

**Responses to Comments on the Draft EIS**

**Local Agencies**

20080610-5049 FERC PDF (Unofficial) 6/10/2008 1:27:21 PM



JAMES T. SMITH JR.  
County Executive  
June 10, 2008

Kimberly D. Bose  
Federal Energy Regulatory Commission  
888 First Street, N. E., Room 1A  
Washington, D.C. 20426

Re: Docket Nos CP07-62-000, CP07-63-000, CPO7-64-000, CPO7-65-000; Sparrows Point LNG Terminal and Pipeline Project, Draft Environmental Impact Statement; Comments by Baltimore County Government

Dear Ms. Bose:

Attached please find copies of comments per the instructions contained in the Draft Environmental Impact Statement document for the above referenced project. These comments will also be e-filed.

As indicated in testimony offered by County Executive Jim Smith, other officials, and citizens our first concern is the lack of completeness of the Draft EIS. There are major portions of the proposed project; dredging, safety and adequacies for protection of the public while ships are in transit that are missing from the document. It is extremely difficult to make a substantive evaluation of many of the aspects of this project that will have major impacts on the quality of life in this region and the safety of our residents. As pointed out numerous times at the June 9<sup>th</sup> hearing the process that allows the applicant to respond to major issues raised in the current DEIS prior to the close of the public comment period on June 16<sup>th</sup>, fails to provide interested parties access to the responses. This is counter to the concept of equitable public access to information dealing with actions that may impact their safety and quality of life. We believe the public, local and state governments have a right to access and review a complete DEIS with the responses requested by FERC prior to the close of the review period. That cannot be accomplished utilizing the current review dates and process. We hope that FERC will consider a supplemental DEIS to address this issue.

If there are additional questions concerning our submission please feel free to contact me via email at: [dearroll@baltimorecountymd.gov](mailto:dearroll@baltimorecountymd.gov), or 410 887-4471.

Very truly yours,

David A. C. Carroll  
Director of Sustainability

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LA1-1

LA1-2

LA1-1

Section 4.3.2.5 contains a discussion on project dredging. Safety is discussed in section 4.12. LNG vessel safety is discussed in section 4.12.5. We do not believe all information must be included or recommendations met prior to issuance of the FEIS to understand the environmental impacts of the Project and fulfill the requirements of NEPA. Please see responses to comments FA4-5 and FA5-2.

LA1-2

All analyses and responses filed by the Applicant and reviews and comments by other agencies are publicly available at <http://elibrary.ferc.gov> (Docket #CP07-62, CP07-63, CP07-64 and CP07-65). The docket is constantly expanding as new information becomes available. All information filed by the applicant, as well as comments from the public, have been reviewed and evaluated by FERC staff and incorporated into this FEIS, as applicable. We continue to incorporate new information up until the time the FEIS is sent to print. Please see responses to comments FA4-5 and FA5-2.

LA1 – Baltimore County, Maryland, David A. C. Carroll, Director of Sustainability

<p>20090610-5049 FERC PDF (Unofficial) 6/10/2008 1:27:21 PM</p> <p>Baltimore County Executive James T. Smith, Jr. LNG Hearing Remarks June 9, 2008</p> <p>* Good evening. I am Baltimore County Executive Jim Smith and I am here tonight on behalf of the citizens of Baltimore County to voice our continuing opposition to the proposed LNG facility at Sparrows Point.</p> <p>* I begin first by raising serious concern with the entire FERC evaluation process, which provides that the Federal Energy Regulatory Commission both develop the environmental and safety impact statement and then review its own document.</p> <p>* Asking FERC to engage in an evaluation of its own work is not only unfair to the people of our communities, but is also a disservice to all engaged in this process.</p> <p>* That being said, FERC has raised more than 150 issues in the Draft Environmental Impact Statement (DEIS) directed to AES, but AES is allowed to respond to these issues after all the public hearings. AES gets to hear the people. The people don't get to hear AES. The comment period for FERC's review ends next week! How can governments or citizens fully evaluate the impact of this project without the information FERC has requested and AES has not yet furnished.</p> <p>* I also have concerns about the Coast Guard's Waterway Suitability Study being a largely classified document. There is very little, if any, detailed information provided in the Draft EIS. State and local governments are unable to evaluate the public safety implications without detailed information like the extent of the Coast Guard's security responsibilities, local coordination, and plans for emergency responses.</p> <p>* In April of 2007, I supported the Secretary of Maryland's State Department of Transportation in his letter to the Captain of the Port denying State resources to cover the enormous expenses related to providing security for this private LNG facility. I likewise will not burden Baltimore County's taxpayers or endanger the safety of our emergency responders. Your review of the security requirements for the proposed LNG facility should not assume ANY security role by Baltimore County.</p> <p>* It is also alarming to learn that the exclusion zones that move with these tankers in transit, and the safety zones around the actual facility used by FERC are considered woefully inadequate by a major international LNG safety organization of which I believe AES is a member. The Society of International Gas Terminal and Tanker Operators (SIGTTO), which represents nearly all the world's LNG businesses, is acknowledged as the authoritative voice of LNG shipping and terminals.</p> <p>* The SIGTTO list of recommendations for site selection for LNG ports, if applied to this project, would exclude an LNG plant from locating in the upper Chesapeake Bay and the Port of Baltimore.</p> <p style="text-align: center;">1</p>	<p>LA1-3 FERC staff developed this FEIS in accordance with the requirements of NEPA; the Council on Environmental Quality regulations for implementing NEPA; and the FERC's implementing regulations. The DEIS and FEIS efforts were undertaken with the participation and assistance of the Coast Guard, COE, EPA, and PDCNR. The purpose of this EIS is to inform the FERC decision-makers, the public, and other permitting agencies about the potential adverse and beneficial environmental impacts associated with the proposed Project and its alternatives, and to recommend practical, reasonable, and appropriate mitigation measures that would reduce adverse impacts to the extent possible.</p> <p>LA1-4 We have repeatedly encouraged and continue to encourage informed comment on the contents of the public docket. Also, please see response to comment LA1-2.</p> <p>LA1-5 As stated in section 4.12.5.3, the Coast Guard used the criteria developed by Sandia National Laboratories to define the outer limits of the hazard zones for assessing potential risks associated with the Project. Requests for copies of the material used in developing the Coast Guard's preliminary determination on the suitability of the waterway should be made to the Coast Guard as indicated in the WSR (see appendix J).</p>
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LA1 – Baltimore County, Maryland, David A. C. Carroll, Director of Sustainability

<p>20080610-5049 FERC PDF (Unofficial) 6/10/2008 1:27:21 PM</p> <p>LA1-8</p> <p>* Baltimore County has also amended its Chesapeake Bay Critical Area program to prohibit LNG facilities in our County's Chesapeake Bay Critical Area. The entire State Critical Area Commission unanimously approved that prohibition, and as a result amended Maryland's Coastal Management program. AES Corporation has taken us to court.</p> <p>* The recent Fourth Circuit Court of Appeals decision instructed the County that additional federal review of our proposed change was required by NOAA. We are following the Federal Court's direction and look forward to NOAA's approval and the inclusion of our amendment in the State program.</p> <p>LA1-9</p> <p>* Baltimore County also requests that you consider other options to placing LNG facilities in the midst of our communities. In a recent op ed article in the Asbury Park Press, J. Roger Whelan, President of Liberty Natural Gas in New Jersey discussed their proposed placement of "natural gas receiving bouys" some 15 to 17 miles off the Jersey coast. This follows the approach of the recently opened facility off the coast of Boston and the proven facility off the Norwegian North Sea coast.</p> <p>* When speaking of his Jersey coast proposal, Mr. Whelan notes the concerns of local communities and the negative impacts and security risks of LNG facilities.</p> <p>LA1-9a</p> <p>* It is my hope that FERC will take into account the legitimate and understandable concerns of the citizens of Baltimore County that you will hear tonight. I will be followed by several Department heads to present more of our concerns and to seek additional information regarding issues raised by this proposal. Baltimore County will also submit as full a response as possible under the circumstances to the draft EIS by the June 16<sup>th</sup> deadline.</p> <p>* I want to be clear that our objections to the adequacy of this Draft EIS, or this LNG Plant do not end with my remarks tonight. We are committed to keeping the people in our communities, our natural environment, and our national treasure, the Chesapeake Bay, safe and secure.</p> <p>* Thank you for giving me this opportunity to speak on this matter of utmost importance to the people of Baltimore County.</p> <p>2</p>	<p>LA1-6</p> <p>The WSR provided by the Coast Guard is based on specific levels of protection that must be provided in order to manage LNG marine traffic in the waterway. The resources required to implement these measures were not attributed to specific port stakeholders or agencies. Unless the required measures to ensure safe and secure operations were in place and serving their intended purpose, neither the Commission nor the Coast Guard would allow operation of the proposed facility.</p> <p>LA1-7</p> <p>The design, construction, and operating requirements for the Project are contained in 33 CFR Parts 103 to 105, 33 CFR Part 127, and 49 CFR Part 193. Although these regulations do not require the use of SIGTTO publications, the design factors and terminal procedures described in the SIGTTO Information Paper No. 14, "Site Selection and Design For LNG Ports and Jetties," are consistent with the safety and security concepts considered during project review.</p>
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LA1-10

