member, Local
25 688 out of Mansfield, and I'm also a vice president of an

PM7-7

The commentor's support of the Project is noted.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-7
cont'd

1 electrical contracting firm in the area also. I just wanted
2 to take this opportunity to say that I do support the Rover
3 Pipeline Project. I believe that it will create thousands
4 of jobs for skilled tradesmen like myself and opportunities
5 for business opportunities for my company and other
6 companies like mine.

7 Having reviewed the Draft EIS and the comments
8 that went along with it, I feel that the Rover Pipeline does
9 present an effective way to install the project with minimal
10 environmental impact, and I would just like to say that I do
11 support the Rover Project. Thank you.

12 (Applause)

13 MR. BOWMAN: Speaker No. 5 is Ed Gofhe.

PM7-8

14 MR. GOFHE: My name is Ed Gofhe. I have been
15 basically a lifetime farmer in Seneca County. Okay, well,
16 I'll just read this off here. So I want to start out with,
17 in the 1940's, law permitted oil companies to seize land
18 using eminent domain. That should be repealed.

19 This law is totally unfair for farmers and the
20 ones suffering the most from this law. How is it fair for
21 one business to seize the land of another business just so
22 the aggressor business can make huge profits? Is fuel that
23 important, I guess? More important than food because I can

PM7-9

24 tell you from the example, I have a Sunoco pipeline through
25 my farm that just went due two years ago, and on that

PM7-8

The commentor's statements that the law permitting oil companies to seize land using eminent domain should be repealed are noted.

PM7-9

See the response to comment CO9-1 regarding crop productivity monitoring.

T-1125

Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

T-1126

PM7-9
cont'd
1 acreage I got zero beans this year, first year planted; and
2 maybe, maybe five bushel of corn on that particular acreage.
3 So I know this is what's coming with the two 42's on my
4 other farm.

PM7-10
5 If Rover succeeds in acquiring our land it will
6 be the third eminent domain seizure of our very small
7 operation. The previous two seizures claimed to be good for
8 the economy and a source for two good-paying jobs. However,
9 the farm is getting nothing but stress and land devaluation.
10 We do not have a 401k or an IRA. Our farmland was supposed
11 to be our income source in our elderly years. If these
12 eminent domain seizures continue we may have to depend on
13 government assistance, something we absolutely do not want
14 to do.

PM7-11
15 Our land values have been reduced by the previous
16 eminent domain seizures. It is no longer desirable for
17 farming, residential or commercial purposes. The land
18 devaluation is a huge concern, but we have additional

PM7-12
19 worries. These concerns are: if Rover abandons the
20 pipeline, who will clean up the remaining mess? Rover or
21 the farmer?

PM7-13
22 Two, if there is damage or deaths resulting from
23 this pipeline and its activity? will Rover take full
24 responsibility? From recent newscasts, it appears the oil
25 companies often try to shift their responsibilities to any

PM7-10 The commentor's statements regarding eminent domain are noted. See the response to comment CO11-1 regarding eminent domain.

PM7-11 The commentor's statements regarding property values are noted. See the response to comment CO14-4 regarding property values.

PM7-12 As discussed in section 2.7 of the EIS, the applicants have no current plans or schedule for possible future abandonment of proposed facilities. If at some point in the future, the project facilities were proposed to be abandoned, then the applicant would have to seek specific authorization from the FERC for that action.

PM7-13 See the response to comment IND46-3 regarding liability for pipeline incidences.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-13
cont'd 1 other party. If a farmer has to endure substantial
2 increased costs and liability insurance for seized property,
3 Rover should pay this increase on a yearly basis.

PM7-14 4 Three, in the past our government has pushed for
5 alternative fuels and gave encouragement for the growth of
6 ethanol plants. Why won't Rover turn away from drilling and
7 fracking and ruining the land for fuel which is much more
8 environmentally friendly?

PM7-15 9 Four, the oil companies have purchased the
10 desired land at the optimum price. After all, Rover will be
11 using our land as their own forever, until abandonment.
12 They will be using the seized land without paying taxes or
13 maintenance fees. The oil companies should buy the land at
14 top current appraised value.

PM7-16 15 And number five, the oil companies should build a
16 pipeline -- if they want them that bad, build them along the
17 highway property. That way the government and the oil
18 companies can pay the maintenance fees and pay for any
19 damage suits resulting in the installation. The government
20 and the oil companies are the ones benefiting from the
21 pipeline, so they should pay for the maintenance and the
22 liability expense. Thank you.

23 (Applause)

24 MR. BOWMAN: Okay, speaker No. 6 is Joseph

25 Savarise.

PM7-14 The commentor's suggestion to use ethanol as an alternative fuel source is noted.

PM7-15 The commentor's statements regarding compensation are noted. See the response to comment CO11-1 regarding easement negotiations.

PM7-16 See the response to comment IND57-2 regarding how FERC assesses Project alternatives. The FERC staff's review is based on ensuring that any modifications or alternatives it recommends in the EIS would meet the applicant's stated objective(s). As such, given the significant modifications to the route that would be required to build along existing highways, those modifications would likely not meet the applicants stated objective. Therefore, the routing along highways is not a viable alternative. See the response to comment IND46-3 regarding liability for pipeline incidences.

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Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

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T-1128

PM7-17 1 MR. SAVARISE: Good evening and thank you for the
2 opportunity to speak tonight on behalf of the project. My
3 name is Joe Savarise. I'm Executive Director of the Ohio
4 Hotel and Lodging association, an organization founded in
5 1893. We work with businesses across the state to improve
6 Ohio's travel economy and to support issues of economic
7 growth, competitiveness, and jobs in general.
8 A little bit about our organization, we represent
9 more than fourteen hundred hotel and lodging properties that
10 do business, make investments and employ individuals
11 throughout the state. We employ more than thirty-five
12 thousand individuals directly; that is a payroll that
13 represents \$777 million annually, and I point out that most
14 the hotel and lodging properties in the State, even those
15 with national brands on their signs, are locally owned and
16 operated or are operated by companies within the State.
17 We support this project because of the numerous
18 benefits stemming from construction of the pipeline for both
19 our members and the economy of the region in general. Our
20 industry has seen the direct benefit of energy investment in
21 Ohio. I'm going to be leaving here and traveling to
22 meetings that I have in the Canton Market tomorrow where
23 there is also a FERC hearing on environmental impacts.
24 In the Canton area we have seen directly the
25 growth in the hotel and related travel businesses which

PM7-17

The commentor's statements in support of the Project are noted.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-17
cont'd

1 include more than two thousand hotel rooms added in just a
2 five year span, almost all directly attributable to energy
3 investment; a more than 275 percent increase in business-
4 related economic activity since 2012. But we also believe
5 that it's important for projects to be implemented safely
6 and responsibly. The Draft EIS demonstrates the large
7 amount of time and effort that has been expended in order to
8 address concerns about environmental impacts and their
9 subsequent mitigation.

10 I have to tell you that this is not an easy sell
11 for folks within the travel and tourism industry, who have a
12 direct investment in terms of the environment as well. We
13 did actually review the Draft EIS and the provisions
14 including erosion control to re-vegetation and directional
15 drill and agricultural impact mitigation, and most
16 importantly for some of my members, adherence and compliance
17 with the National Historic Preservation Act and the
18 Migratory Bird Conservation plan.

19 We had quite a bit of discussion about compliance
20 issues, because our industry recognizes that Rover wants to
21 accomplish construction in an environmentally responsible
22 fashion with minimal impacts to our waterways, environmental
23 habitats, cultural landmarks and other natural resources.
24 The potential impacts matter greatly to our industry. In
25 fact, some of our constituency initially expressed concerns

T-1129

Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

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PM7-17
cont'd

1 about the value of property and how they might be affected
2 by the construction process.

3 We are encouraged by the discussion to date and
4 the findings within the Draft EIS and within other
5 discussions that pipelines in general have been found to
6 have either no effect on property values or insurability.
7 Importantly, the Rover Pipeline is projected to create ten
8 thousand well-paying construction jobs along the pipeline
9 route, as the previous speaker talked about.

10 With more than one hundred impacted hotels in
11 this region alone, our industry and the overall economy
12 welcome the workforce to the area, the workers need places
13 to stay and food to eat. Our members are ready to provide
14 the necessary goods to service them. Furthermore, all
15 businesses including hotels and domestic consumers
16 ultimately gain access to an even more reliable supply of
17 affordable, domestically-produced natural gas once the
18 pipeline is constructed.

19 These are just a few of the ways that our
20 industry has weighed and found that the Rover Pipeline
21 Project will benefit our industry, our region and the State.
22 We believe that in the review of the Draft EIS Rover has
23 sufficiently met the Commission's requirements with regard
24 to its environmental impact mitigation plans, and for this
25 reason we encourage FERC to review the project and approve

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-17
cont'd

1 in a timely manner. Thank you.
2 (Applause)
3 MR. BOWMAN: Speaker No. 7 is Ed Hill.

PM7-18

4 MR. HILL: Good evening and thank you for the
5 opportunity to speak in favor of the Rover Pipeline. My
6 name is Ed Hill, Jr. and I'm a member of the IBEW. The IBEW
7 is pleased to be involved with this proposed project because
8 of Rover's commitment. Moreover, the IBEW is committed to
9 safety and working with minimal impact to the community, the
10 environment on the project.
11 The IBEW provides the most comprehensive training
12 in the electrical industry and holds its members to very
13 high standards with respect to local, state and federal
14 regulations at work sites, and we know we have the most
15 reliable partner with Rover when it comes to safety, quality
16 and minimal impact to the environment and the community.
17 The project will follow Rover's procedures as
18 noted in the statement with their commitment to water
19 quality and aquatic resource effects during and following
20 construction at water body crossings. As the statement
21 notes, Rover has performed studies at twenty-six sites, and
22 FERC has concluded that most impacts will be temporary and
23 short-term. There are some concerns with FERC's requirement
PM7-19
24 for dry-ditch water body crossing methods at some locations.
25 For sensitive or already impaired areas, the dry-

PM7-18 The commentor's statements in support of the Project are noted.

PM7-19 See response to comment PM5-9 regarding our recommendation for dry-ditch crossings.

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PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

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PM7-19
cont'd

1 ditch methods should be used. However, standard wet-
2 crossing methods should be used where appropriate, as they
3 actually take less time to install and as a result reduce
4 risks to water bodies and aquatic environments. As the
5 statement notes, construction activities will be scheduled
6 so that the pipeline trench is excavated as close to the
7 pipeline laying activities as possible. In accordance to
8 Rover's procedures and where the pipeline will not be
9 installed using horizontal drilling, the duration of
10 construction will cross perennial water bodies, will be
11 limited to 48 hours for those less than one hundred feet
12 wide.

13 I urge the FERC to reconsider its dry-ditch
14 crossing requirements on all water body crossings, and to
15 approve the Rover Pipeline Project. Thank you.

16 (Applause)

17 MR. BOWMAN: Speaker No. 8 is Paul Pullins.

PM7-20

18 MR. PULLINS: Thank you for this opportunity. My
19 name is Paul Pullins and I'm here on behalf of Land
20 Stewards, and about a year and a half ago Rover came to Land
21 Stewards seeking some aid in helping the restoration and the
22 problems with the drainage tile in the soils here in Ohio;
23 and with the aid of us and local contractors we are now
24 developing plans. We have 183 plans developed, and 169
25 plans have been approved for the restoration of the farm

PM7-20

The commentor's statements in support of the progress being made in the drainage tile plans is noted.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-20
cont'd

1 drainage on the tracts of land. Nine of them had already
2 been implemented to where the tile is restored. This is
3 being done in a two-stage process of pre-construction and
4 what we call post-construction.

5 Prior to the pipeline, the farm tile will have a
6 new header and footer system installed to where we will
7 eliminate as many crossings as possible to the existing farm
8 drainage system. This main will be put that the edges of
9 the temporary workspace, outside of it so that no damage
10 came be done to the tile during construction. Then after
11 construction is done, the contractors will come back in and
12 reclaim, reinstall tile in the affected area inside all the
13 temporary work space and the permanent right-of-way.

14 Of these 169 plans, that money has been approved
15 by Rover pending the signing of the easements. The money is
16 sitting there. The farmers already know how much money they
17 are going to get and how much it's going to cost to install
18 these drainage programs on their farms.

19 There will also be Ag inspectors provided by Land
20 Stewards that will be there inspecting the tile. Any time
21 they come to a tile it will be inspected, the maintenance of
22 it, how it's been repaired. This will be done by Ag
23 inspectors; and these people are local people, contractors.
24 Some of them are Soil Conservation Service people that
25 understand drainage and know when it's being done proper.

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Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

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PM7-20
cont'd

1 All of the contractors, all the designs have been
2 performed by local contractors and/or soil conservation
3 people have designed these alternate plans to work with it.
4 One of the jobs has been designed. We took 188 crossings,
5 we crossed the pipeline 188 times, we reduced it and the
6 design is for one crossing. A lot of them are averaging 40
7 to 50 crossings and we're reducing that to 3 and 4 in many
8 cases.

9 We just thank Rover for coming to the local
10 people and ask them to perform this work. Many of them are
11 the same contractors that installed it originally so they
12 are back, they know what the jobs are. They know how the
13 tile is and they are using the same local contractors to
14 redevelop a new plan and new installation. Thank you for
15 the privilege of saying that.

16 (Applause)

17 MR. BOWMAN: Next speaker number nine is Scott
18 Harer.

PM7-21

19 MR. HARER: Well, like everyone else here, I want
20 to first off thank you for giving us the opportunity to say
21 a few words in front of you and voice our opinions. Yes, my
22 name is Scott Harer. I am involved as the son of a
23 landowner affected by the Rover Pipeline. I am also a
24 fourth generation drainage contractor who has been working
25 very closely with the Land Steward organization that was

PM7-21

See the response to comment CO9-2 regarding drain tiles.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-21
cont'd

1 previously mentioned; and I have been meeting with
2 landowners in our area of work and designing plans side-by-
3 side with them and doing work on the drainage end of it.
4 And I also wear those three hats; landowner, land steward
5 and drainage contractor.

6 I'm shooting from the hip here so you have to
7 forgive me. Coming from the point of a landowner, the
8 biggest concern in this area is drain tile and they need to
9 be restored correctly. They need to be effective. Our
10 livelihood as farmers depend on our drain tile. If our
11 subsurface drainage is not working, I don't care what kind
12 of restoration process is done after the pipeline is
13 installed, you will not raise crops. And with the growing
14 demand for food and agricultural-based products you can't
15 close our hands, tie our hands together and expect us to do
16 more and give us less to do it with. So things like that
17 need to be restored properly.

PM7-22

18 I really feel that the farmers are getting some
19 of the short end of the stick. It's wonderful to hear of
20 these other businesses and organizations that are going to
21 drastically benefit from Rover, from the pipeline, and not
22 just this pipeline but any pipeline going in. There are
23 definitely organizations that are going to benefit from it.
24 I would just like to make sure that the farmer is not
25 getting stepped on in the process, because if we get stepped

PM7-22

The commentor's statements regarding farming are noted. See the response to comment CO9-1 regarding agricultural land.

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Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

T-1136

PM7-22
cont'd

1 on your plates aren't as full.
2 I have a slogan on the back of my truck that
3 states "Did you eat today? Thank a farmer." If you've got
4 food on your plate it came from us, and we'd like to see a
5 little gratitude for that and a little compensation for that
6 as well. Coming from the Land Stewards' point of view,

PM7-23

7 let's slap that hat on real quick. I do want to thank
8 Rover, and I will tip my hat to Rover for getting an
9 organization like Land Stewards involved in this process
10 because Land Stewards, as Paul previously mentioned, has
11 gotten the local drainage contractors who have installed
12 these drain systems previously who know the people they are
13 working with, generally they're their neighbors.

14 We have knowledge of the tile, when it was
15 installed, how it's run, where the water goes, the outlets,
16 the acres coming into it; and it is very good that Rover has
17 allowed us to participate in correcting any drainage issues
18 that are going to happen because of this. One thing that --
19 and speaking of the drainage issues, one thing that gets
20 overlooked -- and again this is primarily in our area.
21 drainage issues are different in every area; it all depends
22 on the lay of the land.