<p>20080610-5049 FERC PDF (Unofficial) 6/10/2008 1:27:21 PM</p> <p>Comments Presented at the FERC Public Hearing, June 9, 2008 Regarding the Proposed Sparrows Point LNG Terminal and Pipeline Project. FERC/EIS-0222D</p> <p>David A. C. Carroll, Director of Sustainability Executive Office 400 Washington Avenue Towson, Maryland 21204 <a href="mailto:dcarroll@baltimorecountymd.gov">dcarroll@baltimorecountymd.gov</a></p> <p>My name is David Carroll and I am the Director of Sustainability for Baltimore County.</p> <p>Baltimore County will be submitting comprehensive comments relative to this project prior to the June 16<sup>th</sup> deadline.</p> <p>I would also like to raise the concern, as noted by the County Executive, that many of the issues raised by FERC are to be responded to by the applicant prior to the end of the DEIS comment period. Since that is next Monday this means that interested parties will not have the opportunity to review, digest and comment on the many issues raised in the DEIS.</p> <p>I would like to highlight tonight several major areas of concern that the County has voiced for well over a year and unfortunately remain unanswered in the DEIS.</p> <p><b>1.Dredge Material Management.</b> Baltimore County maintains one of the largest dredging programs for channels for recreational boating in the State of Maryland. We have worked cooperatively with the Maryland Port Administration through the Baltimore Harbor Options Team process to identify viable, long-term dredging handling facilities for the Port. We are all too aware of the complications and permitting requirements of managing dredging operations.</p> <p>The proposal included in the DEIS is hardly credible. There are numerous issues, which are not adequately addressed:</p>	<p>LA1-8                    On June 26, 2008 the U.S. Secretary of Commerce issued the Decision and Findings to override the State of Maryland’s objections to the Project’s consistency with the Coastal Zone Management Act (CZMA). Section 4.8.2.1 contains a discussion on the consistency determination for the Coastal Facilities Review Act (CFRA) application filed for the Project as required by the Maryland Coastal Zone Management Plan (CZMP).</p> <p>                                 All necessary state and federal permits and approvals would be required to be complete before the Project can be constructed. For a list of major permits and approvals see table 1.3-1.</p> <p>LA1-9                    Section 3.0 of the FEIS contains the alternative analyses completed for the Project including other alternative energy sources, LNG Terminal alternatives and pipeline alternatives (system alternatives, major route alternatives and route variations).</p> <p>LA1-9a                   We take all concerns seriously. Thank you for your comments and your involvement in reviewing the potential environmental impacts of the Project.</p> <p>LA1-10                   Please see response to comment LA1-2.</p>
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20080610-5049 FERC PDF (Unofficial) 6/10/2008 1:27:21 PM

LA1-11

LA1-12

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- The site is hardly adequate to manage the scale of dredging and material handling required by this project in an environmentally responsible manner,
- The ability to adequately dewater and treat the material for contaminants is vague and presents little data as to how contaminants might be handled,
- The impacts of moving processed material off-site seems to run for almost two years involving thousands of cubic yards daily, yet there is little or no acknowledgement of the impacts of hundreds of trucks on local roads and the Interstate system;
- There is no discussion as to the possible need for supplements to aid in the dewatering process. Given the small site materials may need to be added to dredge material to advance dewatering. There is also no discussion of the required truck impacts that may be required.
- The ultimate disposition of the processed material remains unidentified, a condition not afforded to local or state dredging projects when they submit dredging proposals to the Corps of Engineers. Local government and state agencies are required to present a comprehensive and detailed management plan for all aspects of the dredging and disposal.
- The long-term needs for maintenance dredging are vaguely mentioned with no plan.
- FERC should also be aware that the State of Maryland made the use of State owned facilities for the initial or maintenance dredging off-limits. If the plant is up and operating the options for rehandling on site are virtually non-existent. This approach apparently assumes that adjacent property will be available, as AES requires. That is an assumption neither FERC, the Corps of Engineers nor AES should make.

2. **Site Contamination.** There is only passing mention of the Voluntary Cleanup Program relative to this site. There apparently is an assumption that this process may move ahead. We believe that to be a questionable assumption given the new information concerning contamination at the adjacent property. Significant plumes of benzene and naphthalene have been found in the groundwater. The benzene contamination is immediately south of the shipyard property and the naphthalene is just to the southeast. The extent of the contamination, movement direction and rate is as yet undocumented. Both of these contaminants are highly flammable and will

LA1-11

As discussed in section 4.3.2.5, *Dredging* and in the Consolidated Dredge Plan (appendix D), mitigation measures would be used to ensure that water quality impacts would be minimized. In softer, surface sediments, an environmental bucket would be used concurrent with reduced and controlled lowering speeds for the crane, and scows and containers would be of solid hull construction and completely sealed and water tight to avoid release of dredge material. Additionally, a water quality sampling program would be instituted within a 1000-ft limit upstream and downstream of the proposed dredge area. Sampling would be conducted prior to, during, and 30 days post-dredging activities. Results would be submitted to COE within 120 days of the completion of dredging activities.

LA1-12

The Consolidated Dredge Plan (appendix D) has been amended to include additional information with regard to dewatering and contaminant testing.

LA1-13

Table 4.9.4-1 contains a summary of truck traffic related to the DMRF. Air emission data from trucks were provided in Resource Report 9, appendix 9A. The Consolidated Dredge Plan discusses traffic impacts and includes the possibility of alternative offsite transport of PDM by rail or a combination of truck/railcar.

<p>20080610-5049 FERC PDF (Unofficial) 6/10/2008 1:27:21 PM</p> <p>↑ require considerable, additional investigation. Their presence calls into question the safety and wisdom of segregating the shipyard site from the former Sparrows Point property as proposed under the Voluntary Cleanup Program. Management of these kinds of contaminants, especially in groundwater was meant to be exhaustive and comprehensive as clearly defined in the EPA and Department of Justice Consent Order. Any remedial action plan (RAP) must include both sites as a combined groundwater system. To do otherwise is to undercut the Consent Order, further endanger users of these properties and limit the protection options for Baltimore Harbor and the Chesapeake Bay.</p> <p><b>3. Coastal Facilities Review Act.</b> I would remind FERC and the Corps of Engineers that Baltimore County has stayed its decision on the required local certification for Coastal Zone Consistency until the State completes the review of this project as required under the Coastal Facilities Review Act, (CFRA). It is our understanding that that review is underway however there are significant gaps in information, as we have indicated here tonight. The current DEIS raises significant additional questions in a number of areas concerning the feasibility of this project’s development, public safety and the impacts not only to the site but surrounding properties, the community and the Chesapeake Bay. We find that there are significant outstanding informational needs yet unmet.</p> <p><b>4. Safety of Ship Transit and Facility Location.</b> As has been mentioned in other testimony Baltimore County believes the current standards utilized by FERC to evaluate exclusion zones for both LNG tankers and the site are outdated and inadequate. SIGTTO has made it clear that the 500-yard exclusion zone for vessel transit is inadequate. SIGTTO’s standards for location are far more protective of the public and should be utilized by FERC and the Coast Guard in evaluating this project.</p> <p>In closing it should be clear that Baltimore County Government believes this is an ill conceived proposal that seriously undercuts the safety and quality of life of our citizens and has the potential to devastate the environmental quality of Baltimore Harbor and the Chesapeake Bay. While we have heard much of the safety record of LNG movement and processing the past cannot protect us from the future and the consequences of a catastrophic accident. We do not believe it is in the national public interest nor a reflection of wise public policy to continue to permit LNG facilities in heavily populated areas.</p>	<p>LA1-14 Gravity dewatering is considered to be adequate for this process and no supplemental materials are necessary to aid in dewatering. Please see response to comment LA1-13.</p> <p>LA1-15 AES has amended its Consolidated Dredge Plan to include additional information with regard to dredging (see appendix D).</p> <p>LA1-16 Please see response to comment LA1-15.</p> <p>LA1-17 Comment noted.</p> <p>LA1-18 Comment noted. AES must comply with all appropriate regulations.</p> <p>LA1-19 Please see response to comment LA1-8.</p> <p>LA1-20 Please see response to comment LA1-7.</p>
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20080610-5049 FERC PDF (Unofficial) 6/10/2008 1:27:21 PM

LNG Testimony  
Draft Environmental Impact Statement  
Sparrows Point LNG Terminal and Pipeline Project  
FERC Hearing  
June 9, 2008

My name is Mary Harvey and I am the director of the Baltimore County Office of Community Conservation and I am here with my colleagues from county government and the community to oppose the LNG facility at Sparrows Point.

Baltimore County is fortunate to have several million dollars in federal funds from the U. S. Department of Housing and Urban Development each year to assist the county in its revitalization efforts within our communities. Often these federal funds are combined with local, state and private resources to provide much needed improvements to infrastructure and housing. Many communities throughout Baltimore County have benefited from this funding but Turner Station particularly has benefited from the consistent use of federal funds over the last 30 years. Baltimore County has provided infrastructure, built a community center and assisted private housing developers through the use of federal HUD funds.

With that in mind, the Baltimore County Office of Community Conservation has initiated a formal inquiry seeking comment from HUD regarding the LNG facility. Federal regulations specifically speak to concerns about siting HUD-assisted projects near hazardous operations handling conventional fuels or chemicals of an explosive or flammable nature. The proposed Sparrows Point LNG facility is such an operation.

HUD regulations indicate that such a facility should not be placed in close proximity to HUD-assisted projects. Furthermore, HUD states that there needs to be an "acceptable separation distance" between HUD-assisted projects and a facility that handles hazardous material.

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LA1-21

Section 4.12.4 has been updated to address this comment.

20080610-5049 FERC PDF (Unofficial) 6/10/2008 1:27:21 PM

↑ We have asked HUD for a formal interpretation of their regulations and a statement of the Acceptable Separation Distance between HUD-assisted projects and the proposed LNG facility at Sparrow's Point. We have been told that we will receive an official reply within a matter of days.

LA1-22

Clearly HUD's intention is to protect its investment and the communities that are served by this public investment. We are requesting that every effort be made to protect this 100 year-old historic African-American community and the investments that these citizens have made in their homes and families.

Later this year we will engage the residents of Turner Station in a planning process that will set a vision for the next generation. The possibility of a LNG facility threatens to undermine this effort and all the progress we have made in this part of the county in recent years. Tonight, we ask that you help us protect our citizens by looking elsewhere for this facility.

LA1-22

In HUD's July 3, 2008 letter, HUD concludes that the proposed LNG facility is located at an Acceptable Separation Distance from the listed HUD assisted housing projects (Turner's Station, Center Place and St. Luke's Place Apartments). Reliability and safety are discussed in section 4.12 of this FEIS.

*LNG Testimony  
Federal Energy Regulatory Commission  
June 5, 2006*

John Hohman  
Fire Chief  
Baltimore County Fire Department

LA1-23

I am Fire Chief John Hohman of the Baltimore County Fire Department. It is impossible to talk about locating a Liquefied Natural Gas plant in the midst of a residential community without talking about the hazardous properties of LNG. LNG is extremely cold and its release can cause structural failure in nearby tanks, vessels and supporting structures. The extreme temperatures of LNG can cause severe injuries and death.

LNG is easily ignited by heat, sparks, and flame, and its ignition results in extremely high temperature fires. Its vapors become extremely explosive when they come into contact with the air. Although LNG is lighter than air at normal temperatures, when it transitions from liquid to a gas, the vapor cloud is extremely cold and initially heavier than the surrounding air. Vapors can accumulate in storm sewers and other low-lying areas and travel until they find an ignition source. Even in situations when there has been no ignition source, there have been situations like the one in Indonesia in 1993 where LNG enters a storm drain system and undergoes rapid vapor expansion, resulting in extensive property damage from the resulting explosive expansion of gas. LNG containers may explode when heated and ruptured cylinders become missiles threatening neighboring communities.