23 But I have areas where there will be a 15 or 18-
24 inch tile that has 300 acres draining through this tile that
25 is going to be disrupted by the pipeline for a period of

PM7-23

See the response to comment CO9-2 regarding drain tiles.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-23
cont'd 1 time. It does not take much rain in this area to create wet
2 areas. If we get a 2-inch rain or a 3-inch rain which is

PM7-24 3 not uncommon, while this tile is disturbed, there will be
4 300 acres of farmland underwater and out of production, and
5 they are not receiving any compensation for anything.

6 That is something that I feel needs to be
7 visited, that if there is a situation like this that arises,
8 that those landowners would also possibly be able to receive
9 compensation. Because there are a lot of neighbors that are
10 affected but they don't have easements; and that needs to
11 be, in my opinion, corrected. I know that there are a lot
12 of people behind me and a lot of people that aren't able to
13 make it, that their biggest concern is drainage tile. That
14 is their number one concern because agriculture, farming is
15 our livelihood.

PM7-25 16 Fourth generation drainage contractor, fifth
17 generation farmer. We are one of those previously mentioned
18 "century farms." We treat our farmland like it's our
19 firstborn son and we care for it and want what's best for it
20 like our firstborn son. We are not a bunch of yahoos that
21 sit around, drink beer and drive tractors. You know, we
22 take this seriously; we have a lot of science in it. We are
23 involved in micronutrients, GPS, a lot of chemistry to try
24 to better our land and make it more productive due to the
25 growing need for agriculture but yet the slimming area with

PM7-25 The commentor's statements regarding the care for their land are noted.

T-1137

Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

T-1138

PM7-25
cont'd

1 which we are given to perform this duty, for not just our
2 nation or our community but quite frankly the whole world.
3 Thank you.

4 (Applause)

5 MR. BOWMAN: Speaker 10 is Robert White.

PM7-26

6 MR. WHITE: My name is Robert White. My
7 occupation right now is President of the Ohio State Grange,
8 and fourth generation farmer and own the land that I've
9 farmed for four generations. I have also experienced the
10 opportunity to have three gas, high-pressure gas pipelines
11 go through my farm and I want to relate to you some of my
12 experiences.

13 First of all, I have not in any way ever had
14 anyone say to me that my property value is lower because of
15 the line. In fact, it's just the opposite. My property
16 values are higher if I were to decide to sell lots. That
17 opportunity for gas is fantastic for the sale of a property.
18 No property insurance increase; I have never been influenced
19 by any insurance company or told that a gas line through my
20 property is going to devalue and that my insurance rates are
21 going to be higher. It has not happened.

22 The other thing that I can't understand is the
23 idea of damage to crops. I have never, and I would love to
24 have someone come out and I can show them -- the gas lines
25 in this area, show me where it goes across my farm. I have

PM7-26

The commentor's statements in support for agriculture and for the Project are noted.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-26
cont'd

1 never incurred any damage. In fact, the last line that went
2 through to Honda in Marysville, the crops grew a little
3 higher over that land because it broke up the subsoil and I
4 could see the beans, you could see right where it went; so I
5 don't know I'd have to see that damage with my eyes to
6 realize that that actually happens.

7 I haven't experienced that and the Honda line, if
8 you want to see what happens with natural gas and the
9 opportunity for it, go to Marysville, Ohio. The building
10 down there is just unbelievable. The people in our county
11 benefit from those jobs, raises a tax for our county and it
12 has been a real asset and it goes right in front of my
13 house. I would say it's less than 100 feet in front of my
14 house.

15 I have experienced nothing from the service to my
16 house. I have never experienced anything on the farms. If
17 I put in tile, the gas company comes and spots the tile
18 where the gas lines are. I have never experienced any
19 problems with that. I think that another thing that people
20 want to realize, and the last presenter said something about
21 that, this country benefits from agriculture.

22 What I say, I want you to understand one thing,
23 when the pioneers came across they spent most of their time
24 growing food. Now, 2 percent or less produce the food for
25 this country. That leaves 98 percent of the population to

T-1139

Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

T-1140

PM7-26
cont'd

1 benefit by making our lives easier. They don't have to
2 worry about food production. You must realize that
3 agriculture gives you a real opportunity to live good lives.
4 It frees up labor to make your things that you enjoy a lot
5 easier. And I just hope that, sometimes I think we are
6 getting away from the realization of the importance of
7 agriculture to this country; and any country that has good
8 agriculture has a good life, and I just hope people realize
9 that.

10 The benefits to agriculture are also this: It
11 helps make some of our inputs cheaper with nitrogen; it
12 lowers the cost, and many other things that we use in the
13 farming community benefit from the natural gas; the drying
14 of our grain and a lot of things. Another thing that you
15 need to remember is that I believe in a very few years that
16 most of our electric production will be done with natural
17 gas. It certainly will improve the environment. I think
18 these things need to be thought of.

19 I understand some of the concerns but I think
20 they can be overcome. I've never experienced some of the
21 things that have been said here tonight, and I hope that we
22 think about these things, that the benefits really do
23 outweigh what might happen; and I just don't see that what
24 might happen out there. I'm sorry, I don't see it. So I
25 appreciate the opportunity to addressing, this situation,

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-26
cont'd

1 and praise the Lord for good agriculture. Thank you.

2 (Applause)

3 MR. BOWMAN: Speaker 11 is Dustin Endicott.

PM7-27

4 MR. ENDICOTT: Good evening and thank you for the

5 opportunity to speak tonight. My name is Dustin Endicott

6 and I am a member of IBEW 688. The Rover Pipeline Project

7 has demonstrated a commitment to preserving the local

8 environment along the proposed route, and through its

9 detailed environmental impact mitigation plan. This plan

10 will succeed thanks in part to the dedication of skilled

11 workers like myself and the rest of the work force that will

12 be employed by this project.

13 The IBEW holds its members to the highest

14 standards with respect to training and adherence to the

15 local and federal regulations on the worksite. We are

16 excited to get to work on this project, both for the

17 benefits of the construction process that will be brought to

18 this area as well as the end result of the supply of

19 domestically-produced natural gas. I hope FERC will pursue

20 a timely review of the Rover Pipeline Project. Thank you

21 again.

22 (Applause)

23 MR. BOWMAN: Speaker 12 is Tani Eyer.

PM7-28

24 MS. EYER: Good evening. Thank you. My name is

25 Tani Eyer. I'm an attorney with the law firm of Sears, Pry,

PM7-27

The commentor's statements in support of the Project are noted.

PM7-28

See the response to comment CO9-1 regarding crop yields and comment CO9-2 regarding drain tiles. According to our Plan, damaged drain tiles must be repaired to their original or better condition.

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Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

T-1142

PM7-28
cont'd

1 Griebeling & McBride. Our law firm, along with our co-
2 counsel, Emmets & Walpert, represent many of the farmers
3 that will be impacted by the Rover Pipeline, and they just
4 have a few concerns they asked me to raise tonight.

5 First, as has been previously mentioned is the
6 drainage tile issue, both before and after construction. We
7 would like to have Rover be required to replace the tile
8 with the same quality and size as the existing tile.
9 Farmers are concerned that smaller, inferior tile will be
10 used which will impact the crop yields and the water laying
11 in places in their fields. Also they would like to have
12 local contractors to be employed to the retiling, which also
13 has already been mentioned. Also they would like to have
14 Rover to be required to comply with the drainage tile plans
15 for each and every field.

PM7-29

16 The second issue they have is regarding the soil
17 compaction. We strongly disagree that the impact to crop
18 yield will be temporary. Our co-counsel Emmets & Walpert
19 will be submitting the results of a study that has been done
20 along with their written comment, that shows that because of
21 the soil being so disrupted the crop yield will be lower for
22 decades to come.

PM7-30

23 Finally, we were requesting that FERC remove any
24 comments regarding the Rover Pipeline not causing a decrease
25 in the property values. This is an environmental review and

PM7-29

See the response to comment FA4-5 regarding soil compaction and comment CO9-1 regarding crop yield.

PM7-30

See the response to comment PM6-27 regarding property values.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-30
cont'd | 1 it should discuss the environmental impact only. Thank you
2 very much.

3 MR. BOWMAN: Speaker 13 is Mario Cespedez.

PM7-31 | 4 MR. CESPEDEZ: Good evening everyone. My name is
5 Mario Cespedez, I'm a member of the Laborers International
6 Union of North America. I would like to speak on some
7 important points briefly related to the Rover Pipeline
8 Project.

9 Firstly, Energy Transfer Partners has made a
10 strong commitment to the local area, I think by committing
11 to utilize local tradesman and women to construct this
12 energy infrastructure. The importance of this commitment
13 will be shown in the end product, I believe. We take pride
14 in our comprehensive and strong laborers training program
15 and our highly-skilled workforce throughout the state which
16 will be working on the pipeline throughout the state. We
17 see this decision by Rover as a commitment to a clean and
18 safe project.

PM7-32 | 19 Secondly, one of the concerns we have as it
20 pertains to the Commission is the question of tree-clearing
21 for construction. Three-foot maximum clearing as a limit we
22 would like to see changed. We believe ten feet is more
23 standard and overall safer for our workers, safer for the
24 pipeline, the integrity of the pipeline, and more practical
25 for construction. Three feet is an insufficient space to

PM7-31 The commentor's support of the Project is noted.

PM7-32 See the response to comment PM3-2 regarding clearing between HDD entry and exit sites.

T-1143

Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

T 1144

PM7-32
cont'd

1 safely operate some of the equipment related to this work.
2 Furthermore, the farther the trees and the
3 farther the roots of those trees are from the pipeline in
4 the ground we believe is better for the integrity of the
5 pipeline and not interfering with the coating of the
6 pipeline. Overall, we believe that Rover's construction
7 plan will successfully minimize potential risks not only to
8 the workers on the project but also to the environment and
9 to the landowner's property. Thank you for your time.

10 (Applause)

11 MR. BOWMAN: Speaker 14 is Jeff Sellers.

PM7-33

12 MR. SELLERS: Good evening. My name is Jeff
13 Sellers and I'm a field representative with the Laborers
14 Local 1216 in Mansfield. LIUNA represents a half a million
15 members in both the construction trades and public service.
16 At LIUNA Mansfield we strongly believe that construction of
17 the Rover pipeline project will be a significant boon to
18 Ohio workers and businesses, and should be approved as soon
19 as possible.

20 These jobs will provide good benefits and wages
21 which will extend to our local communities, greatly
22 benefiting other businesses and their current and potential
23 employees. Many more jobs will be supported through project
24 purchases of key components made here in Ohio and across the
25 United States. The pipeline will also continue to benefit

PM7-33

The commentor's support of the Project is noted.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-33
cont'd

1 local communities for decades through tax revenues,
2 affordable and reliable energy and ongoing economic
3 stimulus.

4 We are very impressed by Rover's commitment to
5 the environment. The company has clearly planned the
6 project with minimal environmental impact, and thanks to
7 this project's commitment to use local skilled trades, the
8 job will be done correctly. We have the knowledge and
9 experience to build the project safely and with minimal
10 disruptions, whether that be noise, dust, drain tiles, we
11 pride ourselves in having the most advanced training in the
12 industry, and we demand and deliver safe work places for our
13 members because we live in these communities ourselves.

14 I think as Mario spoke before me, one of the
15 major points of concern for our Union is that our members
16 are safe on the job. At LIUNA we are adamant that not only
17 companies but our members as well live up to the highest
18 cleanliness and safety standards. We strongly believe that
19 Energy Transfer Partners will prove an excellent partner in
20 making sure job sites are clean and safe.

PM7-34

21 One obstacle to creating these conditions,
22 however, is FERC's current tree-clearing requirement for the
23 project. Instead of the typical ten-foot clearing maximum
24 the Commission is targeting a much smaller three-foot
25 spacing rule. This requirement will put our members in

PM7-34

See the response to comment PM3-2 regarding clearing between HDD entry and exit sites.

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Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix I

T 1146

PM7-34
cont'd

1 danger, and we strongly urge you to adopt the standard ten-
2 foot rule.

3 Thank you again for allowing me to express my
4 thoughts on why the Rover Pipeline Project is good for
5 Ohio's skilled construction work force as well as our
6 economy in general. Approval of this project is of critical
7 importance to LIUNA Members and their families. I hope you
8 will quickly approve this project so our members can get to
9 work. Thank you.

10 (Applause)

11 MR. BOWMAN: Speaker 15 is Roger Fruth.

12 You'll pass? Thanks.

13 Speaker 16 is Don Phenicie.

PM7-35

14 MR. PHENICIE: Hello, my name is Donald Phenicie.
15 I'm a landowner who will be affected by this project.

16 I would like to address, but first of all I have
17 a question on the Star Telegraph on 3/19/16, they had an
18 article here: Work will not be destructive. In its EIS
19 FERC acknowledgment that the construction activity along the
20 pipeline route would be disruptive, but didn't express a
21 great deal of concern: Most impacts on soil would be
22 temporary and short-term. We conclude that the impacts on
23 geological and soil resources would be adequately minimized.

24 I would really like to question these remarks. I
25 don't know where they came up with it, but anybody involved

PM7-35

See the response to comment FA4-5 regarding soil compaction.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-35
cont'd

1 with farming knows that you don't go out there and compact
2 ground and take care of it within two or three years. We
3 are talking a long-term. If you come out there, they are
4 going to be going from Defiance to Southeastern Ohio and
5 during that one year's time, they are going to be working in
6 a lot of unfavorable soil conditions and a lot of compaction
7 will be taking place.

8 This will take long-term to take and alleviate.

PM7-36

9 We feel that Rover Pipeline should be compensating the
10 farmers until they give up to the maximum yield comparable
11 to the land site of where the pipeline went. The farmers, a
12 lot of them today have yield monitors; we can compare those
13 areas with where the pipeline went. We feel the farmer
14 should be compensated equally for the offset until those
15 yields consistently equal the rest of the field. Because we
16 have the yield maps, it wouldn't take long.

17 Rover only wants to pay us for three years at the
18 minimal and not a long-term thing. I will complement Land

PM7-37

19 Stewards. I think they mean well on the drainage. We get
20 that done, but there is no guarantee that won't settle
21 within five years from now; with GPS we can come back and
22 locate them tile lines. We feel if there is any raise or
23 shifting of that tile they should be responsible. We will
24 have to notify Rover Pipeline to come out there and do any
25 work on that tile. Are they going to compensate us five

PM7-36

See the response to comment CO9-1 regarding crop productivity.

PM7-37

As discussed in Rover's AIMP, Rover would be required to repair any drain tiles that were damaged by Rover (or its contractors).

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Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

T-1148

PM7-37
cont'd

1 years from now?

2 The organic matter, when they go through this

PM7-38

3 soil, they are going to be compacting. No way will they get

4 that back to the original condition even with the drainage.

5 You are addressing one other thing that really

6 concerns me. You keep saying about, or your reports about

7 the environmental. Has anybody really done any work on what

8 the earthworms do to the soil and the damage that they are

9 going to be doing to the earthworms, especially with the

10 organic matter? They are going to totally disturb all of

11 the organic matter in the soil by turning it over and

12 wallowing around in it. There are going to be a few farms

13 they are going to hit under ideal conditions and probably

14 won't have a lot of environmental impact, but by doing this

15 on the time schedule that they have to work on they are

16 really going to be doing a lot of damage to many of the

17 farms they go through.

PM7-39

18 We feel that we really should be compensated for

19 a lot longer period than three years. And that Rover should

20 show some accountability until everything gets back to the

21 farmer's satisfaction. And I will compliment them on the

22 tile. They are taking, knowing what tile is in there and

23 working with that, but they still need to get the organic

24 matter and the condition of that soil back to the original

PM7-40

25 condition. I don't think Rover is really wanting to

PM7-38 See the response to comment CO9-1 regarding agricultural land mitigation and monitoring. Impacts on organic material and biota within agricultural lands would be mitigated through Rover's AIMP's and our recommendations.

PM7-39 See the response to comment CO9-1 regarding crop productivity.

PM7-40 See the response to comment CO11-1 regarding compensation.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-40
cont'd

1 compensate farmers to what they really need to get.
2 I would like to say I agree, it's going to really
3 help the trade unions get this project through. They are
4 going to be compensated, but why not let the farmers be
5 compensated accordingly in this whole ballgame? I thank you
6 for your time.

7 (Applause)

8 MR. BOWMAN: Okay. So that's everyone that I
9 have called that signed up to speak tonight. I would like
10 to offer the opportunity to anyone else that has not spoken
11 tonight and would like to provide verbal comments. I see
12 two hands.

13 Please do state and spell your name for the
14 record since I don't already have your name written and
15 spelled out.

PM7-41

16 MR. SMITH: Steve Smith from Seneca County. Do I
17 need to spell it?

18 One gentleman said here about how an increase in
19 the land values with the three pipelines coming through his
20 property. I didn't know we were allowed to tap into a high
21 pressure pipeline. He probably has low-pressure pipelines,
22 so it does add value because now he can build homes on his
23 property and they can tap into it. I don't think they are
24 going to let us tap into a 1440 pound pipe.

PM7-42

25 My next question is, this pipeline is proposed

PM7-41

Residential customers are not able to tap into the proposed pipeline. However, local distribution companies may be able to access gas within the Rover pipeline.

PM7-42

As stated in section 4.13.2.1 of the EIS, Rover has suppliers that have committed to source 3.10 Bcf/d of the available 3.25 Bcf/d capacity of the proposed pipeline system; however, capacity is expected to be fully subscribed. Rover intends to operate the pipeline at the maximum allowable pressure (MAOP) of 1,440 pounds per square inch and, as currently proposed, would not be able to increase capacity beyond the 3.25 Bcf/d to deliver additional natural gas supplies.

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Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

T 1150

PM7-42
cont'd
1 3 billion 250 million cubic feet a day. I found various
2 pipelines around the country that can transport 2 billion
3 cubic feet a day. What is the maximum capacity of this
4 pipeline at 1440? Are they saying we are going to put 3
5 billion 250 million through with maybe a thousand pounds of
6 pressure and lie to us again and then up the capacity later?

PM7-43
7 Oh yes, a year ago here I asked FERC what fees
8 they charge. Now anybody that's got Internet on their cell
9 phone, look up FERC ACA's. FERC will probably make millions
10 of dollars a year because they charge on transfer pipelines.
11 I was told you get no direct payments, but there are
12 indirect payments. I figure about one million six hundred
13 thousand dollars a year on this, or about 190 dollars an
14 hour. You people benefit.

PM7-44
15 All these labors unions are for it. I'm great
16 for jobs. They have attorneys here. I think they can put
17 up a sign-up sheet here, when they come through our farm,
18 all the clay tile chips, plastic tile chips and the concrete
19 chips plus stogies. On their free weekends, maybe they can
20 come out to the landowners and donate their time and pick
21 some of this mess up. Because it's not going to be clean
22 when it's done.

PM7-45
23 We asked Rover to stake the property out on our
24 farm. Our attorneys requested it. They told us they'd give
25 a 24-hour notice before they show up. They showed up one

PM7-43 The FERC's budget is authorized by Congress. The FERC charges applicants filing fees which are equal to the budget.

PM7-44 We have recommended in section 4.7.3 that Rover update its plans to include requirements for handling worksite trash and debris.

PM7-45 The landowner comments are noted.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-45
cont'd

1 morning. They were in the field for an hour or two. When I
2 seen them I went down there and I talked to the two
3 gentlemen doing the survey. And we have a woods. There is
4 a wetlands there. They will protect the environment,
5 protect the farm owner's land? Yes. 25-foot wide by 75-
6 foot long. Rover's got to go around it.

PM7-46

7 Where the federal government can grant minimal
8 effect on that and say "Don't worry about that little bit
9 but they're going to protect these wetlands" and once they
10 get out in our farmlands, "mud and maul, push, shove, do
11 wherever you want. We don't care."

12 Now, this pipeline isn't, like I say, one
13 gentleman spoke and the ones that come through his farm
14 years ago. I know where it's at. That pipeline has settled
15 six inches or more in the last year.

16 This is not a pipeline where you are going to dig
17 a trench a couple feet wide, four, five, six feet deep.
18 This thing is probably going to be about six foot wide. Who
19 knows how wide up top? Probably 15-20 feet wide. This is
20 going to be v-shaped. You are not digging a trench across
21 the State of Ohio; you are digging two building foundations.
22 They are going to settle for decades.

PM7-47

23 On top of this, I noticed in Rover's easement
24 paper signing, you sign them -- where they make a statement
25 there where if the contractors need more room, they can take

PM7-46

See the response to comment CO9-1 regarding agricultural restoration. See the response to comment PM6-15 regarding settlement.

PM7-47

Excess dirt would be spread along the right-of-way and crowned along the trench to allow for settlement.

T-1151

Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix T

T-1152

PM7-47
cont'd

1 it. My understanding that dozers and excavators are going
2 to be the biggest ones built, on this job. I've been told
3 it will probably take three semis to bring an excavator in.
4 Where is it going to be assembled? Out on you guys'
5 farmland, probably. They haven't even told us that.
6 For every three feet in length, there is going to
7 be a cubic yard of extra dirt. Third of capacity that
8 pipeline out -- you can park a semi along the length of that
9 and load a semi to a legal weight -- and that's how much
10 excess dirt you're going to have with each pipeline. There
11 is no way they can put this land back to the original
12 condition.

PM7-48

13 Like I said, these surveyors, they were in the
14 woods. They took about three hours. They were getting bad
15 signal, so I let them know they go they GPS now before the
16 leaves are in the trees and they can't do it. Somebody kept
17 calling these two surveyors about why is it taking so long?
18 That guy set in the truck out along State Route 53 for three
19 hours. He didn't even assist those two people. That's the
20 kind of job I want. A chauffeur's job, and he got paid big
21 money.
22 Landowners, fight for your rights. We are
23 getting a hosing here. We've been lied to. Even FERC I
24 will say lied to me about a year ago here when they said
25 they received no direct payments. They get indirect

PM7-48

See the response to comment PM7-43 regarding fees and
response to comment PM7-44 regarding construction clean up.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-48
cont'd

1 payments. Get on the Internet, go under FERC ACA's. Annual
2 charges adjusted, they adjust them every year the 1st of
3 October. You can go back how many years. Figure it out.
4 I figure it's about a \$190 an hour when this
5 pipeline is up and running. That 3 billion 250 million, but
6 can it pump 4 billion cubic feet or more? I don't believe a
7 thing Rover has to say. All these union people? Great.
8 I'm all for jobs, but if I really believe in it, there's
9 going to be a mess to clean up. Maybe you can volunteer
10 your time to your local landowners, come out on weekends and
11 pick up rocks, tile chips, clay, concrete, plastic and other
12 stuff.

13 Thank you for your time.

14 (Applause)

PM7-49

15 MR. SHOCK: My name is David Shock, S-H-O-C-K. I
16 want to thank you also for opening this up for additional
17 comments. I apologize I did not sign up but I am glad I
18 have this opportunity. As others have stated, a lot of this
19 farmland has been in the families for generations. My
20 family is no different. My family has owned property on
21 Aldball Road for over a hundred years. Currently, my uncle
22 owns this property and many of you know Lyle.

23 Well, I just wanted to document some of the
24 things Rover has done or I should say, lack of done, on
25 their responsibilities. So basically over the last year

PM7-49

The commentor's statements regarding Rover are noted.

T-1153

Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix I

T 1154

PM7-49 | 1 they bought forty acres of land for the compressor station
2 that's going to be located on Alball Road.
3 | 4 As everybody that's been in that community area
4 has known that Rover has not done anything to control the
5 weeds or anything on that forty acres. It's an eyesore and
6 it's a total seabed for weeds for all the adjoining farmers.
7 So if they have not demonstrated their ability to be good
8 neighbors in the first year, how are they going to
9 demonstrate being good neighbors for the next hundred years?
10 I really question that.

PM7-50 | 11 According to their agricultural document of what
12 they are going to perform, they have a section on weed
13 control. Within that they requested a written documentation
14 of a problem at their compressor stations or their valve
15 areas where crops cannot be grown, and then after the
16 written notification they got 45 days to rectify the
17 problem. Well, as many farmers here know, if they don't
18 take care of the weeds and so forth in the spring and you
19 don't do anything by mid-June, if you do the 45 days it's
20 going to be the end of August and everything's going to be
21 in seed.

22 | 23 So you know right there they have an easy way of
24 not doing anything. Again, it just demonstrates to me that
25 they are not going to be a good neighbor to us in the future
by the actions that they've already shown to us.

PM7-50 | As described in its Invasive Species Plan, if Rover fails to control weeds on lands adjacent to its aboveground facilities within 45-days of receiving notice from the landowner, Rover would be responsible for reimbursing any weed control costs incurred by the landowners.

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

PM7-51

1 The other question I have, you know, in your
2 documentation there are regulations for noise pollution,
3 which is a good start. There is also comments about
4 vibration which could be caused by a compressing station;
5 but one thing that was not in your documentation is light
6 pollution. If you've notice any other pumping stations and
7 so forth that are industrialized, they light them up like a
8 Christmas tree, twenty-four/seven and so forth.

9 Again, I have no problem with lighting up their
10 property but I hope there's regulations that require the
11 flood lights that reflect down instead of out. They can
12 still light up their property but not influence the property
13 adjacent to them. You talk about land values and so forth

PM7-52

14 and on, I can't understand if you can't tap into this line
15 how property values will go up. I really think property
16 values go down, but think about all of the property that's
17 going to be around this compressing station.

18 I know they selected an area that has minimal
19 houses which is good, but unfortunately for my family and
20 for the property that we own for over a hundred years, it's
21 in our front yard; so unfortunately it's not something that
22 we are looking forward to. We just hope that Rover is going
23 to be a better neighbor than what they've demonstrated in
24 the first year.

25 Thank you for those comments. I appreciate the

PM7-51

Section 4.8.7.2 discusses the visual impacts on residences in proximity to aboveground facilities. Our analysis includes considerations of aboveground structures as well as lighting.

PM7-52

The commentor' statements regarding property values is noted. See the response to comment CO14-4 regarding property values.

T-1155

Appendix T

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

Appendix I

PM7-52
cont'd

1 opportunity to express them.

2 (Applause)

3 MR. BOWMAN: Was there anyone else that wanted to
4 provide comments tonight?

PM7-53

5 MR. BRAUNSTEIN: Yes, I would like to say one
6 thing further. Again, Michael Braunstein on behalf of a
7 number of landowners.

8 I would like to just point out what the gentleman
9 from Land Stewards said, that I'm all for their plan, but if
10 I understood him correctly he said nine of these plans have
11 been implemented. And that in order to get this preventive
12 work done with the drain tile so that fields are not
13 flooded, so that we don't get, as the one gentleman said,
14 300 acres of flooding because drain tile is cut and not
15 repaired, that work needs to be done now.

16 What Rover is saying is that they will only do
17 the preventive drain tile work to prevent these damages if
18 people sign their easement the way they want it written for
19 the compensation that they want to pay. This is like
20 extortion. You are going to suffer damage unless you give
21 up your constitutional right to just compensation.

22 I think that's wrong and that Rover should change
23 its policy. I've been to Washington to speak to FERC about
24 this. Nothing has happened. They are just asking for
25 flooding and for damages later by their refusals to take

PM7-53

The commentor's statements regarding pre-construction mitigation for drain tiles is noted.

T-1156

PUBLIC MEETINGS

PM7 – Buckeye Central High School, New Washington, OH (cont'd)

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PM7-53
cont'd

1 proactive steps to prevent it now. Thank you.

2 (Applause)

3 MR. BOWMAN: Anyone else?

4 (No response.)

5 MR. BOWMAN: Well, if not, the formal part of
6 this meeting will close and I will quickly mention that on
7 the FERC website at FERC.gov there is a link called eLibrary
8 that allows you to gain access to everything regarding these
9 projects. That includes filings by the applicants,
10 issuances by the Commission, that includes the Draft EIS and
11 eventually the Final EIS, and all comments submitted by
12 individual stakeholders.

13 To access the information specifically pertaining
14 to the Rover and its affiliate projects, please use the
15 docket numbers CP15-93, CP15-94 and CP15-96. Those numbers
16 are on the official pamphlets and forms that we have at the
17 sign-in table.

18 So on behalf of the Federal Energy Regulatory
19 Commission, I'd like to thank you for coming here tonight.
20 Let the record show that the meeting concluded at 7:18 p.m.

21 (Whereupon, at 7:18 p.m., the public DEIS Comment
22 meeting in New Washington, Ohio concluded.)

23

24

25

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Appendix T

APPLICANT

A1 – Rover Pipeline – March 25, 2016

Appendix T

T-1158



The attachments to this letter are too voluminous to include in this EIS. They are available for public inspection from the FERC's Office of External Affairs at 1-866-208-FERC or on the FERC website at www.ferc.gov using the "eLibrary" link. Select "General Search" from the eLibrary menu and enter the docket number excluding the last three digits in the "Docket Number" field (i.e., CP15-93). Be sure to select an appropriate date range. For assistance please contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll free at 1-866-208-3676 or for TTY, contact 202-502-8659.

March 25, 2016

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: OEP/DG2E/Gas Branch 4
Rover Pipeline LLC (Rover Pipeline Project)
Panhandle Eastern Pipe Line Company, LP (Panhandle Backhaul Project)
Trunkline Gas Company, LLC (Trunkline Backhaul Project)
FERC Docket Nos. CP15-93-000, CP15-94-000, and CP15-96-000
Informational Response to Draft Environmental Impact Statement

Dear Ms. Bose:

A1-1

On February 19, 2016, the Federal Energy Regulatory Commission ("Commission" or "FERC") issued its Draft Environmental Impact Statement for the Rover Pipeline, Panhandle Backhaul and Trunkline Backhaul Projects under Docket Nos. CP15-93-000, CP15-94-000, and CP15-96-000, respectively. Rover Pipeline LLC ("Rover"), Panhandle Eastern Pipe Line Company, LP ("Panhandle"), Trunkline Gas Company, LLC ("Trunkline") are submitting collectively herein their Informational Response to the Draft Environmental Impact Statement.

This filing is comprised of three (3) parts:

- **Public Information**
Volume IIA Various Appendices to the Resource Reports
Volume IIB Various Attachments to the Resource Reports
- **Critical Energy Infrastructure Information**
Volume III
- **Privileged Information**
Volume IV

Pursuant to Section 388.112 of the Commission's regulations, Rover requests that the information submitted in Volume III – Critical Energy Infrastructure Information be accorded CEII treatment, and Volume IV – Privileged Information be accorded Privileged and Confidential treatment. These documents are marked with the appropriate designation pursuant to Order No. 630 and Section 388.112 of the Commission's regulations.

This filing is being submitted electronically to the Commission's eFiling website pursuant to the Commission's Order No. 703, Filing via the Internet Guidelines issued on November 15, 2007 in FERC Docket No. RM07-16-000. Rover is providing paper and electronic copies of this filing to the

1300 Main Street Houston, TX 77002
Phone: 713-989-7000

A1-1

The commentor's statement that they will comply with the request is noted.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

A1-1
cont'd

Commission's Office of Energy Projects staff by their directions. Any questions or comments regarding this filing should be directed to the undersigned at (713) 989-2606.

Respectfully submitted,

/s/ Kelly Allen

Mr. Kelly Allen, Manager
Regulatory Affairs Department

cc: Mr. Kevin Bowman, Office of Energy Projects
Ms. Jennifer Ward, Cardno Entrix

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

CERTIFICATE OF SERVICE

A1-1
cont'd

In accordance with the requirements of Section 385.2010 of the Commission's Rules of Practice and Procedures, I hereby certify that I have this day caused a copy of the foregoing document to be served upon each person designated on the official service list compiled by the Commission's Secretary in this proceeding.