To give the committee an idea of just how significant the LNG threat is in our communities, we only need to review the evacuation zone requirements developed by the Department of Transportation in its Emergency Response Guidebook in 2004 for LNG emergencies involving rail cars. The immediate evacuation zone for a large spill on a rail car is ½ mile downwind. The evacuation zone for a fire involving a tank car is one mile in all directions. Compare the recommended evacuation zones to the zones that would be needed to address a breach at the Sparrows Point facility. Rail cars hold a maximum of 33,000 gallons of LNG. The three tanks proposed at Sparrows Point will hold a total of 94.5 million gallons of LNG. Should this facility be located in the midst of a residential community? The answer is crystal clear, and we know the answer to the question!

Let me close with a few final reminders:

- Accidental spills will pose a risk to individuals within ½ mile of the spill.
- A medium to large spill (5-7 square yard breach) will cause a risk to people within one mile.
- A large-scale release will have a cascade effect because of the effects of a cryogenic liquid on the surrounding tank structures and vessels. This would involve a large fire or fireball, cause extensive property damage, and place people more than one mile away at risk.

LA1-23

The hazards associated with LNG are presented in sections 4.12.1 and 4.12.5.3. The safety and security review prepared by FERC staff and the Coast Guard are discussed in section 4.12 included these hazards. In addition, the LNG storage tanks would be heavily insulated, close to atmospheric pressure, and equipped with pressure relief devices. These types of tanks are not susceptible to explosion due to heating or rupturing.

Unlike highway or railroad scenarios, any LNG spill at the facility would be directed to on-site impoundments and contained. In order to minimize the potential for off-site impact, these impoundments must be located in accordance with the federal regulations under 49 CFR 193. Our analysis of the proposed design is discussed in section 4.12.2.

As discussed in section 4.12.5.3, the Coast Guard used the criteria developed by Sandia National Laboratories to define the outer limits of the hazard zones for assessing potential risks associated with the Project. Unless the measures required for safe and secure operations were in place and serving their intended purpose (see the Coast Guard's WSR in appendix J), neither the Commission nor the Coast Guard would allow operation of the proposed facility.

20080610-5049 FERC PDF (Unofficial) 6/10/2008 1:27:21 PM

↑ > These risks do not even take into account the land-based part of the operation including three large storage tanks, processing equipment to boil off the LNG into vapor, and a compression system to pressurize the gas for transportation through a high pressure pipeline to Pennsylvania.

LA1-24

In summary, I would like to add that as Fire Chief I have been asked repeatedly what would the fire department need to be adequately prepared to respond to a disaster at an LNG plant. The response to that question is very straightforward: there is no way to prepare for that kind of disaster, and if we believe there is, we are simply fooling ourselves and our citizens. I ask that the members of the commission stop this proposal immediately out of the respect for the safety and well being of the citizens of eastern Baltimore County. Thank you.

LA1-24

Please see response to comment IN22-2.

20080610-5049 FERC PDF (Unofficial) 6/10/2008 1:27:21 PM

*LNG Testimony  
Federal Energy Regulatory Commission  
Monday, June 9, 2008  
7PM Patapsco High School*

*Mark F. Hubbard  
Interim Director, Baltimore County Office of Homeland Security and Emergency Management  
Assistant Fire Chief, Baltimore County Fire Department*

My name is Mark Hubbard; I am the interim director of Baltimore County's Office of Homeland Security and Emergency Management and Assistant Fire Chief for the Baltimore County Fire Department. I am here this evening to ask the Federal Energy Regulatory Commission to disapprove the location of a liquid natural gas terminal in the Sparrows Point area of eastern Baltimore County.

LA1-25

Since the 9/11 attacks, Baltimore County has sought to reduce and mitigate the number of hazards in our communities. The presence of a LNG plant in Sparrows Point would constitute a new hazard of major proportions. Inherently dangerous, the proposed plant would create a high-value target to those with malicious intentions and be a constant source of accidental disaster. It would severely stress, and possibly overwhelm, our emergency planning and emergency response resources.

LA1-25

Please see response to comment IN22-1.

Let me summarize our concerns:

LA1-26

- The proposed location is near densely populated residential and commercial centers. About 35,000 Baltimore County residents live within three miles of Sparrows Point; thousands of Baltimore City residents live nearby as well. In addition, thousands of motorists, employees and school children inhabit this area at any given time. We believe that, in preparing for a catastrophic event at the LNG plant, we simply could not devise an effective evacuation plan for so many people. And such planning is further complicated by the challenges presented by the peninsula geography.
- The huge amounts of LNG planned for storage at this terminal – 94.5 million gallons -- would create an unacceptable level of risk to our community. LNG is dangerous on many levels. Its extreme coldness can cause structural failure in nearby tanks and vessels, and can cause severe injuries and death. It is highly explosive; its ignition causes extremely high temperature fires. LNG's vapor cloud is heavier than air, which means the vapor accumulates in low-lying areas and underground pipes and can travel until it finds an ignition source.

LA1-26

Please see response to comment LA1-23.

20080610-5049 FERC PDF (Unofficial) 6/10/2008 1:27:21 PM

LA1-27

- ↑ Please note that, according to the U.S. Department of Transportation's 2004 Emergency Response Guidebook for LNG emergencies involving rail cars, the evacuation zone for a fire involving a tank car carrying a mere 33,000 gallons of LNG is one mile in all directions. How, we ask, is it possible to create an evacuation zone for a plant storing 94.5 million gallons?
- Baltimore County is not prepared to secure such a large, dangerous facility nor do we believe it is possible to prepare for the extreme consequences of a significant event.
  - We do not have the police resources necessary to provide security to the LNG terminal; ingress and egress to the facility on land or by water; or for the miles of pipelines from the terminal. Current staffing of local precinct and marine law enforcement units would not allow significant security for the LNG transport ships, pipelines or for the facility itself. Any police staffing devoted to the LNG facility would result in a reduction of other police services to the community.
  - The presence of a LNG plant in Sparrows Point inevitably would force Baltimore County to abandon or divert attention and resources from other serious emergency preparedness concerns, such as our ability to respond to transportation-related emergencies and weather-related disasters.

Quite simply, Baltimore County's Office of Homeland Security and Emergency Management and local fire and law enforcement experts believe that a dangerous plant of this magnitude has no business existing in a densely populated, urban or suburban area. We believe that even our best efforts to prepare for an emergency at such a facility will be insufficient, and we fervently ask your help in stopping this ill-conceived, potentially disastrous proposal.

I thank you for the opportunity to present my serious concerns.

LA1-27

Please see response to comment LA1-6.

20080610-5049 FERC PDF (Unofficial) 6/10/2008 1:27:21 PM	
Document Content(s)	
LNG Bose Comments.PDF.....	1-1
Smith Testimony.PDF.....	2-3
Carroll Testimony.PDF.....	4-6
Harvey Testimony.PDF.....	7-8
Hohman Testimony.PDF.....	9-10
Hubbard Testimony.PDF.....	11-12

<p>20080613-5049 FERC PDF (Unofficial) 6/13/2008 2:00:53 PM</p> <p style="text-align: center;"><b>BALTIMORE COUNTY GOVERNMENT INTER-OFFICE MEMORANDUM</b></p> <p>TO: David Carroll Director, Office of Sustainability</p> <p>FROM: Joseph A. "Jay" Doyle for Mary L. Harvey, Director, Office of Community Conservation</p> <p>RE: Proposed LNG Facility</p> <p>DATE: June 13, 2008</p> <hr/> <p>The Baltimore County Office of Community Conservation is writing to dispute a very important calculation that has been presented in the draft Environmental Impact Statement concerning the LNG facility proposed for Sparrows Point. We have carefully reviewed regulations administered by the U.S. Department of Housing and Urban Development (CFR Title 24 – Housing and Urban Development, Part 51 -- Environmental Criteria and Standards) that caution against placing HUD-assisted projects near facilities that handle hazardous materials.</p> <p>We strongly assert that the figures presented in the draft EIS, section 4.0 Environmental Analysis, page 241, with regard to the "Acceptable Separation Distance" are grossly inaccurate. We have consulted with technical experts at HUD's Office of Environment and Energy in calculating the ASD. The appropriate calculations of the ASD between the proposed LNG tanks, with tanks holding 42.27 million gallons of LNG, and HUD-assisted facilities are as follows:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The ASD for blast overpressure for buildings is 7,411 feet</li> <li><input type="checkbox"/> The ASD for thermal radiation for people is 23,388 feet</li> <li><input type="checkbox"/> The ASD for thermal radiation for buildings is 6,918 feet</li> </ul> <p>These figures are significantly higher than the figures presented in the DRAFT EIS.</p> <p>Baltimore County built and now maintains a HUD-assisted community center at 641 Main Street in Turner Station that lies approximately 7,300 feet from the proposed tanks. Furthermore, there are homes and additional populated facilities that lie closer to the LNG tanks. We believe that the proposed LNG facility would have a severe negative impact on our ability to establish new HUD-assisted projects in certain Baltimore County communities.</p>	<p>LA2-1      Please see response to comment LA1-21.</p> <p>LA2-2      Please see response to comment LA1-21.</p> <p>LA2-3      Please see response to comment LA1-21.</p>
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# LANCASTER COUNTY

LANCASTER COUNTY PLANNING COMMISSION

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JAMES R. COWHEY, AICP  
EXECUTIVE DIRECTOR

June 16, 2008

Kimberly D. Bose  
Federal Energy Regulatory Commission  
888 First Street, N.E., Room 1A  
Washington, D.C. 20426

RE: Docket Nos. CP07-62-000, CP07-63-000, CP07-64-000, and CP07-65-000  
DEIS Sparrows Point LNG Terminal and Pipeline Project Comments

Dear Ms. Bose:

The Lancaster County Planning Commission staff has reviewed the Sparrows Point LNG Project Draft Environmental Impact Statement (DEIS) according to the adopted policies of the Lancaster County Comprehensive Plan. The relevant policies include, but are not limited to, the following:

- Preserve, protect, enhance, and restore the County's native plant and animal diversity and functioning natural systems;
- Protect, conserve, and improve surface and groundwater resources for human and non-human use;
- Protect and improve the quality of our air

General Comments

The DEIS references the 2006 Annual Energy Outlook produced by the Energy Information Administration of the U.S. Department of Energy (DOE) in establishing the Project Need (Section 1.2). And, in Section 3.1 (Alternative Energy Sources) the DEIS states that "If the proposed Project is approved, one result would be importation of additional fossil fuels to offset or partially offset regional energy needs; this could delay or deter the development of some renewable energy projects." Our research shows that there has been a substantial change in the Annual Energy Outlook since 2006. The Annual Energy Outlook 2008 (Early Release) indicates that the annual demand for natural gas is projected to be only 22.72 trillion cubic feet (Tcf) in 2030, whereas the 2006 report cited in the DEIS notes demand of 26.86 Tcf in 2030. This represents a significant downward shift in the long-term projected consumption of natural gas. At the same time, the projections for renewables have been adjusted upward. The Sparrows Point LNG project, which fosters continued reliance on fossil fuels at the expense of the development of renewable energy projects, therefore is somewhat inconsistent with the County's policy of protecting and improving the quality of our air. Therefore, given the change in the projected annual demand and the fact that this project could delay or deter the development of some renewable energy projects, we believe that the public benefit of this project warrants reconsideration.