/s/ Kelly Allen

Mr. Kelly Allen, Manager
Regulatory Affairs Department
Rover Pipeline LLC
(713) 989-2606

Appendix T

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APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

A1-1
cont'd



ROVER PIPELINE
An ENERGY TRANSFER Company

ROVER PIPELINE LLC

Rover Pipeline Project

***Comments and Responses to the
Draft Environmental Impact Statement***

FERC Docket No. CP15-93-000

April 2016

T-1161

Appendix T

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Rover Pipeline LLC - Docket No. CP15-93-000
ROVER PIPELINE PROJECT

Comments and Responses to the Draft Environmental Impact Statement

1.0 INTRODUCTION

A1-1
cont'd

Provided below are comments and responses to the FERC Draft Environmental Impact Statement (DEIS) issued on February 19, 2016. Where appropriate, revised alignment sheets, tables and figures and/or reports are included in the attachments to these comments as listed below. Changes are noted in the tables in the attachments in red text and deletions are noted with strike-through. Only those tables with changes are included in this submittal.

1. *The applicants shall each follow the construction procedures and mitigation measures described in its application and supplements, including responses to staff data requests and as identified in the EIS, unless modified by the Order. The applicants must:*
 - a. *request any modification to these procedures, measures, or conditions in a filing with the Secretary of the Commission (Secretary);*
 - b. *justify each modification relative to site-specific conditions;*
 - c. *explain how that modification provides an equal or greater level of environmental protection than the original measure; and*
 - d. *receive approval in writing from the Director of OEP **before using that modification.***

Response:

Rover, Trunkline, and Panhandle will comply with this request.

A1-2

2. *The Director of OEP has delegated authority to take whatever steps are necessary to ensure the protection of all environmental resources during construction and operation of the Projects. This authority shall allow:*
 - a. *the modification of conditions of the Order; and*
 - b. *the design and implementation of any additional measures deemed necessary (including stop-work authority) to ensure continued compliance with the intent of the environmental conditions as well as the avoidance or mitigation of adverse environmental impact resulting from construction and operation of the Projects.*

Response:

Rover, Trunkline, and Panhandle will comply with this request.

A1-3

3. ***Prior to any construction**, the applicants shall each file an affirmative statement with the Secretary, certified by a senior company official, that all company personnel, EIs, and contractor personnel will be informed of the EIs' authority and have been or will be trained on the implementation of the environmental mitigation measures appropriate to their jobs **before** becoming involved with construction and restoration activities.*

Response:

Rover, Trunkline, and Panhandle will comply with this request.

A1-2

The commentor's statement that they will comply with the request is noted.

A1-3

The commentor's statement that they will comply with the request is noted.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Rover Pipeline LLC - Docket No. CP15-93-000
ROVER PIPELINE PROJECT

Comments and Responses to the Draft Environmental Impact Statement

A1-4

4. *The authorized facility locations shall be as shown in the EIS, as supplemented by filed alignment sheets. As soon as they are available, and before the start of construction, the applicants shall file any revised detailed survey alignment maps/sheets at a scale not smaller than 1:6,000 with station positions for all facilities approved by the Order. All requests for modifications of environmental conditions of the Order or site-specific clearances must be written and must reference locations designated on these alignment maps/sheets.*

Rover's exercise of eminent domain authority granted under NGA Section 7(h) in any condemnation proceedings related to the Order must be consistent with these authorized facilities and locations. Rover's right of eminent domain granted under NGA Section 7(h) does not authorize it to increase the size of its natural gas pipeline to accommodate future needs or to acquire a right-of-way for a pipeline to transport a commodity other than natural gas.

Response:

Trunkline and Panhandle will comply with this request if any changes are proposed.

Rover has incorporated 67 route variations into the proposed route to accommodate landowner requests, reduce or avoid impacts on cultural or biological resources, and resolve constructability concerns. In addition, Rover incorporated the following modifications at aboveground facilities to improve design and/or accommodate customer deliveries or receipts:

- Minor pipeline and/or facility adjustments at the Seneca, Clarington, and Majorsville Compressor Stations;
- Added the REX Delivery Meter Station to the Seneca Compressor Station, including 0.19 mile of interconnect pipeline;
- Eliminated the Hall Receipt Meter Station on the Seneca Lateral;
- Added the Madison Receipt and Clarington A Receipt Meter Stations on the Seneca Lateral;
- Relocated the CGT Delivery Meter Station (CGT Lateral), Gulfport Receipt Meter Station (Seneca Lateral), Majorsville Receipt Meter Station (Majorsville Lateral) and Vector Meter Station (Market Segment);
- Relocated the CGT Tie-In on the Sherwood Lateral; and
- Relocated 13 mainline valves.

These modifications are tabulated in Table 10J, Pipeline Route Variations, and Table 10K, Aboveground Facility Modifications in Volume IIA, Appendix 10J and Appendix 10K, respectively. Appendices 10J and 10K also include comparison tables and maps of each modification. The attachments in Volume IIA provides updated Resource Report tables reflecting the results of these changes as well as any FERC Staff revisions identified in the following DEIS conditions.

A1-5

5. *The applicants shall file detailed alignment maps/sheets and aerial photographs at a scale not smaller than 1:6,000 identifying all route realignments or facility relocations, and staging areas, contractor yards, new access roads, and other areas that would be used or disturbed and have not been previously identified in filings with the Secretary. Approval for each of these areas must be explicitly requested in writing. For each area, the request must include a description of the existing land use/cover type, and documentation of landowner approval, whether any cultural resources or federally listed threatened or endangered species would be affected, and whether any other environmentally sensitive*

A1-4

The EIS has been updated to reflect the changes filed by Rover.

A1-5

The commentor's statement that they will comply with the request is noted.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Rover Pipeline LLC - Docket No. CP15-93-000
ROVER PIPELINE PROJECT

Comments and Responses to the Draft Environmental Impact Statement

A1-5
cont'd

areas are within or abutting the area. All areas shall be clearly identified on the maps/sheets/aerial photographs. Each area must be approved in writing by the Director of OEP before construction in or near that area.

This requirement does not apply to extra workspace allowed by the applicants' Plans and/or minor field realignments per landowner needs and requirements which do not affect other landowners or sensitive environmental areas such as wetlands. Examples of alterations requiring approval include all route realignments and facility location changes resulting from:

- a. implementation of cultural resources mitigation measures;*
- b. implementation of endangered, threatened, or special concern species mitigation measures;*
- c. recommendations by state regulatory authorities; and*
- d. agreements with individual landowners*

Response:

Rover, Trunkline, and Panhandle will comply with this request.

A1-6

6. **Within 60 days of the acceptance of the Certificate and before construction begins**, the applicants shall file their respective Implementation Plans for review and written approval by the Director of OEP. The applicants must file revisions to their plans as schedules change. The plans shall identify:
- a. how the applicants will implement the construction procedures and mitigation measures described in its application and supplements (including responses to staff data requests), identified in the EIS, and required by the Order;*
 - b. how the applicants will incorporate these requirements into the contract bid documents, construction contracts (especially penalty clauses and specifications), and construction drawings so that the mitigation required at each site is clear to onsite construction and inspection personnel;*
 - c. the number of EIs assigned, and how the company will ensure that sufficient personnel are available to implement the environmental mitigation;*
 - d. company personnel, including EIs and contractors, who will receive copies of the appropriate material;*
 - e. the location and dates of the environmental compliance training and instructions the applicants will give to all personnel involved with construction and restoration (initial and refresher training as the Projects progress and personnel change) with the opportunity for OEP staff to participate in the training sessions;*
 - f. the company personnel (if known) and specific portion of the applicant's organization having responsibility for compliance;*
 - g. the procedures (including use of contract penalties) the applicants will follow if noncompliance occurs; and*
 - h. for each discrete facility, a Gantt or PERT chart (or similar project scheduling diagram), and dates for:*
 - i. the completion of all required surveys and reports;*
 - ii. the environmental compliance training of onsite personnel;*
 - iii. the start of construction; and*
 - iv. the start and completion of restoration.*

A1-6

The commentor's statement that they will comply with the request is noted.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Rover Pipeline LLC - Docket No. CP15-93-000
ROVER PIPELINE PROJECT

Comments and Responses to the Draft Environmental Impact Statement

A1-6
cont'd

Response:

Rover, Trunkline, and Panhandle will comply with this request.

A1-7

7. **Rover shall employ at least one EI per construction spread. Trunkline and Panhandle shall employ at least one EI per major aboveground facility modification. The EIs shall be:**
- a. *responsible for monitoring and ensuring compliance with all mitigation measures required by the Order and other grants, permits, certificates, or other authorizing documents;*
 - b. *responsible for evaluating the construction contractor's implementation of the environmental mitigation measures required in the contract (see condition 6 above) and any other authorizing document;*
 - c. *empowered to order correction of acts that violate the environmental conditions of the Order, and any other authorizing document;*
 - d. *a full-time position, separate from all other activity inspectors;*
 - e. *responsible for documenting compliance with the environmental conditions of the Order, as well as any environmental conditions/permit requirements imposed by other federal, state, or local agencies; and*
 - f. *responsible for maintaining status reports.*

Response:

Rover, Trunkline, and Panhandle will comply with this request.

A1-8

8. **Beginning with the filing of its Implementation Plan, Rover shall file updated status reports with the Secretary on a weekly basis until all construction and restoration activities are complete. Panhandle and Trunkline shall file updated status reports with the Secretary on a monthly basis until construction and restoration activities are complete. On request, these status reports will also be provided to other federal and state agencies with permitting responsibilities. Status reports shall include:**
- a. *an update on the applicant's efforts to obtain the necessary federal authorizations;*
 - b. *the construction status of the their respective Project facilities, work planned for the following reporting period, and any schedule changes for stream crossings or work in other environmentally sensitive areas;*
 - c. *a listing of all problems encountered and each instance of noncompliance observed by the EIs during the reporting period (both for the conditions imposed by the Commission and any environmental conditions/permit requirements imposed by other federal, state, or local agencies);*
 - d. *a description of corrective actions implemented in response to all instances of noncompliance, and their cost;*
 - e. *the effectiveness of all corrective actions implemented;*
 - f. *a description of any landowner/resident complaints that may relate to compliance with the requirements of the Order, and the measures taken to satisfy their concerns; and*
 - g. *copies of any correspondence received by the applicants from other federal, state, or local permitting agencies concerning instances of noncompliance, and the applicant's response.*

A1-7

The commentor's statement that they will comply with the request is noted.

A1-8

The commentor's statement that they will comply with the request is noted.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Appendix T

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Rover Pipeline LLC - Docket No. CP15-93-000 ROVER PIPELINE PROJECT	
Comments and Responses to the Draft Environmental Impact Statement	
A1-8 cont'd	<p>Response:</p> <p>Rover, Trunkline, and Panhandle will comply with this request.</p>
A1-9	<p>9. <i>Prior to receiving written authorization from the Director of OEP to commence construction of their respective Project facilities, the applicants shall file documentation that they have received all applicable authorizations required under federal law (or evidence of waiver thereof).</i></p> <p>Response:</p> <p>Rover, Trunkline, and Panhandle will comply with this request.</p>
A1-10	<p>10. <i>The applicants must receive written authorization from the Director of OEP before placing their respective Projects into service. Such authorization will only be granted following a determination that rehabilitation and restoration of areas affected by the Projects are proceeding satisfactorily.</i></p> <p>Response:</p> <p>Rover, Trunkline, and Panhandle will comply with this request.</p>
A1-11	<p>11. <i>Within 30 days of placing the authorized facilities in service, each applicant shall file an affirmative statement with the Secretary, certified by a senior company official:</i></p> <p style="margin-left: 20px;"><i>a. that the facilities have been constructed in compliance with all applicable conditions, and that continuing activities will be consistent with all applicable conditions; or</i></p> <p style="margin-left: 20px;"><i>b. identifying which of the Certificate conditions the applicant has complied or will comply with. This statement shall also identify any areas affected by their respective Projects where compliance measures were not properly implemented, if not previously identified in filed status reports, and the reason for noncompliance.</i></p> <p>Response:</p> <p>Rover, Trunkline, and Panhandle will comply with this request.</p>
A1-12	<p>12. <i>Rover shall not exercise eminent domain authority granted under Section 7(h) of the NGA to acquire a permanent right-of-way greater than 60 feet between MP SEL 0.0 and MP SEL 0.1 where dual pipelines would be constructed in a single right-of-way. (section 2.2.1.2)</i></p> <p>Response:</p> <p>Rover has amended the permanent right-of-way width to 60 feet at this location. Please refer to the alignment sheets in Volume IIB, Attachment 1A.</p>

A1-9 The commentor's statement that they will comply with the request is noted.

A1-10 The commentor's statement that they will comply with the request is noted.

A1-11 The commentor's statement that they will comply with the request is noted.

A1-12 The EIS has been updated to acknowledge the change in the permanent right-of-way width to 60 feet between MP SEL 0.0 and SEL 0.1.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Rover Pipeline LLC - Docket No. CP15-93-000
ROVER PIPELINE PROJECT

Comments and Responses to the Draft Environmental Impact Statement

A1-13 13. Rover shall reduce the width of access road MI-WA-056.000-PAR-5 from 75 feet to 20 feet, and incorporate this change into its Project alignment sheets as required by condition 5. (section 2.2.4)

Response:

Please refer to the revised Table 1A-4 (DEIS Appendix F), Permanent and Temporary Access Roads, in Volume IIA, Appendix 1A.

A1-14 14. Rover shall adopt Berne Lateral Alternative Sections 1, 2, and 3 into its Project design. (section 3.4.1.1)

Response:

Rover is unable to adopt the Berne Lateral Alternative Sections 1, 2, and 3. In Section 1, the Berne Lateral is adjacent to an existing Blue Racer pipeline. An active mine lies on the northeast side of the existing pipeline and overhead transmission line, preventing Rover from moving to that side to more closely parallel the overhead transmission line.

In the southern part of Section 2, the Berne Lateral will be parallel to the existing Blue Racer line to the extent possible. Then severe side-slopes on the southwest side forced a crossover to the northeast side, where it is parallel to the overhead transmission line. Then severe side-slopes on the northeast side forced another crossover back to the southwest side at the northern end of Section 2.

In Section 3, the Berne Lateral as proposed is parallel to the existing Blue Racer pipeline and then adjacent to the proposed Seneca Lateral, which is in turn parallel to the existing Texas Eastern Pipelines.

It is Rover's understanding that the proposed Alternative Sections are intended to increase the percentage of the Berne Lateral that is parallel to existing rights-of-way. However, the Berne Lateral has been designed to parallel existing utilities to the extent possible. Table 1A-1 details the exact locations where the Berne Lateral lies parallel to existing utilities, which accounts for 2.2 miles of the 3.7-mile lateral. In addition, the Berne Lateral will also be adjacent to the proposed Seneca Lateral between Mileposts 2.4 and 3.7. Accounting for an overlap between existing utilities and the Seneca Lateral, the Berne Lateral will parallel existing and proposed rights-of-way for approximately 2.7 miles or 73% of the proposed route.

A1-15 15. *Prior to the end of the draft EIS comment period, Rover shall file a report with the Secretary on the status of its negotiations with ITC on the potential to collocate the proposed pipeline with the ITC corridor. (section 3.4.1.3)*

Response:

Rover has made slight revisions to the proposed route submitted in the July 2015 Supplemental Filing following comments provided by ITC as shown in the current alignment sheets provided in Volume IB, Attachment 1A. ITC and Rover continue to discuss contract specifics, and Rover is confident that an

A1-13 The EIS has been updated with the new information on access roads.

A1-14 Given the additional information provided by Rover regarding the ability to collocate the entire Berne Lateral, we agree that it is not feasible given the engineering constraints. The EIS has been updated to include the new information.

A1-15 The EIS has been updated to include the information associated with the 66 route variations, including those along the ITC corridor.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Rover Pipeline LLC - Docket No. CP15-93-000
ROVER PIPELINE PROJECT

Comments and Responses to the Draft Environmental Impact Statement

A1-15
cont'd | agreement will be reached, and Rover is proposing the preferred route detailed in Volume IIA, Appendix 10J for consideration by FERC.

A1-16 | 16. *Prior to the end of the draft EIS comment period, Rover shall file with the Secretary any route adjustments, workspace modifications, or mitigation measures as developed through Rover's ongoing consultations with landowners or as directed by the FERC Staff for parcels with a status of pending in appendix I of the draft EIS. Rover shall also include updated alignment sheets incorporating any route adjustments and associated modifications of construction methods and mitigation. (section 3.4.3)*

Response:

Please refer to the Appendix I-1 table in Volume IIB, Attachment 1E, which has been updated to include all easements that have been closed and details of reroutes or ongoing discussions with landowners. Please refer to the enclosed alignment sheets in Volume IIB, Attachment 1A and updated Residential Implementation Plans in Volume IIA, Appendix 8B depicting the reroutes as described in the table. Rover will continue to update FERC on efforts regarding the properties.

A1-17 | 17. *Rover shall adopt the route variation for each residence as identified in table 3.4.3-1 and depicted in the corresponding figure in appendix I2, or file with the Secretary written documentation that Rover and the landowner have reached an alternative agreement. If an agreed-upon alternative arrangement involves a variation not filed, Rover shall file with the Secretary any updated alignment sheets, site-specific plans, and/or landowner agreements. (section 3.4.3)*

Response:

Please refer to Table 3.4.3-1 in Volume IIB, Attachment 1F, which has been updated to include all easements that have been closed and details of reroutes or ongoing discussions with landowners. Please refer to the enclosed alignment sheets in Volume IIB, Attachment 1A and updated Residential Implementation Plans in Volume IIA, Appendix 8B depicting the reroutes as described in the table. Rover will continue to update FERC on efforts regarding the properties.

A1-18 | 18. *Rover shall adopt the Burgettstown Compressor Station Alternative Site 1 into its Project design. (section 3.5.1.1)*

Response:

Rover discussed purchase of the Burgettstown Compressor Station Alternative Site 1; however, the landowner was not willing to sell the site. The same landowner was instead willing to allow Rover to purchase the currently proposed site, which Rover has since purchased in fee.

A1-16 | Section 3.4.3 has been updated to include the information on the landowners reroute requests.

A1-17 | Section 3.4.3 has been updated with the information on the status of negotiations for residences within the construction workspace.

A1-18 | Given that the alternative site 1 location for the Burgettstown Compressor Station is not available for purchase, we have updated section 3.5.1.1 to indicate that the proposed compressor station site is acceptable.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Rover Pipeline LLC - Docket No. CP15-93-000
ROVER PIPELINE PROJECT

Comments and Responses to the Draft Environmental Impact Statement

A1-19	<p>19. Prior to construction, Rover shall file with the Secretary all outstanding geotechnical feasibility studies for trenchless crossing locations. (section 4.1.1.4)</p> <p>Response:</p> <p>Please refer to Volume IIB, Attachment 6C for the remainder of the geotechnical reports not previously supplied. The accompanying Geotech Report Status table also in Attachment 6C has been updated.</p>	A1-19	The EIS has been updated to include the information from the geotechnical feasibility studies that were filed after the draft EIS.
A1-20	<p>20. Prior to the end of the draft EIS comment period, Rover shall file with the Secretary all outstanding geotechnical studies and recommendations related to potential hazards from landslides, underground mines, and surface mines. (section 4.1.3.4)</p> <p>Response:</p> <p>Please refer to Volume IIB, Attachment 6D for the Geohazard Evaluation Report including recommendations for construction and restoration.</p>	A1-20	The EIS has been updated to include the information from the geohazard studies that were filed after the draft EIS.
A1-21	<p>21. Prior to the end of the draft EIS comment period, Rover shall file with the Secretary all outstanding geotechnical studies and recommendations related to karst topography and associated hazards. (section 4.1.3.6)</p> <p>Response:</p> <p>Please refer to Volume IIB, Attachment 6A for the <i>Aerial Photograph and Digital Elevation Model Review of Karst Prone Areas (Aerial Photograph)</i> and <i>Field Reconnaissance of Karst Prone Areas (Field Reconnaissance)</i> reports. In the <i>Aerial Photograph</i> report, Rover reviewed the proposed route within the areas identified in the <i>Characterization of Karst Prone Areas</i> report previously supplied to FERC using aerial photography to further refine the extent of the areas potentially containing karst. In the <i>Field Reconnaissance</i> report, Rover reviewed the areas identified in the <i>Aerial Photograph</i> report using pedestrian surveys. The <i>Field Reconnaissance</i> report also details the mitigation techniques Rover intends to employ during construction should karst be encountered.</p>	A1-21	The EIS has been updated to include the information from the geohazard studies for Karst topography that were filed after the draft EIS.
A1-22	<p>22. Prior to construction, Rover shall file with the Secretary a revised Blasting Plan to include testing of wells and springs within 150 feet of blasting for yield both pre- and post-construction. (section 4.1.5)</p> <p>Response:</p> <p>Rover's Blasting Plan submitted in February 2015 includes Section 2.1 (Pre-Blast Survey) and Section 2.2 (Post-Blasting Inspections). This plan has been updated to include sampling for yield for wells and springs within 150 feet of any area which requires blasting. Please refer to Volume IIA, Appendix 1Bi.</p>	A1-22	The EIS has been updated to include information from the revised Blasting Plan.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Rover Pipeline LLC - Docket No. CP15-93-000
ROVER PIPELINE PROJECT

Comments and Responses to the Draft Environmental Impact Statement

A1-23 23. **Prior to the end of the draft EIS comment period**, Rover shall file with the Secretary an updated site-specific HDD crossing plan for the Ohio River (Burgettstown Lateral) and State Route 52 (Austin Road; Market Segment) crossings. (section 4.3.2.1)

Response:

Rover has included revised HDD crossing plans for the Ohio River (Burgettstown Lateral) and State Route 52 (Market Segment) in Volume IIB, Attachment 1A.

A1-23

The EIS has been updated to include an assessment of the HDD crossing for the Ohio River and State Route 52.

A1-24 24. **Prior to the end of the draft EIS comment period**, Rover shall file with the Secretary site specific plans for the proposed access road crossings of waterbodies and agency consultations regarding these plans. (section 4.3.2.1)

Response:

Table 2A-5b, in Volume IIA, Appendix 2A provides a complete list of permanent and temporary access roads that cross waterbodies or wetlands, and selected characteristics of each waterbody or wetland crossed. In total, there are 48 access roads that cross 67 streams and 8 wetlands. All but five of these roads are existing with existing bridges already in place.

For waterbodies where there is no existing bridge, Rover will install equipment pad bridges as shown in Volume IIB, Attachment 1B on Figure 36, or bridges with flumes and stone or native material, as needed, as shown on Figure 37. The quantity and diameter of flumes will be sized for maximum flow based on the ordinary high water mark and observed flow, and the flumes will be maintained clear of debris throughout construction. Wetlands along access roads will be matted. No permanent access roads will be installed across wetlands and no trees will be cut within forested wetlands, although some branch trimming may be required to allow passage of construction equipment.

Rover is consulting with agencies regarding all aspects of the Project, including access roads. Agency comments or concerns relative to crossings of waterbodies or wetlands along permanent or temporary access roads will be addressed as part of the permit application and any comments will be filed with the Secretary.

A1-24

Sections 4.3 and 4.4 have been updated with the information on access roads within waterbodies and wetlands.

A1-25 25. **During construction of the Project**, Rover shall use dry-ditch crossing methods for all waterbodies designated in appendix L as sensitive waterbodies and/or coldwater fisheries except those already proposed as an HDD crossing. (section 4.3.2.5)

Response:

The DEIS states that “Given that this [implementation of open-cut crossing methods] could result in significant impacts on sensitive waterbodies and fisheries, we recommend that during construction of the Project, Rover should use dry-ditch crossing methods for all waterbodies designated in Appendix L as sensitive waterbodies and/or coldwater fisheries except those already proposed as an HDD crossing.” Appendix L includes waterbodies classified as designated fisheries or exceptional habitat, and those listed by the states under the Total Maximum Daily Load (TMDL) program established under Section 303(d) of the Clean Water Act. The TMDL program focuses on identifying and restoring polluted rivers, streams,

A1-25

We agree with Rover’s commitment to cross coldwater fisheries using a dry-ditch crossing method if there is flow at the time of crossing and an open cut if there is not flow. Rover’s statement regarding the crossing of the remaining sensitive waterbodies is noted.

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lakes, and other surface waters. In developing the list of sensitive waterbodies listed in DEIS Table L-5 in Appendix L, Rover included any and all named surface waters and their tributaries that were either designated by the state as fisheries or listed in the state TMDL programs.

Rover will use a dry crossing method for crossings of perennial waterbodies classified as designated fisheries or exceptional habitats, except those already proposed as HDD crossings. Because it is unlikely that ephemeral or intermittent tributaries to the designated perennial waterbody provide crucial habitat for fish, Rover proposes to cross the ephemeral or intermittent tributaries designated as fisheries or exceptional habitats using an open cut when no flow is present. Crossing of the waterbodies when no flow is present would eliminate the potential for instream impact to the tributary or downstream uses during the installation procedure. If flow is present, ephemeral and intermittent tributaries to designated fisheries or exceptional habitats will be crossed using a dry crossing method. These crossing methods are included in the revised Table 2A-5 (DEIS Table L-1) provided in Volume IIA, Appendix 2A.

Rover compiled the remaining streams listed in DEIS Table L-5 in Appendix L from named waterbodies (and their tributaries) as listed in the state TMDL program Section 303(d) reports. This approach overstates the number of waterbodies that may be impaired as it includes streams where the assessment of use attainment has not yet been completed or includes streams in which the actual impaired segment may be at a significant distance downstream of Rover's proposed crossing. As described below, at the Rover crossings, the listed causes of impairment are associated with impairments in the water column not with contamination of stream sediments.

Impaired water designations for the West Virginia waterbody crossings primarily relate to elevated fecal coliform and iron concentrations in the water column. Fecal coliform impairments are attributed to point and nonpoint sources including discharge of effluent from sewage treatment plants, direct discharges of untreated sewage, failing on-site septic systems, and precipitation runoff from agricultural and residential areas. Iron impairments are similarly attributed to point and nonpoint sources, with nonpoint source discharges associated with runoff from abandoned mine lands, roads, oil and gas operations, and agriculture and point sources associated with discharges from mining and non-mining industrial activities.

Impaired water designations for the Ohio waterbody crossings primarily relate to dissolved oxygen deficits, fecal coliform, and organic enrichment/nutrients, with primary causes associated with discharge of sewage and/or agricultural runoff. Impaired water designations for the Michigan waterbody crossings are primarily associated with polychlorinated biphenyls (PCB) (and in some cases mercury) in the water column and fish tissue. The Michigan 303(d) report attributes elevated levels of PCBs and mercury in the water column and fish tissue to atmospheric deposition and notes 100 percent of the assessed river miles in Michigan are not attaining PCB water quality standard and 95 percent of the assessed river miles do not support the associated PCB and/or mercury in fish tissue standard.

The primary advantage of the dry-crossing method (e.g., flume or dam and pump) is that it can reduce downstream sediment loads, although it does not eliminate it, since there is some downstream sedimentation associated with installation and removal of the dams or flumes, or if the dam is breached or culverts washed out during installation of the pipeline, and they have to be reinstalled. The benefit is greater for streams where a wet ditch open cut and pipeline installation method would result in many days of instream construction activities, since there is a greater length of time that water flows through the work area. The benefit is actually negated in small streams, since the length of time involving instream work to install the dam and pump or flume system, and then remove them after the pipeline is installed, exceeds the length of time of an open cut.

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In accordance with its Procedures, Rover will complete all instream construction activities for open-cut crossings of minor waterbody crossings (crossing width at water's edge of 10 feet or less) within 24 hours. Instream construction activities for open-cut crossings of intermediate waterbody crossings (crossing width greater than 10 feet but less than 100 feet) will be completed in 48 hours. As such, use of a dry crossing method would not significantly reduce impacts associated with impairment of the water column and in fact could result in greater impacts for minor streams. Since the pipeline construction is a one-time episodic event, and impairment reflects a chronic condition where water quality is degraded much of the time throughout the year, downstream impacts associated with an open-cut crossing method of these waterbodies would be minor and temporary and would not likely impact the impairment status of the waterbodies crossed. Therefore, Rover believes that completing these waterbody crossings using an open-cut crossing method would be sufficiently protective of the water quality and designated use attainment status of these waterbodies and that implementation of an alternate dry-ditch crossing method would not substantially reduce potential impacts or improve instream conditions, and in the event of minor streams, probably would provide negligible benefits.

A1-26

26. ***During construction of the Project***, Rover shall not clear any trees between the workspaces for HDD entry and exit sites. Rover may conduct minor brush clearing, less than 3 feet wide, using hand tools only, to facilitate the use of the HDD tracking system or acquisition of water for the makeup of the HDD slurry. During operation, Rover shall not conduct any routine vegetation maintenance along the HDD segments. (section 4.4.3)

Response:

Rover previously reduced the number of HDDs where the temporary access paths are requested to only those locations where water from a perennial water source is required for the drill and, in many cases, for the hydrostatic test of a pipeline segment. While Rover can comply with the hand-cutting as requested by FERC, Rover requests the 10-foot width in order to accommodate equipment to place the appropriate size of pumps near the water, as required. The HDD contractor needs to place a 50-100 horsepower centrifugal diesel powered pump approximately 20 feet from the water source. A pump of this type typically weighs approximately 3,000 pounds. Information concerning the equipment anticipated for this activity provided by a potential Rover contractor is included in Volume IIA, Appendix 1E. The equipment is 8-feet wide, and an extra foot on either side would facilitate movement and avoid damage to trees along the path. In addition, continuous access for a pick-up truck to the pump must be maintained to allow for maintenance. Table 1A-7 in Volume IIA depicts the HDD locations where the temporary access paths are proposed. The locations are also shown on the alignment sheets and HDD plans included in Volume IIB, Attachment 1A.

Rover also requests the ability to hand-clear paths parallel to the centerline through all HDD areas to facilitate the HDD tracking system, as previously requested. These paths will not require cutting of any trees greater than 3 inches diameter at breast height and the widths of the paths will not exceed 3 feet.

A1-27

27. ***Prior to construction***, Rover shall file with the Secretary, for review and approval by the Director of OEP, updated information on the wetland areas identified in appendix M of the draft EIS. The

A1-26

Rover has not provided sufficient justification for the need of a 10-foot cleared width between HDD entry and exit pits. We continue to recommend that Rover does not clear between HDD entry and exit sites.

A1-27

The justifications that Rover provided in their supplemental filing after the draft EIS were not sufficient for all wetlands where a variance was requested. We will continue to recommend that Rover use a 75 foot right-of-way through the wetlands identified in appendix M unless additional justifications are approved.

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information shall include all appropriate details in a consistent manner for each area, updated site-specific justifications for the requested extra right-of-way width, and revised alignment sheets, as necessary. (section 4.4.4)

Response:

Provided in Volume IIA, Appendix 1A is DEIS Table M-2 (Issues Regarding Wetlands) with additional columns responding to the issues identified and an updated Table 2, Justification for Construction Right-of-Way Widths in Wetlands. There are three basic configurations for situations where the construction right-of-way crosses a wetland: 1) the wetland extends across the entire construction right-of-way, 2) the wetland encroaches into the construction right-of-way but does not cross the entire construction right-of-way, and 3) the wetland is an isolated wetland of relatively small dimensions that is located within the construction right-of-way. In accordance with Rover's Procedures, Rover will provide justification for use of a construction right-of-way greater than 75 feet in wetlands. Therefore, if a wetland encroaches into the construction right-of-way and is less than 75 feet, it would not require site-specific justification. Similarly, if an isolated wetland is less than 75 feet, it would not require site-specific justification.

Provided in Volume IIA, Appendix 2A, in response to Condition No. 4, is an updated Table 2A-11 (Wetlands Crossed by the Rover Pipeline Project).

A1-28

28. **Prior to construction**, Rover shall file with the Secretary, for review and approval by the Director of OEP, an Invasive Species Mitigation Plan developed in consultation with appropriate agencies to prevent the introduction or spread of invasive species, noxious weeds, and soil pests resulting from construction and restoration activities. (section 4.5.4)

Response:

An Invasive Species Plan is provided in Volume IIA, Appendix 1Bm.