LA3-GC1

LA3-GC1

We have reviewed and analyzed the Annual Energy Outlook 2008 developed by the Energy Information Administration (EIA). EIA's projections are based on results from the EIA's National Energy Modeling System. Section 1.2 has been updated to include a discussion on EIA's Annual Energy Outlook 2008 report.

<p>20080616-5067 FERC PDF (Unofficial) 6/16/2008 3:02:23 PM</p> <p><b>Sparrows Point LNG Project</b> <span style="float: right;">Page 2</span>  <b>DEIS Comments</b></p> <p>While recognizing the importance of comprehensive oversight by FERC of projects such as the Sparrows Point LNG facility and transmission line, the Lancaster County Planning Commission advocates compliance with county and municipal comprehensive plans, as well as the full inclusion of local and state regulations to mitigate or prevent local impacts. These include local zoning ordinances, historic preservation ordinances, earth disturbance ordinances and others so as to address local concerns at the local level.</p> <p><u>Detailed Comments</u></p> <p>1) Table 4.3.1 lists water supply wells within 150 feet of the pipeline route. The table identifies only two wells with a Lancaster County location. Because the area of Lancaster County through which the pipeline will travel is a rural area with no public water supply, we have reason to believe that the survey is incomplete. A cursory survey of our GIS parcel data showed approximately twenty residential structures within 150 ft of the pipeline which are not listed on TABLE 4.3.1-1. Therefore, we suggest that a door to door survey be conducted in order to verify the presence of water and wastewater infrastructure (wells and septic systems) within 150 feet of the pipeline route.</p> <p>2) In the text under the heading <u>Public and Private Water Supply Wells</u>, the DEIS states that "There are no public water systems within a wellhead protection area within 150 feet of the proposed pipeline route in Pennsylvania (DRBC, 2007)." The source cited, DRBC, does not have jurisdiction over Lancaster County. Rather, the subject area of Lancaster County is within the Susquehanna River Basin. Furthermore, the permitting of public water supplies rests with the Pennsylvania Department of Environmental Protection (PaDEP). Therefore, we recommend that the PaDEP and Susquehanna River Basin Commission be consulted on the issue of the presence of public water systems and wellhead protection areas within the construction zone.</p> <p>3) In Section 4.3.2.7 the DEIS states that "any impacted streambeds would be restored to former elevations and grades." We suggest that, rather than restoring streambeds to former elevations, MAE consider restoring the floodplain through the removal of legacy sediments.</p> <p>4) Section 5.1.2 states that only .7 acres of prime farmland will be temporarily affected by construction of the pipeline. However, our analysis shows that the proposed pipeline route would affect 14,042 linear feet of prime farmland in areas currently used as open space (fallow) or agriculture. Assuming the 50 ft of workspace cited in <b>Figure 2.2.2.1-1</b>, this would equate to 702,100 sq ft of prime farmland impacted, or approximately 16 acres in Lancaster County alone. These numbers should be accurately reflected in the DEIS and appropriate measures should be taken to mitigate impacts to prime farmland.</p> <p>5) The DEIS Section 5.1.8 states that "Pipeline construction could also affect wells and septic systems along the pipeline right-of-way." Mid-Atlantic Express was advised in the DEIS to file site-specific plans that include measures for mitigating impacts to septic systems for residences within 25 feet of the pipeline construction workspace. As of June 13, 2008 no such plans were available for review. Given the potential for harm to critical water and wastewater infrastructure, we believe that steps should be taken to ensure that all water and wastewater infrastructure which could be impacted is identified and plans for mitigating any impacts to said infrastructure are developed. With regard to the appropriate buffering distance we believe that the specific buffer should be determined in regards to local geologic and soil conditions and/or a site-specific Project Blasting Plan (recommended in Section 5.1.1).</p>	<p>LA3-GC2 FERC agrees with the Lancaster County Planning Commission relative to compliance with state and local (county and municipal) laws, ordinances and plans to mitigate or prevent impacts. In most cases Mid-Atlantic Express must abide by state and local laws and ordinances, but the FERC has final authority on the siting and construction of the Project. We considered comments by state and local agencies in preparing this FEIS and developing our recommended mitigation measures. State and local agencies may request realignment or alternative construction procedures through their permitting procedures. Any non-federal permits or approvals with requirements in conflict with the FERC's Order may be preempted by the Certificate. See section 1.3 for further discussion on compliance with permits, approvals and regulatory requirements.</p> <p>LA3-DC1 All public and private water supplies would be required to be identified prior to construction and would be protected as discussed in section 4.3.1.1 of the FEIS. Septic systems would also be protected, as discussed in section 4.8.1.1. Please see response to comment IN5-2.</p> <p>LA3-DC2 Thank you for this additional information. Information regarding groundwater water supplies was requested from PADEP and SRBC in August 2008. Please see response to comment LA3-DC1.</p>
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<p>20080616-5067 PERC PDF (Unofficial) 6/16/2008 3:02:23 PM</p> <p><b>Sparrows Point LNG Project</b> <span style="float: right;">Page 3</span>  <b>DEIS Comments</b></p> <p>6) In addition to its impact on prime farmland, the proposed pipeline route in PA traverses the Rock Springs Serpentine Barrens, an ecologically unique area identified as a Natural Heritage Area and recognized nationally and even globally for its unique interaction of bedrock, soils and vegetation. The serpentine barrens harbor a number of plant and animal species of concern. While the route does not directly disturb the Lancaster County Conservancy's existing nature preserve, it does traverse an area that may have similar natural features and characteristics. Every effort should be made to avoid disturbing any serpentine barren habitat. If this is unavoidable, then the project consultant should discuss appropriate mitigation measures with the PA Natural Heritage Program staff before proceeding.</p> <p>7) With respect to state listed endangered, threatened, and special concern species, the DEIS recommended that MAE "file with the Secretary the results of its state-endangered and threatened plant species surveys and consultations with the MDNR and Pennsylvania Natural Diversity Inventory (PNDI), and mitigation plans developed in consultation with the MDNR and the PNDI." As of June 10, 2008 no mitigation plans have been made available to the public. Considering the unique nature and plethora of rare and endangered species associated with the Goat Hill/Rock Springs Serpentine Barrens, which has been labeled a community of Exceptional Significance by the 2008 Update of the Lancaster County Natural Heritage Inventory completed by the Pennsylvania Natural Heritage Program, we would strongly advise that no construction be allowed until mitigation plans have been made available for public comment and approved by the PNDI.</p> <p>8) Any re-vegetation or re-forestation of the landscape disturbed by the pipeline placement should be completed with native plant species only.</p> <p>9) The pipeline traverses a number of forest patches that are identified as having interior forest characteristics. Pipeline placement through these forest patches would create more edge effect and destroy the characteristics that make these patches attractive to plant and animal species that require less disturbed habitats. It is strongly recommend that the pipeline corridor avoid further fragmentation of forest patches that show characteristics of interior forests.</p> <p>10) A cultural resource report was not available for review as part of this DEIS. This is a serious omission. Nevertheless, based on the proposed location of the pipeline we identified potential impacts to known cultural resources.</p> <p>a) The proposed pipeline path bisects the Kirk's Mill Historic District (listed in 1978) from southwest to northeast coming in close proximity to log buildings. A historic resource survey done subsequent to the National Register nomination documents log, stone, and brick buildings built between 1793 and 1900 within the district. Also, there is the potential for historic archaeological information at the sites of early mills in the Kirk's Mill Historic District.</p> <p>b) There are also many other cultural resources, (a predominance of extant 18th and early- to mid-19th century buildings) along the pathway of the proposed pipeline from the point it enters Lancaster County to the point where it exits into Chester County. There are several newer developments as well as numerous late 20th century houses built along the roadways; however, farming remains the primary industry in the region. There is also an abundance of heavily wooded areas. Kirk's Mill Historic District is wholly located within one these wooded areas.</p>	<p>LA3-DC3 Comment noted. However, restoration to former condition or to pre-existing contours is mandated by the COE.</p> <p>LA3-DC4 "Prime farmland" is a designation defined by the U.S. Department of Agriculture as "land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these uses." The "prime farmland" designation does not necessarily indicate current agricultural use nor is it intended to correspond to acreages of currently farmed land. Acreage of agricultural land is shown in table 4.8.1-4. We are recommending that Mid- Atlantic Express develop an Agricultural Impact Mitigation Plan for agricultural lands. We believe that Mid- Atlantic Express's ECP and our mitigation measures would adequately protect farmland and that all but 0.17 acres of farmland would revert to its pre-project use after construction is complete.</p> <p>LA3-DC5 Comment noted. See section 4.8.1.1 for a discussion of the AES Septic System Contingency Plan.</p> <p>LA3-DC6 See sections 4.5.1.2 and 4.7.2 for discussion of serpentine barrens.</p> <p>LA3-DC7 Comment noted.</p>
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LA3-DC6