A1-29

29. **Prior to the end of draft EIS comment period**, Rover shall file updated information that accurately reports the dimensions of the proposed work areas at MP's MAB 23.94 and MAB 23.95. (section 4.5.5.1)

Response:

The updated Table 1A-3, Additional Temporary Workspace Requirements (DEIS Appendix E) is included in Volume IIA, Appendix 1A. The revised table provides the requested dimensions.

A1-30

30. **Prior to the end of the draft EIS comment period**, Rover shall file with the Secretary an updated table that accurately reports the number and type of all access roads required for construction and operation of the proposed Project and also file revised alignment sheets, as necessary. (section 4.5.5.4)

A1-28

The EIS has been updated with information from the Invasive Species Plan.

A1-29

The EIS has been updated based on the revised ATWS table.

A1-30

The EIS has been updated based on the revised access road table.

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A1-30 cont'd	<p>Response:</p> <p>Table 1A-4 in Volume IIA, Appendix 1A (DEIS Appendix F) has been updated to accurately report the number and type of all access roads required for construction and operation. In addition, updated alignment sheets are included in Volume IIB, Attachment 1A.</p>
A1-31	<p>31. Prior to construction, Rover shall file with the Secretary, for the review and written approval of the Director of OEP, its final Migratory Bird Conservation Plan that includes documentation of its consultation with the FWS regarding avoidance and minimization measures, as well as compensatory mitigation. (section 4.6.1.5)</p> <p>Response:</p> <p>Rover continues to work with the U.S. Fish and Wildlife Service (USFWS) to finalize its Migratory Bird Conservation Plan that will be filed for review and approval by the Director of OEP prior to construction.</p>
A1-32	<p>32. Prior to construction, Rover shall file with the Secretary a revised Blasting Plan (see condition 22 above) to include protocols for in-stream blasting and the protection of the fisheries and aquatic resources and habitats. (section 4.6.2.3)</p> <p>Response:</p> <p>Rover has added protocols for in-stream blasting and the protection of the fisheries and aquatic resources and habitats to the Blasting Plan. Please refer to the revised plan in Volume IIA, Appendix 1Bi.</p>
A1-33	<p>33. During construction of the Project, Rover shall adhere to the FWS tree clearing window for listed bat species and restrict tree clearing activities to between October 15 and March 31 for the entire Project. (section 4.7.2)</p> <p>Response:</p> <p>Rover stated in the third draft of the Biological Evaluation (BE) submitted to the USFWS and FERC in November 2015 that it intends to comply with the clearing windows for the protected bat species within the Project area. It is Rover's understanding that this window is between October 15 and March 31 in Pennsylvania, Ohio, and Michigan. The USFWS West Virginia Ecological Services Office has stated that the clearing window in West Virginia is November 15 through March 31. Rover intends to comply with the West Virginia clearing window as well, as stated in the BE.</p>
A1-34	<p>34. Rover shall not begin construction of the Rover Pipeline Project until:</p> <p style="padding-left: 20px;">a. all outstanding bat surveys have been completed;</p>

A1-31 The applicant's continued coordination with FWS is noted.

A1-32 The EIS has been updated to include information from the revised Blasting Plan.

A1-33 We note that Rover filed its updated Biological Evaluation after the submittal of the draft EIS. The EIS has been updated to reflect Rover's commitment to adhere to the FWS clearing windows.

A1-34 Section 4.7.1 has been updated based on additional information included in the revised Biological Evaluation. However, the WVFO continues to recommend additional surveys for myoid bats.

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cont'd

- b. species conservation plans and compensatory mitigation have been approved by FWS or state regulatory authority;
- c. the FERC staff completes any necessary ESA Section 7 consultation with the FWS;
- d. Rover has received written notification from the Director of OEP that construction and/or use of mitigation (including implementation of conservation measures) may begin. (section 4.7.2)

Response:

- a. all outstanding bat surveys have been completed:

Rover submitted the third draft of the Project-specific Biological Evaluation to the USFWS on November 20, 2015. This third draft incorporated some additional results from the stand-level habitat assessment and the results of the portal surveys.

A1-35

- b. species conservation plans and compensatory mitigation have been approved by FWS or state regulatory authority;

Rover has prepared a Myotis Bat Conservation Plan (MBCP) pursuant to USFWS West Virginia Field Office requirements. The draft MBCP was submitted to USFWS on January 21, 2016. To date, Rover has not received comments or approval of the plan.

A1-36

- c. the FERC staff completes any necessary ESA Section 7 consultation with the FWS; and Conclusions And Recommendations 5-22

As described above, Rover has submitted a Draft BE (dated 20 November 2015) to the USFWS for review and comment. The BE has been prepared pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (ESA) and Federal (50 Code of Federal Regulations [CFR] Part 402.12) to evaluate potential effects of the proposed action on federally listed species. The BE provides a comprehensive description of the proposed action, defines the action area, describes those species potentially impacted by the proposed action, and provides an analysis and determination of how the proposed actions may affect listed species and their habitats. As required, the best scientific and commercial information available was used to assess potential effects to species covered in the BE. The BE addresses potential effects of the proposed action on 12 federally listed species pursuant to comments on the Project received from the US Department of the Interior (USDOI), Office of the Secretary (dated 18 December 2014). Additionally, the eastern hellbender (*Cryptobranchus a. alleganiensis*), a state-endangered species in Ohio, is currently being evaluated for federal candidate status and is included in the BE.

A1-37

The DEIS includes five species in its analysis that do not have the potential to occur within areas affected by the Rover Pipeline Project based upon on-going consultation with local USFWS Field Offices in Michigan, Ohio, Pennsylvania, and West Virginia, as well as the U.S. Department of Interior Office of the Secretary (USDOI). These species are discussed below.

1) Virginia big-eared bat (*Corynorhinus townsendii virginianus*)

The USFWS lists only five counties in West Virginia where the species is known, or reasonably likely to occur: Fayette, Grant, Pendleton, Randolph, and Tucker (USFWS 2016a). The closest of these counties is Randolph County, which is approximately 40 miles to the southeast of the Sherwood and CGT laterals at their closest point. Virginia big-eared bats are thought to be a relatively sedentary species, with the longest recorded migration distance from a hibernaculum to a maternity cave being approximately 40 miles

A1-35

The commentor's submittal of the MBCP to the FWS is noted.

A1-36

The commentor's submittal of its Biological Evaluation is noted.

A1-37

The commentor's statement regarding ongoing consultation with the FWS and DOI regarding federally listed species with the exception of the five noted by the commentor. Based on our review of the Biological Evaluation, we agree that further consultation for the five noted species are not needed.

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(cont'd)

(Barbour and Davis 1969, Mitchell 2002, USFWS 1982). The USFWS does not believe that Virginia big-eared bats are reasonably likely to occur in any counties crossed by the proposed Rover alignment since the Project is at the longest known migration distance for the species from a county where the species is reasonably likely to occur. Comments received from the USDOJ Office of the Secretary (dated 18 December 2014) did not include the Virginia big-eared bat as a species of concern.

2) Copperbelly water snake (*Nerodia erythrogaster negelcti*)

The USFWS, Columbus Field Office commented that the proposed pipeline does not cross any townships where copperbelly water snakes are known to occur in Ohio; therefore, there will be no impacts to this species in Ohio (e-mail from K. Lott dated 16 April 2015 provided in Volume IIB, Attachment 1D). Copperbelly water snake is not listed in any county crossed by the Rover pipeline in Michigan.

3) Northern Riffleshell Mussel (*Epioblasma torulosa rangiana*)

The USFWS lists 27 counties in six states where the northern riffleshell is known, or reasonably likely to occur (USFWS 2016b). Of these, Defiance County, Ohio is the only county crossed by the proposed Rover alignment. The species was once widespread in the Ohio and Maumee River Basins, but currently is known only from a short reach of Big Darby Creek in Ohio (USFWS 1994), which is well over 100 miles to the southeast of the proposed Rover pipeline. Comments from the USFWS Ohio Field Office (dated 23 July 2014 and 11 September 2014) and comments received from the USDOJ (dated 18 December 2014) did not include the northern riffleshell as a species of concern.

4) White catspaw pearl mussel (*Epioblasma obliquata perobliqua*)

The USFWS lists only three counties where the white cat's paw pearl mussel is known or reasonably likely to occur. Of these, only Defiance County, Ohio is crossed by the proposed Rover pipeline (USFWS 2016c). Historic distribution of the species, compiled from published distribution data, includes 10 river systems from New York to Indiana and Lake Erie, though there is some dispute as to the validity of some of the identified specimens (USFWS 1990). Currently, the species is restricted to a three-mile reach of Fish Creek, a tributary to the St. Joseph River, in Williams County, Ohio (USFWS 2013). At its closest point, Fish Creek is over 20 miles from the proposed Rover pipeline alignment. The last observation of a live individual in Fish Creek occurred in 1999 (Watters 2000). Comments from the USFWS Ohio Field Office (dated 23 July 2014 and 11 September 2014) and comments received from the USDOJ (dated 18 December 2014) did not include the white cat's paw pearl mussel as a species of concern.

5) Hine's emerald dragonfly

The USFWS lists five counties in Michigan where Hine's emerald dragonfly is known or reasonably likely to occur, none of which are crossed by the proposed Rover alignment (USFWS 2016d). Currently, Hine's emerald dragonfly is known from nine sites in Will, Cook, and Du Page counties, Illinois; 20 sites in Door, Kewaunee, and Ozaukee counties, Wisconsin; 10 sites in Mackinac, Presque Island and Alpena counties, Michigan; and three sites in Reynolds and Iron counties, Missouri (USFWS 2001). The closest of these is Alpena County, Michigan, approximately 155 miles north of the end of the Market Segment. Comments from the USFWS Michigan Field Office (dated 2 June 2015) and comments received from the USDOJ Office of the Secretary (dated 18 December 2014) did not include Hine's emerald dragonfly as a species of concern.

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(cont'd)

With the exception of the five species described above, Rover is currently working with local and regional USFWS field offices, as well as with the USDOJ to address all federally listed and candidate species identified during on-going consultation that are reasonably likely to occur within the proposed Rover alignment and may potentially affected by the proposed action. Rover will conclude ESA Section 7 consultation with the USFWS prior to project construction.

Literature Cited:

- Mitchell, W. A. 2002. Cave- and crevice-dwelling bats on USACE projects: Townsend's big-eared bat (*Corynorhinus townsendii*). EMRRP Technical Notes Collection (ERDC TN-EMRRP-SI-27), U.S. Army Engineer Research and Development Center, Vicksburg, MS. 9 pp.
- U.S. Fish and Wildlife Service (USFWS). 1984. A recovery plan for the Ozark and Virginia big-eared bats. North-Central Regional Office, Twin Cities, MN. 69 pp + appendices
- _____. 1994. Clubshell (*Pleurobema clava*) and Northern Riffleshell (*Epioblasma torulosa rangiana*) recovery plan. U.S. Fish and Wildlife Service, Hadley, Massachusetts. 68 pp.
- _____. 2011. Draft protocol for assessing abandoned mine/caves for bat use. U.S. Fish and Wildlife Service West Virginia Field Office. 3 pp.
- _____. 2012. National White-Nose Syndrome decontamination protocol. U.S. Fish and Wildlife Service. 5 pp.
- _____. 2013. White Cat's Paw Pearly Mussel (*Epioblasma obliquata perobliqua*). 5-Year Review: Summary and Evaluation. US Fish and Wildlife Service, Columbus, Ohio. 14 pp.
- _____. 2014. Northern long-eared bat interim conference and planning guidance. USFWS Regions 2, 3, 4, 5, & 6. January 6. 10 pp + appendices.
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- _____. 2016b. Environmental Conservation Online System: Northern Riffleshell (*Epioblasma torulosa rangiana*). Available at https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=F02Z. Accessed 1 March 2016.
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- Watters, G.T. 2000. Three year freshwater mussel life requirement investigation. Final report to The Fish Creek Trust Committee. Ohio Biological Survey and Ohio State University. 30 pp. in USFWS. 2013. White Cat's Paw Pearly Mussel (*Epioblasma obliquata perobliqua*). 5-Year Review: Summary and Evaluation. US Fish and Wildlife Service, Columbus, Ohio. 14 pp.

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- A1-38 35. **Prior to construction**, Rover shall file with the Secretary, the results of completed habitat and species surveys for the copperbelly water snake and Rover's consultation with FWS regarding the results. Rover shall file avoidance/minimization measures that it would use in the event that copperbelly water snakes are found. Rover shall not begin construction of the Rover Pipeline Project **until**:
- the FERC staff completes any necessary ESA Section 7 consultation with the FWS; and
 - Rover has received written notification from the Director of OEP that construction and/or use of mitigation (including implementation of conservation measures) may begin. (section 4.7.2)

Response:

The USFWS, Columbus Field Office commented that the proposed pipeline does not cross any townships where copperbelly water snakes are known to occur in Ohio; therefore, there will be no impacts to this species in Ohio (e-mail from K. Lott dated 16 April 2015 provided in Volume IIB, Attachment 1D). It is not listed in any county crossed by the Rover pipeline in Michigan.

- A1-39 36. If any of the geotechnical investigations for the proposed HDDs (see condition 19 above) identify either a low degree of success or a high risk of inadvertent release, Rover shall file with the Secretary a revised HDD Contingency Plan that includes the measures it will implement (e.g., dry-ditch construction and/or mussel relocation) to avoid or minimize impacts on federally listed mussel species. This plan should also include Rover's consultation with the FWS on these measures. Rover shall not begin construction of the Rover Pipeline Project **until**:
- the FERC staff completes any necessary ESA Section 7 consultation with the FWS; and
 - Rover has received written notification from the Director of OEP that construction and/or use of mitigation (including implementation of conservation measures) may begin. (section 4.7.2)

Response:

None of the geotechnical investigations for the proposed HDDs have identified either a low degree of success or a high risk of inadvertent release as Rover has designed the HDDs to maximize the probability of success and minimize the risk of inadvertent releases (frac-outs). For example, the HDDs extend deeper than what is required and the entry and exit angles are steeper than necessary, which minimizes the risk of frac-outs. We have conducted geotechnical investigations to assess the geological components of each HDD location to aid in the specific design parameters for each drill site. All of these components facilitate the most successful probabilities possible. This includes all waterbodies being crossed via HDD, including those with federally listed mussel species.

- A1-40 37. Rover shall not begin construction of the Rover Pipeline Project **until**:
- surveys for the Mitchell's Satyr Butterfly have been completed;
 - the FERC staff completes any necessary ESA Section 7 consultation with the FWS; and
 - Rover has received written notification from the Director of OEP that construction and/or use of mitigation (including implementation of conservation measures) may begin. (section 4.7.2)

A1-38 Section 4.7.1 has been updated regarding the absence of the copperbelly watersnake in the Project area.

A1-39 The EIS has been updated to include information regarding the geotechnical surveys of HDD locations and the probability of frac-outs.

A1-40 Section 4.7.2 has been updated with the additional information on the Mitchell satyrs butterfly.

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cont'd

Response:

The USFWS lists nine counties in Michigan and one county in Ohio where Mitchell's satyr butterfly is known or reasonably certain to occur (USFWS 2016e). Of these, only Washtenaw County, Michigan is crossed by the proposed Rover alignment. However, as described in the USFWS Species Recovery Plan, the Mitchell's Satyr butterfly (*Neonympha mitchellii mitchellii*) is extirpated from the two sites where it historically occurred in Washtenaw County (USFWS 1998). Additionally, per communication from Michigan USFWS regarding the project (dated 2 June 2015 in Volume IIB, Attachment 1D) surveys are not required due to lack of proximity to known extant records and a lack of potentially suitable habitat crossed by the proposed project route. While no field presence / probable absence surveys for the species were conducted, Mitchell's satyr butterfly is addressed in the project specific BE, as described above.

A1-41

38. **Prior to construction**, Rover shall incorporate into its construction plans requirements that worksites be maintained in a neat and orderly manner, with all personal trash items disposed of properly; and that construction debris be removed from all work areas in a timely manner and disposed of in a state-approved off site location by the end of each work day. (section 4.7.3)

Response:

Rover will include the requested statement in the environmental training materials provided to all employees prior to construction.

A1-42

39. **Prior to removing barns or other structures that represent potential barn owl habitat**, Rover shall evaluate and assess each barn or similar structure for the presence of barn owls. Rover shall file with the Secretary the results of the surveys and identify any additional mitigation measures developed in consultation with the OHDNR, for review and written approval of the Director of OEP. (section 4.7.3)

Response:

Prior to the removal, Rover will assess these structures by a qualified biologist for potential use by barn owls. Rover will coordinate with the Ohio Department of Natural Resources (ODNR) to determine appropriate survey methodology and will submit the results to the ODNR.

A1-43

40. **Prior to construction**, Rover shall continue to consult with applicable state agencies to identify any additional mitigation measures for state-protected species and the need for additional surveys for Ohio, Michigan, West Virginia, and Pennsylvania. The results of such consultations and any outstanding surveys shall be filed with the Secretary. (section 4.7.5)

Response:

A1-41

The commentor's statement that they will comply with the request is noted.

A1-42

The commentor's statement that they will comply with the request is noted.

A1-43

The commentor's statement regarding survey's for state-listed species is noted.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Rover Pipeline LLC - Docket No. CP15-93-000
ROVER PIPELINE PROJECT

Comments and Responses to the Draft Environmental Impact Statement

A1-43
cont'd

As recommended by the ODHR in Ohio (18 November 2015), Rover will conduct presence/probable absence surveys in 2016 within potentially suitable habitat for the eastern spadefoot at one location in Stark County and four locations in Tuscarawas County, and for the spotted turtle at two locations in Wayne County. The results of these surveys, and any conservation measures developed with the ODNR if any individuals are found, will be filed with the Secretary before construction.

Rover would conduct additional presence-absence surveys for the eastern massasauga prior to construction at four locations identified along the Market Segment in Michigan. The four sites are within an approximately 3.5-mile stretch between southern Livingston and northern Washtenaw counties, located between MPs 83.9 and 84.0 in Washtenaw County; and between MPs 85.20 and 85.25, 85.7 and 86.0, and 87.10 and 87.85 in Livingston County.

A1-44

41. *Prior to the end of the draft EIS comment period, Rover shall consult with the owners and operators of the existing rights-of-way identified in table 2.2.1-1, regarding the feasibility of using portions of these rights-of-way during Project construction. Rover shall file with the Secretary documentation of this consultation including associated Project updates where it is feasible to make use of these rights-of-way and explanations as to why an owner or operator has denied the use of its existing right-of-way (or portion thereof). (section 4.8.1.2)*

Response:

Please refer to Table 1A-1 in Volume IIB, Appendix 1A, which has been enhanced to include information concerning the status of discussions with each of the parallel utilities.

A1-45

42. *Prior to the end of the draft EIS comment period, Rover shall file with the Secretary the current status of its easement negotiations for the Clarington Compressor Station. If Rover has been unable to negotiate an acceptable easement or purchase agreement, Rover shall identify alternative compressor station sites and provide an analysis which includes relevant environmental, engineering, economic factors, and status of landowner negotiations associated with use of the alternative site. The analysis shall include a table which compares/contrasts the alternative sites' characteristics (environmental, engineering, economic) with the proposed aboveground facility site. (section 4.8.2)*

Response:

The Clarington Compressor Station has been purchased in fee from the landowner.

A1-46

43. *Prior to the end of the draft EIS comment period, Rover shall file with the Secretary updated site-specific residential plans for the residences at MPs MS 71.48, MS 85.47, and MS 88.35, the earthen lodge at MP MS 84.9, and the block building/hunting cabin at MP SWL 35.5 that are within the construction workspace. Rover shall also file documentation of any comments from the landowner on the plan. (section 4.8.3.1)*

A1-44

The EIS has been updated to include information from the revised table.

A1-45

The purchase of residential property within the Clarington Compressor Station site is noted.

A1-46

Section 4.8 and appendix Q of the EIS have been updated with the updated Residential Implementation Plans. The commentor's statement regarding the purchase of all but one of the listed tracts is noted.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Rover Pipeline LLC - Docket No. CP15-93-000
ROVER PIPELINE PROJECT

Comments and Responses to the Draft Environmental Impact Statement

A1-46
cont'd

Response:

Residential Implementation Plans for the residences at Market Segment MPs 71.48, 85.47, and 88.35 are included in Volume IIA, Appendix 8B. A Residential Implementation Plan for the earthen lodge is also included, although it is located at MP 84.85, and the plan is titled accordingly. The hunting cabin at Sherwood Lateral MP 35.5. Similarly, a Residential Implementation Plan for the hunting cabin is included, although referenced at MP 35.81, and the plan is titled OH-MO-SHC-006.000.

These tracts listed above, with the exception of the hunting cabin on the Sherwood Lateral, have been purchased by Rover.

A1-47

44. **Prior to construction**, Rover shall file with the Secretary, for the review and written approval of the Director of OEP, evidence of landowner concurrence with the site-specific residential construction plans for all locations where construction work areas would be within 10 feet of a residence. (section 4.8.3.1)

Response:

Please refer to updated Table 3.4.3-1 from the DEIS, included in Volume IIB, Attachment 1F, which has been updated to include all easements that have been closed and details of reroutes or ongoing discussions with landowners. Rover will continue to update FERC on efforts regarding the residences within 10 feet of the construction workspace.

A1-48

45. **Prior to construction**, Rover shall file with the Secretary a 5-year post-construction monitoring program to evaluate crop productivity in areas impacted by the construction of the Project. Rover shall include in the program a commitment to file with the Secretary quarterly reports for a period of 5 years following construction documenting any crop-related problems, including soil heating near compressor stations identified by the company or landowner, and describing any corrective action taken to remedy those problems. The program shall stipulate that if any landowner agrees that revegetation and crop productivity are successful prior to the 5-year requirement, Rover shall provide documentation in its quarterly reports, indicating which landowners have agreed that monitoring is no longer necessary. This documentation shall include the landowner name, tract number, and the date of agreement. (section 4.8.4.1)

Response:

The Rover Upland Erosion Control, Revegetation and Maintenance Plan (Rover Plan), as adopted from the FERC Upland Erosion Control, Revegetation and Maintenance Plan (FERC Plan) specifies in Section VII.A.1 that at a minimum, conduct inspections after the first and second growing seasons. However, in the easement agreements Rover is entering into with the landowners of agricultural land, Rover is committing to compensate landowners for a full three years of productivity for the land affected by construction. In addition, if it is demonstrated by the landowner that, when compared to the yield on the adjacent, undisturbed land, the crop yield reduction on the easements exceeds the estimates during the first

A1-47

The commentor's statement regarding ongoing discussions with landowners is noted.

A1-48

Section 4.8.4 has been updated with the additional information provided by the commentor. We continue to recommend that Rover develop a 5-year monitoring plan.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Appendix T

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Rover Pipeline LLC - Docket No. CP15-93-000 ROVER PIPELINE PROJECT	
Comments and Responses to the Draft Environmental Impact Statement	
A1-48 cont'd	<p>five years, or is below 100% of the crop yield after the initial five-year period, Rover will compensate the landowner for the difference and may enact additional measures to enhance the productivity of the disturbed land.</p> <p>In Section VII.A.2, the Rover Plan states, “in agricultural areas, revegetation shall be considered successful when upon visual survey, crop growth and vigor are similar to adjacent undisturbed portions of the same field, unless the easement agreement specifies otherwise. Continue revegetation efforts until revegetation is successful.” And in Section VII.A.3, the Rover Plan states, “Monitor and correct problems with drainage and irrigation systems resulting from pipeline construction in agricultural areas until restoration is successful.</p> <p>By these means Rover will comply with the FERC regulations for post-construction monitoring and ensure the continued productivity of the agricultural lands affected by construction. Rover will file in the quarterly reports any crop-related problems, including soil heating near compressor stations identified by the company or landowner, and describing any corrective action taken to remedy those problems.</p>
A1-49	<p>46. <i>Prior to construction, Rover shall commit to hire local drain tile contractors to install/repair drain tiles that are damaged or need to be rerouted due to construction activities. (section 4.8.4.1)</i></p> <p>Response:</p> <p>Rover is making a good-faith effort to employ local drain tile contractors to install/repair drain tiles to the extent possible, and will use its construction contractor for the remainder. Many landowners are opting to submit a drain tile relocation and reclamation plan, which Rover is funding upon approval. In this option, landowners are directly hiring local drain tile contractors to complete the work.</p>
A1-50	<p>47. <i>Upon completion of construction, Rover shall provide information on encountered, severed, and/or damaged drain tile lines to the landowner, the local county Soil and Water Conservation District, and the information shall be kept in the company’s landowner records for future reference. (section 4.8.4.1)</i></p> <p>Response:</p> <p>Rover will provide information on encountered, severed, and/or damaged drain tile lines to the landowner and local county Soil and Water Conservation District. Rover will keep the information in the landowner records for future reference.</p>
A1-51	<p>48. <i>Prior to construction of the Burgettstown Compressor Station and Mainline Compressor Stations 1 and 3, Rover shall file with the Secretary, for the review and written approval by the Director of OEP, a visual screening plan for these three compressor stations that minimizes the visual impacts on nearby property owners and residences. The plan shall include (but not be limited to) measures to retain existing vegetation buffers, planting of new vegetation screening, and design of structures to mimic the character of existing structures in the area. (section 4.8.7.2)</i></p>

A1-49	The commentor’s statement that it is making a good-faith effort to employ local drain tile contractors to the extent possible is noted. However, given the extent of drain tiles that would be crossed, we continue to recommend that Rover hire local drain tile contractors, unless otherwise agreed to by the landowner.
A1-50	The commentor’s statement that they will comply with the request is noted.
A1-51	Section 4.8.7.2 has been updated to include a discussion of the visual screening plans.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

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ROVER PIPELINE PROJECT

Comments and Responses to the Draft Environmental Impact Statement

A1-51
cont'd

Response:

Rover believes that this comment refers to the Burgettstown Alternative Site 1, which FERC requested in Comment 18 above. That site was not available for purchase and Rover has since purchased the proposed location from the same landowner. The proposed location of the Burgettstown Compressor Station is visually separated from all surrounding residences by existing forested areas and tree breaks, and Rover believes a visual screening plan is not necessary for the currently proposed location.

As requested, Rover has developed a visual screening plan for the Compressor Station 1 based on the revised site plan included in Volume III CEII, Attachment 1A. Rover intends to paint all compressor station, motor control center (MCC) building, and instrument air buildings charcoal gray with polar white roofs and trim. Aboveground piping, equipment, tanks, and vessels will be pearl gray. The visual screening plan for Compressor Station 1 includes planting a tree line between Azalea Road SW and the existing pipeline that runs parallel to and north of the road. This tree line will extend north along the west side of the tract to near the existing tree line to screen the site from a residence to the southwest of the facility, south of Azalea Road SW. In addition, the tree line will extend north along the east side of the tract; however, existing pipelines and overhead electrical lines will preclude some areas from being planted. Rover is proposing to utilize Colorado blue spruce (*Picea pungens*) at a 60-ft spacing. Colorado blue spruce are proposed because they provide thick foliage to ground level, grow to approximately 50 feet in height, and are popular in the region. Rover intends to plant trees at least 4 feet in height at the time of planting. Please see Volume IIA, Appendix 8D for the U.S. Department of Agriculture species fact sheet. In addition, Rover proposes to insert slats in the chain-link fence surrounding the tap site at this location to visually screen that equipment, which will be shorter than the Rover's standard 6-foot security fence. Rover intends to use gray slats to match the buildings and appurtenances as closely as possible.

Similarly, the visual screening plan for Compressor Station 3 includes surrounding the facility with Colorado blue spruce at a 60-ft spacing except where not possible due to proposed access roads into and within the site. The tree line is generally proposed at 60 feet from the security fence to facilitate maintenance of the facility and trees; however, some adjustments were required to accommodate the upland drainages located within the tract outside of the proposed fence. Rover intends to plant trees at least 4 feet in height at the time of planting. In addition, Rover proposes to insert slats in the chain-link fence surrounding the tap site at this location to visually screen that equipment, in a slat color to match the gray color of the buildings and appurtenances as closely as possible.

Figures for Compressor Stations 1 and 3 depicting the approximate locations and spacing of trees and the area where slats are proposed are included in Volume IIA, Appendix 8E. All trees will be maintained during operation of these stations and will be replaced in kind if lost to drought or other factors.

A1-52

49. **Prior to construction.** Rover shall file a revised HDD plan and alignment sheet for the Norfolk Southern Railroad HDD that adjusts the exit pit so that traffic on Balford Road is not impeded. (section 4.9.4.1)

Response:

Revised Drawing Nos. ML-P3-3030 and ML-P4-08 are provided in Volume IIB, Attachment 1A.

A1-52

The commentor's updated HDD plans are noted.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Rover Pipeline LLC - Docket No. CP15-93-000
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Comments and Responses to the Draft Environmental Impact Statement

A1-53 50. Rover shall file with the Secretary reports describing any documented complaints from affected landowners that a homeowner's insurance policy was either cancelled or voided due directly to the grant of the pipeline right-of-way or installation of the pipeline and/or that the premium for the homeowner's insurance increased materially and directly as a result of the grant of the pipeline right-of-way or installation of the pipeline. The reports shall also identify how Rover has mitigated the impact. These reports shall be included in Rover's weekly construction status reports and in its quarterly reports **for a 2-year period following in-service of the Project.** (section 4.9.6)

Response:

Rover will address any such issues and shall file reports as requested.

A1-54 51. Rover shall not begin implementation of any treatment plans/measures (including archaeological data recovery); construction of facilities; or use of staging, storage, or temporary work areas and new or to-be-improved access roads **until:**

- a. Rover files with the Secretary, the Ohio and Michigan SHPOs' comments on the survey reports for their respective states;
- b. Rover files all outstanding cultural resources survey/testing reports and any required evaluation reports, and the SHPOs' comments on the reports;
- c. Rover files any necessary treatment plans or site-specific protection plans, and the appropriate SHPO's comments on the plans;
- d. the ACHP is provided an opportunity to comment on the undertaking if historic properties would be adversely affected; and
- e. the FERC staff reviews and the Director of OEP approves all cultural resources survey reports and plans, and notifies Rover in writing that treatment plans/mitigation measures may be implemented or construction may proceed. (section 4.10.4)

All material filed with the Secretary containing **location, character, and ownership information** about cultural resources must have the cover and any relevant pages therein clearly labeled in bold lettering: **"CONTAINS PRIVILEGED INFORMATION - DO NOT RELEASE."** (section 4.10.4)

Response:

Rover will continue to work with the State Historic Preservation Officers (SHPOs) concerning cultural resources as requested and will provide an update on the status of cultural resources by or before April 1, 2016.

A1-55 52. **Prior to construction,** Rover shall file with the Secretary, for the review and written approval of the Director of OEP, a Fugitive Dust Control Plan that specifies the precautions that Rover would take to minimize fugitive dust emissions from construction activities, including additional mitigation measures to control fugitive dust emissions of Total Suspended Particulates and PM10. The plan shall include (but not limited to) and clearly explain how Rover would implement the following measures:

- a. watering the construction workspace and access roads;
- b. providing measures to limit track-out onto the roads;
- c. identifying the speed limit that applicants would enforce on unsurfaced roads;

A1-53 The commentor's statement that they will comply with the request is noted.

A1-54 The commentor's statement that they will comply with the request is noted.

A1-55 The commentor's development of the plan is noted.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

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ROVER PIPELINE PROJECT

Comments and Responses to the Draft Environmental Impact Statement

- A1-55
cont'd
- d. covering open-bodied haul trucks, as appropriate;
 - e. clarifying that the EI has the authority to determine if/when water or a palliative needs to be used for dust control; and
 - f. clarifying the individuals with the authority to stop work if the contractor does not comply with dust control measures. (section 4.11.1.3)

Response:

Rover has developed the Fugitive Dust Control Plan included in Volume IIA, Appendix IBn.