LA3-DC7

LA3-DC8

LA3-DC9

LA3-DC10a

LA3-DC10b

<p>LA3-10c</p> <p>LA3-10d</p> <p>LA3-10e</p> <p>LA3-RA1</p>	<p>20080616-5067 FERC PDF (Unofficial) 6/16/2008 3:02:23 PM</p> <p><b>Sparrows Point LNG Project</b> <span style="float: right;">Page 4</span>  <b>DEIS Comments</b></p> <p>c) In addition to considering the impact upon the built environment, the cultural landscape should also be considered. A wide clear-cut swath of land running through the agricultural and woodlands would change the landscape. Impacts to the cultural landscape should be avoided.</p> <p>d) Finally, there are Pennsylvania Archeological Survey sites recorded in the Summerhill region. Sensitive areas also exist and it is likely, due to the proximity to the Octoraro Creek, that there are additional unidentified sites that may be encountered during construction of the pipeline. Mitigation plans should be developed for addressing these sites should they be encountered.</p> <p>e) The pipeline project has the potential to adversely effect the historic built environment, change the cultural landscape, and destroy archaeological resources. Therefore it is important that the Cultural Resource Report be completed and carefully reviewed.</p> <p><u>Recommended Action</u>          We recommend that the public comment period be extended to allow adequate time for review and comment of all plans and reports associated with this project.</p> <p>Sincerely,            James R. Cowhey, AICP          Executive Director</p> <p>Cc: Lancaster County Board of Commissioners          Lancaster County Planning Commission          Secretary, Board of Supervisors, Fulton Township          Secretary, Board of Supervisors, Little Britain Township          File</p>	<p>LA3-DC8 Comment noted. AES's ECP, appendix T of the FEIS, in the <i>Procedures</i> section C.4 states that AES would, "Consult with the appropriate land management or state agency to develop a project specific restoration plan. The restoration plan should include measures for re-establishing herbaceous and/or woody species, controlling the invasion and spread of undesirable exotic species ... and monitoring the success of the revegetation and weed control efforts."</p> <p>LA3-DC9 Comment noted. FERC has worked with the applicant to avoid forest fragmentation throughout the development of the pipeline route and the evaluation of route variations.</p> <p>LA3-DC10a See section 4.10 for discussion of cultural resource impacts, consideration given to route variations and ongoing consultation to avoid and minimize possible impacts to the Kirks Mill Historic District and other historic properties.</p> <p>LA3-DC10b Please see response to comment LA3-DC10a.</p> <p>LA3-DC10c Please see response to comment LA3-DC10a.</p> <p>LA3-DC10d Please see response to comment LA3-DC10a.</p> <p>LA3-DC10e The final archaeological and cultural resource plans must be provided to and reviewed by the SHPOs and approved before the Project would be constructed.</p>
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	<p>LA3-RA1</p> <p>All analyses and responses filed by the Applicant and reviews and comments by other agencies are publicly available at <a href="http://elibrary.ferc.gov">http://elibrary.ferc.gov</a> (Docket #CP07-62, CP07-63, CP07-64 and CP07-65). The docket is constantly expanding as new information becomes available. All written and oral comments received prior to the FEIS being sent to the printer were considered and evaluated in the preparation of this FEIS.</p>
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## THE COUNTY OF CHESTER

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June 16, 2008

Kimberly D. Bose, Secretary  
 Federal Energy Regulatory Commission  
 888 First St. NE Room A1  
 Washington, DC 20426

Re: Docket CP07-62-000; CP07-63-000; CP07-64-000; CP07-65-000  
 Sparrows Point LNG Terminal and Pipeline Project, Draft Environmental Impact Statement

Dear Ms. Bose,

The Chester County Planning Commission has reviewed the Draft Environmental Impact Statement for the Sparrows Point/Mid-Atlantic Express Pipeline project, issued by the US Federal Energy Regulatory Commission (FERC). This project would include the construction of a ship unloading facility with two berths to receive Liquefied Natural Gas (LNG) ships, three full-containment storage tanks, a closed-loop shell and tube heat exchanger vaporization system; ancillary facilities; meter and regulation stations; dredging of the Patapsco River 45-feet below low water levels; and approximately 88 miles of 30-inch diameter natural gas pipeline, approximately 32 miles of which will occur within Chester County. Portions of the proposed pipeline would be located "within or adjacent to various existing rights-of-way" (Draft EIS page 4-167).

The proposed project will affect over 400 parcels in the following Chester County municipalities: Lower Oxford, Upper Oxford, Londonderry, Highland, West Marlborough, Newlin, East Fallowfield, West Bradford, East Brandywine, Caln, Uwchlan, Upper Uwchlan, and West Vincent Townships, as well as Downingtown Borough.

The following comments are offered based on review of the Environmental Impact Statement and how they directly impact and affect Chester County, Pennsylvania:

A. Consistency with the County Policy Plan – *Landscapes*:

*Landscapes*, 1996, is the adopted Comprehensive Policy Plan for Chester County. *Landscapes* identifies four general land patterns, or Landscapes, of future development in the County – Urban, Suburban, Rural and Natural. We find the areas to be affected by the construction of the proposed Sparrows Point/Mid-Atlantic Express pipeline to be generally inconsistent with the Livable Landscapes Map. While a portion of the proposed Sparrows Point/Mid-Atlantic Express Project is located within an area primarily defined as a Suburban and Urban Landscapes, the large majority of the proposed project area occurs within the Rural Landscape and Natural Features Overlay. The Suburban and Urban Landscapes promote mixed land uses and increased densities and encourages the provision of the infrastructure necessary to enable this type of development to

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E-mail: [ccplanning@chesco.org](mailto:ccplanning@chesco.org)    [www.landscapes2.org](http://www.landscapes2.org)    Web site: [www.chesco.org/planning](http://www.chesco.org/planning)

LA4-A1      We generally disagree. Installation of the pipeline, if approved by the Commission, would result in temporary disturbances during the construction phase. However, long-term impacts to Rural Landscapes would be negligible. Open space would remain open space and no agricultural land would be lost over the entire length of the pipeline other than 0.15 acre at one mainline valve site and 1.01 acres for a permanent access road. In addition, easement restrictions that would prohibit certain activities on the permanent pipeline right-of-way (including erecting structures) would ensure that the pipeline corridor would not be lost as open space. While forested areas in the permanent right-of-way would not be allowed to revert to their pre-construction state, these lands would remain functional open space. Furthermore, impacts to open space — including the rural landscape, agricultural lands, and natural resources — have been minimized by project design (e.g., routing) and would be further minimized by the implementation of required mitigation as described throughout section 4 of the FEIS. Finally, Mid-Atlantic Express is obligated to acquire any applicable federal and state permits (see section 1.3 of the FEIS) and implement any additional mitigation required by those permits.

LA4-A1

<p>20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM                  Review of FERC Environmental Impact Statement June 16, 2008                  2 of 21</p> <p>↑ occur. However, the Rural Landscape and Natural Feature Overlay, support only limited types development and promotes agricultural land and open space preservation. The objective of the Rural Landscape is to preserve the open, rural character of Chester County, supporting agriculture as the primary land use while enhancing villages to accommodate future development. The objective of the Natural Feature Overlay is to promote open space, in areas with significant natural resources, including stream corridors, woodlands, wetlands, ground water recharge areas, steep slopes, and ridge tops. Without proper mitigation techniques to lessen the impact of the pipeline activity, the project would not be consistent with either the Rural Landscape or the Natural Landscape. The overall area of the proposed Sparrows Point/Mid-Atlantic Express Project is not consistent with many of the policies of <i>Landscape</i>s, as outlined in Section C "General Comments."</p> <p>LA4-B1 B. The primary concerns of the Chester County Planning Commission (CCPC) are regarding statements in the Environmental Impact Statement relating to "temporary and/or long-term impacts" to agricultural lands, eased and conserved lands, county-owned park lands and trails, municipal park lands and trails, waterbodies, including clearing and grading of stream banks, in-stream trenching, trench dewatering, and backfilling that could result in increased sedimentation and turbidity and decreased dissolved oxygen concentrations all of which could impact water quality. These impacts, when combined with earth moving and earth disturbance, as well as tree removal and stream diverting, may cause serious long term impacts to the municipalities and the county facilities located in the project area.</p> <p>LA4-B2 While the large majority of proposed project area in Chester County is designated as Rural and Natural, the Suburban/Urban portions of Chester County, parts of which parallel the proposed Williams/Transco replacement project FERC Docket #CP08-31-000, is heavily developed, experiences flooding on a regular basis, has aging infrastructure systems, private wells, as well as other natural resources that could be negatively impacted by the construction of the Sparrows Point/Mid-Atlantic pipeline, as currently proposed. The CCPC requests any supporting information and timeline explaining how Sparrows Point/Mid-Atlantic Express will remediate impacts if trees are to be cleared, habitats lost, water temperatures increased, nutrient pollutants discharged, and chemical contaminants discharged. With the evolution of the Environmental Protection Agency's TMDL program that PA DEP implements and enforces, many of these "short term" impacts stand to affect municipalities for a much longer period of time and at a financial and staff burden to mitigate problems ultimately initiated by Sparrows Point/Mid-Atlantic Express than expressed in the Draft EIS.</p> <p>LA4-B3 The potential impacts and general location, as noted above, are inconsistent with the following Policies of <i>Landscape</i>s:</p> <p>LA4-B4 <b>Land Use Policies:</b>                  Policy 1.1.9 Protect and restore urban historic and natural resources;                  Policy 1.2.5 Develop a permanent open space system linking existing areas and adding new areas;                  Policy 1.3.1 Encourage agricultural preservation, with priority given to areas with prime agricultural soils and Agricultural Security Areas;                  Policy 1.3.4 Limit economic development efforts to agriculturally related activities and other businesses which are compatible with the rural environment;                  Policy 1.4.1 Create an open space network of natural resources for the many environmental benefits it provides;                  Policy 1.4.2 Encourage municipal programs for natural resource preservation throughout Chester County;</p> <p>↓</p>	<p>LA4-B1 Required mitigation to minimize the potential for long term impacts to waterbodies is described in section 4.3.2.5.</p> <p>LA4-B2 As proposed, the pipeline would parallel the Williams/Transco replacement project between approximate MPs 80.9 - 81.1. However, route variation 10A would further move the proposed right-of-way from the area (see section 3.3.3 of this FEIS). The proposed pipeline would be designed and constructed to consider all existing conditions along the route.</p> <p>LA4-B3 Any disturbances of streams during the construction of the pipeline would be temporary. Mitigation measures for stream and wetland disturbances would be mitigated as outlined in section 4.3 and 4.4 and the HDD Plan (appendix S). See response to comment LA4-B4.</p> <p>LA4-B4 Mid-Atlantic Express has incorporated numerous measures to reduce environmental impacts during its routing and design of the proposed pipeline and in response to comments and agency consultations. In addition, FERC staff have made numerous recommendations in this FEIS to further mitigate environmental impacts (see section 5.2). These mitigation measures address a wide range of impacts, among them impacts relevant to the noted policies of <i>Landscape</i>s (Chester County's comprehensive plan) and <i>Watersheds</i> (the water resources element of <i>Landscape</i>s). Specific concerns raised by CCPC are addressed below.</p> <p>LA4-B5 See section 4.8.1.</p>
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Policy 1.4.3 Encourage cooperation among conservation groups, municipalities and the County to protect natural features;  
 Policy 1.4.4 Protect stream headwater areas from intensive development to preserve surface water quality and quantity.

**Natural Resources Policies:**

Policy 2.1.1 Protect a safe, long-term supply of water which is adequate for all uses;  
 Policy 2.1.3 Preserve and enhance the existing network of stream valleys and their aquatic habitat;  
 Policy 2.1.4 Prevent development in floodplains to protect public safety and water quality, and reduce public costs from flood damage;  
 Policy 2.1.5 Preserve wetlands for their ecological and hydrological functions;  
 Policy 2.1.6 Preserve and enhance buffer areas around water bodies to mitigate environmental and visual impacts from adjacent uses and activities;  
 Policy 2.1.10 Preserve and manage large woodland areas for their wildlife habitat and scenic values and their contributions to groundwater recharge, improved air quality and erosion control;  
 Policy 2.1.11 Preserve and manage habitats necessary for survival of existing rare, threatened, and endangered species identified in the Pennsylvania Natural Diversity Inventory and the Chester County Natural Areas Inventory;  
 Policy 2.1.12 Promote soil conservation practices to reduce erosion and sedimentation;  
 Policy 2.1.17 Protect existing woodlands and encourage reforestation;  
 Policy 2.2.2 Support the protection of designated scenic rivers and designation of additional stream segments.

**Scenic Resources Policies:**

Policy 2.2.1 Retain agriculture and villages to preserve the Rural Landscape of the County;  
 Policy 2.2.2 Support the protection of designated scenic rivers and designation of additional stream segments;  
 Policy 2.2.5 Encourage the design of new development to complement a community's scenic and historic character.

**Community Facilities Policy:**

Policy 5.1.1 Promote the protection of natural resources with park land acquisition and stewardship.

**Utilities Policy:**

Policy 6.1.4 Ensure the proper operation and maintenance of on-lot sewage disposal systems;  
 Policy 6.1.8 Encourage proper stormwater management to protect the environment and public health and safety by reducing runoff, erosion, flooding, and drainage problems;  
 Policy 6.3.1 Support the use of renewable energy resources;  
 Policy 6.3.3 Encourage the expansion of energy services which support development consistent with land use plans.

The potential impacts and general location, as noted above, are inconsistent with the following Objectives of *Watersheds*, the Chester County Integrated Water Resources Plan:

**Natural Resources Preservation Objectives:**

Objective 3-2 Protect and enhance the natural instream resources of streams, including stable stream channel processes and geomorphology conditions, aquatic living resources, stream baseflows, and water quality;  
 Objective 3-4 Protect and enhance streams supporting "sensitive resources" to recognize their vulnerability to low stream flows and water quality impairments;

LA4-B6

LA4-B6

Comment noted. We believe that the construction mitigation measures proposed by AES in its ECP (appendix T), as well as measures recommended by FERC staff, would serve to mitigate impacts to the resource areas identified in this comment.

<p>20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM                  Review of FERC Environmental Impact Statement June 16, 2008 4 of 21</p> <p>Objective 3-5 Protect wetlands for their hydrologic and ecological functions, and pursue opportunities to mitigate, restore or create wetlands;                  Objective 3-7 Consider the cumulative impacts on and benefits of proposed land development to natural resources and identify alternatives to avoid or mitigate impacts.</p> <p><b>Water Quality Objectives:</b>                  Objective 4-1 Achieve state designated use water quality standards in all streams                  Objective 4-4 Reduce or eliminate movement of sediment from lands into streams to conserve the soil resources and reduce instream siltation and pollutants.</p> <p><b>Stormwater Runoff and Flooding Reduction Objective:</b>                  Objective 5-1 Achieve post-development hydrologic conditions that are consistent with the natural hydrologic characteristics of the receiving stream system and that sustain and enhance groundwater recharge and ground water balances, stream baseflows, stable stream channel processes, flood carrying capacity, and water quality conditions to meet state standards.</p> <p><b>Utility and Municipal Planning Integration Objective:</b>                  Objective 7-3 Coordinate planning among municipalities, counties, and utilities using an Integrated Water Resources Planning process to insure consistency of system development and infrastructure expansion with local land use plans, ordinances, and <i>Landscapes</i>.</p> <p>C. Specific Comments. The following comments address specific points within the Draft EIS:</p> <p>1. Page ES-4. Executive Summary. The Environmental Impact Statement states that the FERC is recommending that Sparrows Point/Mid-Atlantic Express file site specific plans for those residences whose wells and septic systems fall within 25-feet of the proposed workspace. The Chester County Planning Commission (CCPC) would recommend mapping all residences that are located within 50-feet of the proposed workspace and request any supporting documentation regarding the mitigation of impacts to these residences.</p> <p>2. Page ES-4. Executive Summary. The Environmental Impact Statement states that visual impacts at riparian zones and forested segments will be minimized. The CCPC concerns lie not only with visual impacts, but with the ecological and hydrological systems that are being affected and negatively impacted by this proposal.</p> <p>3. Page ES-4. Executive Summary. The Environmental Impact Statement states that the proposed pipeline right-of-way is located in both the Doe Run Village and Kirk's Mill Historic Districts, both recognized on the National Register of Historic Places. The CCPC requests that the applicant explore alternatives to avoid these sensitive historic and cultural sites, in coordination with the Pennsylvania Historic and Museum Commission.</p> <p>4. Table 1.3-1. Major Permits. The applicant should be aware that some of the consultations, such as with the Department of Conservation of Natural Resources, if in reference to the Pennsylvania Natural Diversity Index (PNDI) clearance, may have expirations that may require a re-application.</p> <p>5. Table 1.3-1. Major Permits. The CCPC requests that the applicant also obtain approvals from the Delaware River Basin Commission, as the project also may affect flows in the Brandywine Creek, for construction and pipeline testing.</p>	<p>LA4-C1 Section 4.8.1.1 and 5.2 have been updated to require site-specific plans for all residences within 50 feet of a construction workspace.</p> <p>LA4-C2 We have added text addressing ecological and hydrological issues in riparian zones and forest to the Executive Summary and section 5. These issues are addressed in detail in sections 4.6.3.1 and 4.8.5.1.</p> <p>LA4-C3 Please see discussion in section 4.10 of consultation and consideration given to minimize impact to historic properties.</p> <p>LA4-C4 The various agency consultation/permit/ approval processes make the applicant aware of any time periods after which the applicant must re-apply should project activities not yet commence.</p> <p>LA4-C5 Mid-Atlantic Express has committed to complying with all water flow management regulatory protocols. See revised section 4.3.2.5.</p>
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<p>20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM                  Review of FERC Environmental Impact Statement June 16, 2008 5 of 21</p>		LA4-C6	Please see response to comment LA4-C38 regarding interaction with the Transco project.
LA4-C6	6. Page 2-1. Description of the Proposed Action. The text states that there would be interconnections with Columbia Gas Transmission Corporation, Texas Eastern Transmission Corporation and the Transcontinental Gas Pipe Line Corporation. The CCPC requests coordination between the proposed Williams-Transco project that is proposed for a 7.15 mile portion of Chester County, as both hold the potential for serious and negative impacts to residents, habitat, eased lands, and waterbodies, among others.	LA4-C7	See the applicant's alignment sheets, in conjunction with figures 2.2.2.1-1 and 2.2.2.1-2.
LA4-C7	7. Page 2-9. Description of the Proposed Action. The text states that the pipeline facilities will "generally parallel the existing pipeline corridor for approximately 54 miles," much of which is located in Chester County. The CCPC requests detailed maps or drawings that properly depict and delineate the overall width of both the existing and the ultimately proposed rights-of way, for clarity and detail.	LA4-C8	Unless specified otherwise in a site-specific plan (e.g., for residences), Mid-Atlantic Express's ECP (appendix T) discusses standards for revegetation and allows for natural regrowth, rather than providing for tree planting, of trees in portions of the temporary workspace that were wooded prior to construction. AES indicated in its July 9, 2008 meeting with the Chester County agencies that it would meet with the PADEP and would discuss tree impacts and the potential for replanting.
LA4-C8	8. Page 2-13. Table 2.2.2-1. In the Summary of Land Requirements, the text lists that roughly one-third of the proposed land to be affected during construction will ultimately be affected for permanent operation of the pipeline. The CCPC requests any supporting documentation on what standards and criteria for revegetation would be used for the project to ultimately have no impact. The CCPC requests that whenever possible, Sparrows Point/Mid-Atlantic Express work with property owners to revegetate with native species and replant trees where they are removed from areas other than a permanent ROW.	LA4-C9	The feasibility of HDD was evaluated for the stream crossings and the appropriate areas have been identified. We have recommended in section 4.3.2.5 that Mid-Atlantic Express coordinate stream crossings with CCCD and CCWRA, among other agencies. We have also recommended in section 4.8.1.2 that Mid-Atlantic Express coordinate with CCPRD, BMPs to best minimize impacts to the Brandywine Creek and Struble Trail and any other county-owned property.
LA4-C9	9. Page 2-15. Pipeline Right-of-Way and Additional Temporary Workspace. The CCPC requests that horizontal direction drilling be utilized wherever possible to minimize negative impacts to the waterbodies that are planned to be crossed by this project. Furthermore, we request that stream crossings be coordinated with the Chester County Conservation District (CCCD), the Chester County Water Resources Authority (CCWRA), and the Chester County Parks and Recreation Department (CCPRD).	LA4-C10	See response to comment LA4-C9.
LA4-C10	10. Page 2-31. Description of Proposed Action-Water Crossings. The CCPC requests that the applicant coordinate with CCWRA, CCCD, and CCPRD to explore stream crossing techniques that will require a minimum amount of disturbance to the stream flow and water quality.	LA4-C11	See section 4.9.1. The web page noted does not provide the site-specific information needed in order to assess population within 220 yards of the pipeline.
LA4-C11	11. Page 2-35. Operation and Maintenance Procedures. The CCPC requests that the most recent population estimates and census data be utilized for the areas located along the proposed pipeline corridor, as the air patrolling cannot accurately obtain correct population change information, only changes in land cover. The most recent available information on population change for the municipalities of Chester County can be found at: <a href="http://dsf.chesco.org/planning/lib/planning/pdf/PopGrowth.pdf">http://dsf.chesco.org/planning/lib/planning/pdf/PopGrowth.pdf</a>		
LA4-C12	12. Page 2-37. Fire and Hazard Detection System. The CCPC requests that the applicant work in coordination with both municipal emergency responders as well as the Chester County Department of Emergency Services (CCDES), as they may be more readily available to respond to future needs on the proposed site.		
LA4-C13	13. Page 3-59. Route Variation 9. The CCPC supports the recommendation of the FERC to obtain detailed environmental and engineering information on this Variation to find an alternative that will have fewer negative impacts, than traverse a forested area.		