- A1-56
53. **Prior to the end of the draft EIS comment period**, Rover shall file with the Secretary a revised HDD noise mitigation plan for all HDD entry or exit points where predicted HDD noise levels at an NSA are greater than 55 dBA L_{dn}. The revised plan shall identify the specific mitigation measures that Rover commits to implementing at each entry or exit location and the resulting projected noise level at the NSAs with implementation of the mitigation measures. (section 4.11.2.2)

Response:

Rover has updated Table 1A-7 regarding HDDs proposed along the Project (Volume IIB, Appendix 1A) to indicate any changes in entry or exit points or HDDs that have been added or removed from the Project. Please see the attached HDD Noise Impact Report, Revision 1, included as Volume IIA, Appendix 9F, for the revised HDD sound level evaluation that includes calculations of the projected noise levels with the implementation of the proposed mitigation measures. This report includes details such as the height and location of the noise barriers proposed for those HDD work areas at which the predicted HDD noise levels are greater than 55 dBA L_{dn}.

- A1-57
54. Rover shall file in the **weekly construction status reports** the following for each HDD entry and exit site:
- a. the noise measurements from the nearest NSA for each drill entry/exit site, obtained at the start of drilling operations;
 - b. the noise mitigation that Rover implemented at the start of drilling operations; and
 - c. any additional mitigation measures that Rover would implement if the initial noise measurements exceeded an L_{dn} of 55 dBA at the nearest NSA and/or increased noise is over ambient conditions greater than 10 decibels. (section 4.11.2.2)

Response:

Rover proposes to perform construction sound level testing for those HDD sites at which the HDD Noise Impact Report, Rev 1 (Volume IIA, Appendix 9F) predicts sound levels from HDD activity in excess of 55 dBA L_{dn}. These measurements will consist of short term (one to five minute) sound level measurements taken soon after standard HDD activities commence. If the measured sound levels exceed 55 dBA L_{dn}, then Rover will implement noise mitigation treatments to reduce the sound levels to 55 dBA L_{dn} or lower. These mitigation measures might include: additional noise barrier length or height if barriers are already in place, upgraded engine exhaust mufflers on equipment, partial enclosures on equipment, and/or additional silencers on engine radiators.

A1-56 The commentor's submittal of a revised HDD Noise Impact Report, including mitigation measures, is noted.

A1-57 The commentor's commitment to conduct sound level testing at HDD sites where sound levels are predicted to exceed 55 dBA and file weekly reports with the results are noted.

APPLICANT

A1 – Rover Pipeline – March 25, 2016 (cont'd)

Rover Pipeline LLC - Docket No. CP15-93-000
ROVER PIPELINE PROJECT

Comments and Responses to the Draft Environmental Impact Statement

A1-57
cont'd

At HDD sites where the ambient noise level was measured at greater than 55 dBA, every effort will be made to determine only the contribution from the HDD activities, excluding the influence of other ambient sources. This can be done by measuring closer to the HDD work area and then calculating the corresponding sound levels at the NSA locations.

Rover will provide these noise measurements to FERC in the weekly construction status reports, including all mitigation measures, or improvements to mitigation measures required.

A1-58

55. Rover shall file a noise survey with the Secretary **no later than 60 days** after placing each of the Rover Project compressor stations in service. If a full load condition noise survey of the entire station is not possible, Rover shall instead file an interim survey at the maximum possible horsepower load and file the full load survey **within 6 months**. If the noise attributable to the operation of all of the equipment at any compressor station under interim or full horsepower load conditions exceeds 55 dBA Ldn at any nearby NSAs, Rover shall file a report on what changes are needed and shall install the additional noise controls to meet the level **within 1 year** of the in-service date. Rover shall confirm compliance with the 55 dBA Ldn requirement by filing a second noise survey with the Secretary **no later than 60 days** after it installs the additional noise controls. (section 4.11.2.3)

Response:

Rover will comply with this request.

A1-58

The commentor's statement that they will comply with the request is noted.

APPLICANT

A2 – Rover Pipeline – April 11, 2016

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April 11, 2016

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: OEP/DG2E/Gas Branch 4
Rover Pipeline LLC (Rover Pipeline Project)
Panhandle Eastern Pipe Line Company, LP (Panhandle Backhaul Project)
Trunkline Gas Company, LLC (Trunkline Backhaul Project)
FERC Docket Nos. CP15-93-000, CP15-94-000, and CP15-96-000
Second Supplement to the March 25, 2016 Informational Response to Draft
Environmental Impact Statement

Dear Ms. Bose:

A2-1

On February 19, 2016, the Federal Energy Regulatory Commission ("Commission" or "FERC") issued its Draft Environmental Impact Statement for the Rover Pipeline, Panhandle Backhaul and Trunkline Backhaul Projects under Docket Nos. CP15-93-000, CP15-94-000, and CP15-96-000, respectively. Rover Pipeline LLC ("Rover"), Panhandle Eastern Pipe Line Company, LP ("Panhandle"), Trunkline Gas Company, LLC ("Trunkline") are submitting collectively herein their Second Supplement to the March 25, 2016 Informational Response to the Draft Environmental Impact Statement.

This filing contains public information including: Comments to the Draft Environmental Impact Statement, and various attachments to Resource Report 1.

This filing is being submitted electronically to the Commission's eFiling website pursuant to the Commission's Order No. 703, Filing via the Internet Guidelines issued on November 15, 2007 in FERC Docket No. RM07-16-000. Rover is providing paper and electronic copies of this filing to the Commission's Office of Energy Projects staff by their directions. Any questions or comments regarding this filing should be directed to the undersigned at (713) 989-2606.

Respectfully submitted,

/s/ Kelly Allen

Mr. Kelly Allen, Manager
Regulatory Affairs Department

cc: Mr. Kevin Bowman, Office of Energy Projects
Ms. Kim Seacrest, Cardno Entrix

1300 Main Street Houston, TX 77002
Phone: 713-989-7000

A2-1

Section 1.2.4 has been updated to include Section 10 authority for the COE.

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Appendix T

APPLICANT

A2 – Rover Pipeline – April 11, 2016 (cont'd)

Appendix T

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CERTIFICATE OF SERVICE

A2-1
cont'd

In accordance with the requirements of Section 385.2010 of the Commission's Rules of Practice and Procedures, I hereby certify that I have this day caused a copy of the foregoing document to be served upon each person designated on the official service list compiled by the Commission's Secretary in this proceeding.

/s/ Kelly Allen

Mr. Kelly Allen, Manager
Regulatory Affairs Department
Rover Pipeline LLC
(713) 989-2606

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A2 – Rover Pipeline – April 11, 2016 (cont'd)

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A2-1
cont'd



ROVER PIPELINE
An ENERGY TRANSFER Company

ROVER PIPELINE LLC

Rover Pipeline Project

***Comments to the
Draft Environmental Impact Statement***

FERC Docket No. CP15-93-000

April 2016

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Appendix T

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A2 – Rover Pipeline – April 11, 2016 (cont'd)

Appendix T

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Rover Pipeline LLC - Docket No. CP15-93-000 ROVER PIPELINE PROJECT	
Comments to the Draft Environmental Impact Statement	
A2-1 cont'd	<p>INTRODUCTION</p> <p>Provided below are comments to the FERC Draft Environmental Impact Statement (DEIS) issued on February 19, 2016.</p> <p>COMMENTS</p> <p>1. <u>Section 1.2.4, pg 1-4</u>. FERC may want to add Section 10 to the jurisdictional authority of the U.S. Army Corps of Engineers.</p>
A2-2	<p>2. <u>Section 2.2.1.2, pg. 2-17</u>. The DEIS states, “Where the HDD method is used, the permanent rights-of-way would be 10 feet wide.” However, as consistently depicted on the alignment sheets and HDD plan and profile figures, Rover intends to purchase a standard 50-foot permanent right-of-way within HDDs involving single pipelines and a 60-foot permanent right-of-way where dual pipelines will be installed. However, Rover will not conduct vegetation maintenance along the permanent easement between the HDD entry and exit points during operation. This is also true for the temporary access paths within some HDDs.</p>
A2-3	<p>3. <u>Section 3.2.3, pg. 3-10</u>. The paragraph states that the Leach Xpress Project “is about 10 miles from the Rover Project”; however, it will parallel and will abut the Rover Project along much of the Seneca Lateral in Monroe County, Ohio.</p>
A2-4	<p>4. <u>Section 3.5.2, pg. 3-48 and Section 4.11.2.3, pg 4-242</u>. The DEIS states that Rover intends to install “gas-driven turbines”. However, Rover has not proposed turbines, but “internal combustion engines”.</p>
A2-5	<p>5. <u>Section 4.3.2.5, pg. 4-84</u>. The DEIS states, “Hydrostatic testing would not be required at aboveground facilities.” However, all pressurized piping within the aboveground facilities will be hydrostatically tested in accordance with the requirements of U.S. Department of Transportation pipeline safety regulations (49 CR 192) and applicable permits. Rover is proposing to truck in water from a municipal source and haul the water off site for proper disposal after testing is complete. Quantities will range from 21,000 to 63,000 gallons depending on the size of the compression station. Meter stations and mainline valves will be included within the hydrostatic tests of the pipeline.</p>
A2-6	<p>6. <u>Section 4.4.1, pg. 4-89</u>. The DEIS refers to the Wetland Delineation Reports submitted to the U.S. Army Corps of Engineer Districts; however, reference to the Huntington District is missing.</p>
A2-7	<p>7. <u>Section 4.7.2, pg. 4-132</u>. The DEIS states in a few instances within this section that portal surveys are pending. Please note that Rover submitted the results of the portal surveys within the Draft Biological Evaluation submitted to the U.S. Fish and Wildlife and FERC in November 2015.</p>
<hr/> <p style="display: flex; justify-content: space-between;">1 April 2016</p>	

A2-2	Section 2.2.1.2 has been updated to clarify the width of the right-of-way for HDDs.
A2-3	Section 3.2.3 has been updated regarding the distance of the Project from the Leach Xpress Project.
A2-4	Section 3.5.2 has been updated as noted.
A2-5	Section 4.3.2.5 has been updated to include a description of hydrostatic testing at aboveground facilities..
A2-6	Section 4.4 has been updated to reference the Huntington District.
A2-7	As of the issuance of the draft EIS, Rover’s revised November 2015 Biological Evaluation had not been filed to the docket. The EIS has been updated with the information from the revised Biological Evaluation.

APPLICANT

A2 – Rover Pipeline – April 11, 2016 (cont'd)

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Rover Pipeline LLC - Docket No. CP15-93-000
ROVER PIPELINE PROJECT

Comments to the Draft Environmental Impact Statement

A2-8	8. <u>Section 4.8.7.5, pg. 4-182</u> . The DEIS states, "The Ohio and Erie Canalway Scenic Byway is a road that follows alongside the Ohio and Erie Canal. The road would be crossed at MP MAB 42.6 using a conventional bore." However, the road will be crossed within the HDD crossing the Tuscarawas River.	A2-8	Section 4.8.7.5 has been updated regarding the crossing method.
A2-9	9. <u>Section 4.11.2.1, pg. 4-236, Table 4.11.2-1</u> . The project is no longer located in Cohoctah or Howell Townships, Michigan.	A2-9	Section 4.11.2.1 has been updated to remove the noted townships.
A2-10	10. The DEIS makes numerous statements regarding "compensatory mitigation" for migratory birds, as listed below. A. <u>Executive Summary, pg. ES-5</u> . The DEIS says, "Rover is developing a migratory bird conservation plan in consultation with the FWS that may include compensatory mitigation." Then in a following paragraph, the DEIS states, "We are recommending that Rover consult with the FWS regarding measures to be included in Rover's final Migratory Bird Conservation Plan, including avoidance, minimization, and compensatory mitigation." B. <u>Executive Summary, pg. ES-12</u> . The DEIS states, "We are recommending that Rover finalize with the FWS a Migratory Bird Conservation Plan that includes documentation of its consultation with the FWS regarding avoidance, minimization, and compensatory mitigation." C. <u>Section 4.5.3, pg. 4-102</u> . The DEIS states, "In order to minimize and reduce impacts on sensitive habitat, Rover has implemented a number of measures to reduce adverse effects of construction and operation of the Rover Project on forest species, including interior forest species: • providing mitigation for impacts on sensitive environmental resources, including compensatory mitigation for impacts on migratory bird and listed species habitat;" D. <u>Section 4.5.3, pg. 4-103</u> . The DEIS states, "A final plan developed in coordination with the applicable agencies prior to construction would identify compensatory mitigation for forest habitat loss." E. <u>Section 4.6.1.3, pg. 4-112</u> . The DEIS states, "Rover has committed to compensatory mitigation for forest habitat impacts in coordination with the FWS." F. <u>Section 4.6.1.5, pg. 4-120</u> . The DEIS states, "Discussions at this meeting were focused on compliance with the Migratory Bird Treaty Act including adherence to right-of-way clearing windows and potential compensatory mitigation for any BCC habitat impacts. The FWS requested detailed information on impacted habitats in order to calculate compensatory mitigation requirements" G. <u>Section 4.6.1.5, pg. 4-121 and Section 5.2, pg. 5-21</u> . The DEIS includes the following recommendation: "Prior to construction, Rover should file with the Secretary, for review and written approval of the Director of OEP, its final Migratory Bird Conservation Plan that includes documentation of its consultation with the FWS regarding avoidance and minimization measures, as well as compensatory mitigation."	A2-10	The commentor's statement regarding voluntary mitigation funding is noted.

APPLICANT

A2 – Rover Pipeline – April 11, 2016 (cont'd)

Appendix T

T-1192

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Rover Pipeline LLC - Docket No. CP15-93-000
ROVER PIPELINE PROJECT

Comments to the Draft Environmental Impact Statement

A2-10
cont'd

- H. Section 4.7.2, pg. 4-133. The DEIS states, "However, based on our recommendations that Rover adhere to the FWS clearing restrictions and that Rover finalize with the FWS its compensatory mitigation for lost migratory bird habitat (see section 4.6.1.5), we conclude that the Project *may affect, but is not likely to adversely affect* the Indiana bat."
- I. Section 4.7.2, pg. 4-135. The DEIS states, "Based on Rover's minimization measures as well as our recommendations that Rover adhere to the FWS clearing restrictions and that it finalizes with the FWS compensatory mitigation for lost migratory bird habitat (see section 4.6.1.5), we conclude that the Project *may affect, but is not likely to adversely affect* northern long-eared bat."
- J. Section 4.7.2, pg. 4-135 and Section 5.2, pg. 5-21. The DEIS states, "Therefore, we recommend that:
- Rover should not begin construction of the Rover Pipeline Project until:**
- b. species conservation plans and compensatory mitigation have been approved by the FWS or state regulatory authority;"**
- K. Section 5.1, pg. 5-6. The DEIS states, "In a teleconference with the FWS, Rover committed to providing compensatory mitigation to offset impacts on forested habitat. We are recommending that Rover submit a Migratory Bird Conservation Plan prior to construction."
- L. Section 5.1, pg. 5-8. The DEIS states, "Based on adherence to the FWS clearing windows and compensatory mitigation measures proposed by FWS, as well as our recommendations, we determined that construction and operation of Rover's Project *may affect, but would not likely adversely affect* the Indiana bat or northern long-eared bat, and would not have a significant impact on migratory birds."

Response:

Rover opposes the reference to "compensatory mitigation" as being required for migratory birds or their habitat. Requiring "compensatory mitigation" for migratory birds or habitat is outside congressionally approved authorities and not required by any statute, regulation, or executive order. The DEIS even goes so far as to tie the recommendation for compensatory mitigation for migratory bird habitat to the conclusions that the Rover Pipeline Project will not adversely affect the Indiana or northern long-eared bats. However, mitigation for impacts to listed species is authorized pursuant to a separate regulatory authority and should not involve any connection to migratory birds.

Rover has implemented avoidance and minimization strategies to reduce the potential impacts to forested resources to benefit the threatened and endangered bats along the project route, including routing flexibility, adjustments in the construction schedule, protective maintenance and construction procedures, minimizing wetland impacts, etc. These efforts will benefit migratory birds along with the protected bat species.

In addition, Rover has committed to offset the loss of migratory bird habitat in areas that will not be addressed for bats. However, these measures are voluntary and should not be considered "compensatory" mitigation as that has a regulatory context is incorrect in this instance. Rover requests that all references to recommending or requiring "compensatory mitigation" for migratory bird habitat be replaced with "voluntary mitigation funding".