	<p>20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM                  Review of FERC Environmental Impact Statement June 16, 2008 6 of 21</p> <p>14. Page 3-60. Figure 3.3.3-8 Route Variation 9. The map has two boxes with no text in them; they appear to point to an existing right-of-way. The CCPC requests clarification of this omission.</p> <p>15. Page 3-61. Route Variation 10. The CCPC supports the recommendation of the FERC to obtain detailed environmental and engineering information on this Variation to find an alternative that will have fewer negative impacts.</p> <p>16. Page 3-62. Figure 3.3.3-9 Route Variation 10. The map has three boxes with no text in them; they appear to point to existing right-of-ways. The CCPC requests clarification of this omission.</p> <p>17. Page 3-63. Route Variation 12 and 12b. The CCPC requests that any consultation or suggested route variation information from Upper Uwchlan Township be considered in the location of a route variation.</p> <p>18. The CCPC requests consistency with mapping throughout the document for clarity, as utilizing out of date USGS topoquads and what appears to be 2005 aerials is confusing and inconsistent.</p> <p>19. Page 4-8. Blasting. The CCPC requests that Sparrows Point/Mid-Atlantic Express coordinate with the PADEP to ensure that pre-event permits and inspections of affected homes take place in accordance with state regulations and requirements.</p> <p>20. Page 4-8. Blasting. The text states that blasting may be required near specific mile posts (70.4-72.1; 74.2-74.3; 82.5-83.1). According to the maps provided in Appendix B, these include areas near Buck and Doe Run and the Brandywine Creek at two separate crossings. The CCPC requests coordination with both the CCCD, the CCWRA, and the CCPRD to ensure that Erosion and Sedimentation measures are being taken, in accordance with Chapter 102, and Best Management Practices, to minimize impacts to the affected waterbodies. Additionally, the CCPC requests coordination with the affected residents and municipalities that may be impacted by any blasting to avoid damages to residences and other property.</p> <p>21. Page 40-8. Blasting. According to the information provided, blasting may occur along the Brandywine Creek, near the Struble Trail, which is owned by Chester County and operated by the CCPRD. The CCPC requests coordination with the CCPRD to minimize impacts not only to the Brandywine Creek, but also to the trail and those who use it.</p> <p>22. Page 4-20. Prime Farmland Soils. The CCPC requests supporting documentation and clarification on how the amount of prime farmland that would experience a "temporary impact" would total only 0.3 acres. Based on information from the Chester County Department of Open Space, approximately 22 farms, totaling 1,696 eased acres of preserved farmland, on which the County holds agricultural easements on, to be impacted in some fashion. This information is based on the list of affected landowners (listed in Appendix 1B of the Resource Report #1), overlaid with both the Chester County parcels GIS layer and the Chester County Department of Open Space Agricultural Easement GIS layer. Additionally, where Prime Agricultural Soil is to be disturbed, the CCPC requests coordination with the CCCD, to ensure that impacts to these soils are minimized. As presented, the development of preserved farmland is inconsistent with the following <i>Landscapes</i> Policies:</p>	<p>LA4-C12 As discussed in section 4.12.9, AES would be required to develop emergency plans for the pipeline under 49 CFR 192.615, which would include establishing and maintaining adequate means of communication with appropriate fire, police, and other public officials.</p> <p>LA4-C13 Comment noted.</p> <p>LA4-C14 These boxes were inadvertently left on these maps in error, and what appears to be an existing right-of-way is an incorrect artifact of map editing. The maps have been corrected in the FEIS.</p> <p>LA4-C15 Comment noted.</p> <p>LA4-C16 Please see response to comment LA4-C14.</p> <p>LA4-C17 Upper Uwchlan Township does not recommend either of these route variations and expresses no preference for an alternative route in this location (see comments LA8-1 and LA11-1).</p> <p>LA4-C18 Comment noted. The USGS topo maps, while potentially out-of-date, are the most recent published maps available from the USGS.</p> <p>LA4-C19 Mid-Atlantic Express is obligated to acquire all applicable federal and state permits (see section 1.3 of the FEIS) and implement any additional mitigation required by those permits.</p>
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LA4 - The County of Chester Planning Commission, Ronald T. Bailey, AICP, Secretary

<p>20080616-5089 FERC EDF (Unofficial) 6/16/2008 4:30:09 PM Review of FERC Environmental Impact Statement June 16, 2008</p> <p style="text-align: right;">7 of 21</p> <p>2.1.12 "Promote soil conservation practices to reduce erosion and sedimentation"; and 2.1.13 "Preserve and properly manage large areas of prime agricultural soils to support a sustainable food supply."</p> <p>LA4-C23 23. Page 4-23. Soil Contamination. The CCPC has concerns with a proposed gas pipeline crossing near the Strasburg landfill, due to concerns with changes to the contaminated soil, storage of contaminated soil, and the risk of the shifting of any groundwater contamination plume that might occur, as the text indicates that water testing has shown contamination still exists though remediation construction on the site has been completed. With residents still utilizing private water supply wells in the area, the CCPC requests that the same precautionary measures recommended by the FERC for the 68<sup>th</sup> Street Dump in Baltimore be explored to guarantee the highest level of public health and safety possible, should this proposed pipeline be constructed.</p> <p>LA4-C24 24. Page 4-26. Table 4.3.1-1 Water Supply Wells located within 150 feet of the Mid-Atlantic Pipeline Route. This table indicates that there are two public water supply wells within 12-feet or less of the proposed route in Chester County. The CCPC requests that the applicant coordinate with the CCWRA and the affected public suppliers, which appear to be Chester Water Authority and Aqua Pennsylvania, to minimize any potential negative impacts to water supply of the residents of Chester County. Regarding the private wells, the CCPC requests supporting information and mitigation plans for these users, should their wells become damaged or destroyed in the development of the proposed pipeline. The CCPC requests any supporting documentation from Sparrows Point/Mid-Atlantic Express regarding steps to protect public health and safety in these areas as they relate to maintaining a safe drinking water supply. The CCPC also requests applicant coordination with the CCHD, CCWRA and PA DEP, to ensure that these wells and public water supplies are not being contaminated. <i>Landscapes</i> Policy 6.1.6 states: "Provide a safe, clean, long-term supply of water which meets the needs of all users."</p> <p>LA4-C25 25. Page 4-32. Waterbody Classifications. The Environmental Impact Statement indicates that fourteen (14) streams designated as High Quality Waters of the Commonwealth and six (6) Exceptional Value Waters of the Commonwealth according to PA Code Title 25, Chapter 93 for Water Quality Standards would be crossed by the proposed pipeline. <i>Landscapes</i> Policy 2.1.3 states: "Preserve and enhance the existing network of stream valleys and their aquatic habitats." The CCPC requests that Sparrows Point/Mid-Atlantic Express coordinate with the PADEP, the CCWRA, and the Pennsylvania Fish and Boat Commission (PAFBC), and the CCCD to comply with the water quality standards set forth by this regulation.</p> <p>LA4-C26a 26. Page 4-33. Sensitive Water Bodies. The FERC should be aware that the EPA and PADEP have developed Total Maximum Daily Loads (TMDL) for the entire Brandywine Creek Watershed. As proposed, the project would result in impacts on waterbodies, including clearing and grading of stream banks, in-stream trenching, trench dewatering, and backfilling that could result in increased sedimentation and turbidity and decreased dissolved oxygen concentrations, which could impact water quality. These impacts, as proposed are inconsistent with the following Objectives of <i>Watersheds</i>:  3-2 states "Protect and enhance the natural instream resources of streams, including stable stream channel processes and geomorphology conditions, aquatic living resources, stream baseflows, and water quality."</p>	<p>LA4-C20 Section 4.1.1.2 discusses potential impacts due to any blasting that may be necessary, notification of landowners prior to blasting, coordination with landowners for pre- and post-blasting surveys, and acquisition of all required permits (including from municipalities). Also see response to comment LA4-C9.</p> <p>LA4-C21 See response to comment LA4-C20.</p> <p>LA4-C22 Please see response to comment LA3-DC4.</p> <p>LA4-C23 The pipeline would pass near, but would not go through the landfill. Table 4.8.3-1 has been updated to reflect the correct information.</p> <p>LA4-C24 Mid-Atlantic Express would consult with the appropriate water suppliers and water management agencies. See revised section 4.3.1.1.</p> <p>LA4-C25 Section 4.3.2.5, Pipeline Construction and Operations was amended to include the cited regulatory agencies.</p> <p>LA4-C26a Please see response to comment LA4-B3.</p>
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20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM		8 of 21	
Review of FERC Environmental Impact Statement June 16, 2008			
	<p>3-4 states "Protect and enhance streams supporting "sensitive resources" to recognize their vulnerability to low stream flows and water quality impairments."                      4-4 states "Reduce or eliminate movement of sediment from lands into streams to conserve the soil resources and reduce instream siltation and pollutants."</p>		
LA4-C26b	<p>Additionally, the CCPC requests any supporting information on how Sparrows Point/Mid-Atlantic Express will remediate these issues if trees are to be cleared, habitat lost, water temperatures increased, nutrient pollutants discharged, and chemical contaminants discharged. With the continuous development and establishment of the Environmental Protection Agency's TMDL program that PA DEP implements and enforces, many of these "short term" impacts may affect municipalities for a much longer period of time and at a financial and staff expense to mitigate problems ultimately initiated by Sparrows Point/Mid-Atlantic Express.</p>	LA4-C26b	Please see response to comment LA4-B3.
LA4-C27	<p>27. Page 4-34. Sensitive Water Bodies. The CCPC requests any additional information regarding the crossing of the Octoraro and how this proposal will be consistent with the Chesapeake Bay Tributaries Strategies, as the goals and objectives of these strategies are to eliminate any increase in pollutant loading to the Chesapeake and its tributary streams.</p> <p>28. Page 4-58. Surface Water Resources Impacts and Mitigation. The CCPC reiterates our concerns with impacts to waterbodies within the entire study area. As proposed the project would result in "short term impacts," including, but not limited to increased turbidity levels, downstream sedimentation, trench dewatering and construction on slopes, all of which are known to impact water quality. These impacts, as proposed are inconsistent with the following Objectives of <i>Watersheds</i>:</p> <p>3-2 states "Protect and enhance the natural instream resources of streams, including stable stream channel processes and geomorphology conditions, aquatic living resources, stream baseflows, and water quality."                      3-4 states "Protect and enhance streams supporting 'sensitive resources' to recognize their vulnerability to low stream flows and water quality impairments."                      4-4 states "Reduce or eliminate movement of sediment from lands into streams to conserve the soil resources and reduce instream siltation and pollutants."</p> <p>The CCPC also requests coordination with the CCWRA and CCCD to develop Erosion and Sedimentation plans as well as implementing Best Management Practices to minimize these negative impacts of the proposed project.</p>	LA4-C27	Please see response to comments LA4-C25 and LA4-9. This requirement would ensure consistency with the Chesapeake Bay Tributaries Strategies prepared by PDEP.
LA4-C28		LA4-C28	Please see response to comment LA4-C9.
LA4-C29	<p>29. Page 4-62. Pipeline Hydrotesting. The Environmental Impact Statement appears to indicate that the water used for hydrotesting the proposed pipeline for mile posts 43.6-87.6, which includes all of Chester County Pennsylvania, would be "pumped into Test Section #2; no discharge to waterbody." Please include for clarity which watershed the water being pumped in is from, and which watershed it will be discharged to, as transporting water out of its native watershed is inconsistent with the goals, policies and objectives of both <i>Landscapes</i> and <i>Watersheds</i>.</p>	LA4-C29	Hydrostatic test water for the pipeline north of the Susquehanna River (Pipeline Test Section #1) would be withdrawn from the Susquehanna River (see section 4.3.2.5). Rather than being discharged directly back to the Susquehanna River, the test water from Pipeline Test Section #1 would be pumped into the pipeline south of the Susquehanna River (Pipeline Test Section #2) along with an additional 100,000 gallons from the Susquehanna River for the second test volume. After the second test, water from Pipeline Test Section #2 would be discharged to a well-vegetated site (within the same drainage basin of withdrawal) on the west bank of the Susquehanna River, eventually draining back into the river, the original source of that water. These discharges are summarized in table 4.3.2-4.
LA4-C30	<p>30. Page 4-65. Wetlands. The text states that not all of the wetland sites identified by Sparrows Point/Mid-Atlantic AES have been surveyed due to access issues. Should the FERC issue a certificate for this project, the CCPC requests that Sparrows Point/Mid-Atlantic Express work cooperatively with the CCCD and CCWRA to field define wetland</p>	LA4-C30	Comment noted; however, the regulatory approval of wetland boundaries in Pennsylvania is under the jurisdiction of the COE and PDEP.

20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM Review of FERC Environmental Impact Statement June 16, 2008		9 of 21	
	boundaries and to mitigate negative impacts on these resources.	LA4-C31	These issues and required mitigation are discussed in sections 4.3.2.5, 4.4, and 4.7.2. Also, see response to comment LA4-A1.
LA4-C31	31. Page 4-65 Wetlands The proposal to disturb wetlands in the county is inconsistent with the following Landscapes Policies:  2.1.3 "Preserve and enhance the existing network of stream valleys and their aquatic habitats"; 2.1.5 "Preserve wetlands for their ecological and hydrological functions"; 2.1.11 "Preserve and manage habitats necessary for survival of existing rare, threatened and endangered species identified in the Pennsylvania Natural Diversity Inventory and the Chester County natural Areas Inventory."	LA4-C32	AES provided the CCPC with the requested maps on July 25, 2008. Additionally, alignment sheets depicting wetlands and waterbodies at a large scale (1 inch = 500 feet) are available on FERC's eLibrary at accession numbers 20070405-4013 and 20080903-4004.
LA4-C32	32. Page 4-65. Wetlands. For clarity, the CCPC requests mapping to be included that depicts where affected wetlands and waterbody crossings occur, at a legible scale, and that all plans for crossings be coordinated with both the CCCD and the CCWRA for consistency with both County and State regulation and requirements.	LA4-C33	Mid-Atlantic Express must obtain a permit from the COE prior to construction of this Project. See section 4.4.
LA4-C33	33. Page 4-67. Table 4.4.2-1 Wetlands Impacted by Construction and Operation of the Proposed Sparrows Point Pipeline Facility. Twenty wetlands will be impacted either through construction activities or permanently, according to the table. Landscapes Policy 2.1.5 states, "Preserve wetlands for their ecological and hydrological functions." Sparrows Point/Mid-Atlantic Express should continue to coordinate with the US Army Corps of Engineers (USACE) and the PADEP to determine if these proposed crossings will require additional permitting.	LA4-C34	See response to LA4-C9. Mid-Atlantic Express consulted with Chester County agencies on July 25, 2008.
LA4-C34	34. Page 4-73. Wetlands Construction and Maintenance Procedures. The CCPC requests that coordination for affected Chester County wetlands also include the CCWRA and the CCCD.	LA4-C35	Right-of-way widths have been established to accommodate the needs of construction with consideration of minimizing impacts on natural resources, including woodlands, while ensuring maintenance of a safe working environment. As described in section 4.5.1, wooded areas in the temporary construction right-of-way cleared during construction would be allowed to revert to forest; these lands would be subject to a long-term, though not permanent, vegetation structure change. AES indicated in its July 9, 2008 meeting with the Chester County agencies that it would meet with the PDEP and would discuss tree impacts and the potential for replanting.
LA4-C35	35. Page 4-74. Vegetation Resources. The CCPC requests that vegetation removal be limited in areas outside of the existing ROW to the greatest extent possible and, that in areas where trees are removed outside of the ROW, they be re-established. As presented, the removal of mature stands of trees in the <i>Natural Features Overlay</i> is consistent with Landscapes Policies:  1.4.3 "Encourage cooperation among conservation groups, municipalities, and the County to protect natural features"; 2.1.11 "Preserve and manage habitats necessary for survival of existing rare, threatened and endangered species identified in the Pennsylvania Natural Diversity Inventory and the Chester County natural Areas Inventory"; 2.1.12 "Promote soil conservation practices to reduce erosion and sedimentation"; 2.1.17 "Protect existing woodlands and encourage reforestation"; 6.1.8 "Encourage proper stormwater management to protect the environment and public health and safety by reducing runoff, erosion, flooding and drainage problems."	LA4-C36	Comment noted.
LA4-C36	36. Page 4-77. Plant Communities of Special Concern. The CCPC supports the FERC recommendation that the results of surveys for the listed species and agency consultations and clearances be submitted for the file.	LA4-C37	
LA4-C37	37. Page 4-80. Table 4.6.1-1 Terrestrial Wildlife Species Affected by the Proposed Project. For clarity, the CCPC requests that the list include mile posts as it currently appears that		

<p>20080616-5089 FERC EDF (Unofficial) 6/16/2008 4:30:09 PM Review of FERC Environmental Impact Statement June 16, 2008</p> <p style="text-align: right;">10 of 21</p> <p>all of these species occur through the entire pipeline corridor and, should any require PNDI clearance, the listing is too general.</p> <p>38. Page 4-84. Wildlife Resources Impacts and Mitigation. The text states that approximately 84 percent of the proposed pipeline route "would parallel and partly or wholly overlap the permanent rights-of-way of the BG&amp;E overhead transmission or Columbia pipeline corridors. The remaining pipeline route would utilize other existing right-of-way corridors such as roadways and railroads." The CCPC requests clarification as to whether the FERC will require AES/ Mid-Atlantic to apply to the Pennsylvania Public Utility Commission (PA PUC) for approval of all road and rail crossings or alterations that will be required for the installation of the proposed pipeline construction, or whether FERC approval will deem approval for all crossings. Additionally, the CCPC requests the coordination and utilization of joint construction in the right-of-way to minimize impacts on time of construction, traffic and congestion, residents, wildlife and habitat, wherever possible, as the Williams/Transco project is proposing construction in some of the same areas within a similar time frame.</p> <p>39. Page 4-85. Wildlife Resources Impacts and Mitigation. The CCPC requests that restoration of the areas outside of the permanent right-of-way be restored to the pre-construction conditions, or better, including the replacement of trees.</p> <p>40. Page 4-85. Wildlife Resources Impacts and Mitigation. The CCPC requests that coordination and consultation with the PADEP and Pennsylvania Department of Conservation and Natural Resources (DCNR) also be included, as to minimize potential impacts to species of concern.</p> <p>41. Page 4-112. Table 4.7-1 Federally Listed Endangered and Threatened Species. The table includes three species, in the proposed pipeline construction area of Chester County, that are listed as either endangered or threatened. The CCPC requests inclusion of all supporting documentation from agencies involved with clearance in the appendices, such as, PA DEP, PAFBC, US Fish and Wildlife, DCNR, and others, to indicate that all necessary clearances have been obtained, and if not, how the Sparrows Point/Mid-Atlantic Express project will proceed in areas where clearance has not yet been issued.</p> <p>42. Page 4-114. Table 4.7-2 State Listed Endangered and Threatened Species. The table includes 11 species listed as State-Listed as endangered or threatened species in the proposed pipeline construction area. The CCPC requests inclusion of all supporting documentation from agencies involved with clearance in the appendices, such as, PA DEP, PAFBC, US Fish and Wildlife, PA Department of Conservation and Natural Resources, and others, to indicate that all necessary clearances have been obtained, and if not, how the Sparrows Point/Mid-Atlantic Express project will proceed in areas where clearance has not yet been issued.</p> <p>43. Page 4-125. Bald Eagle. The CCPC requests coordination with the CCPRD for information on the location of Bald Eagles in Chester County, as their existence has been documented along portions of the Brandywine Creek, and in municipalities proposed to be affected by the construction of the pipeline.</p> <p>44. Page 4-129. Bog Turtle. The CCPC agrees with the recommendations listed by the FERC concerning the implementation of a Management Plan.</p>	<p>LA4-C37 The purpose of table 4.6.1-1 is to provide a general overview of <i>representative</i> wildlife on a regional scale, not for site-specific analysis of individual species of concern. State-listed species of concern are addressed in section 4.7.2.</p> <p>LA4-C38 Please see response to comment LA4-B2. Should the Commission authorize the Project, it would not relieve Mid-Atlantic Express of its obligations to obtain all applicable permits and approvals and to comply with the requirements of such permits and approvals.</p> <p>Construction of the proposed Mid-Atlantic Express pipeline is currently estimated to occur in 2010. Construction of the Transco Sentinel project is scheduled for 2009. Therefore, construction of the two pipelines is not scheduled for the same timeframe, but may occur in the same corridor.</p> <p>LA4-C39 Please see response to comment LA4-C8.</p> <p>LA4-C40 State-listed threatened and endangered species and other species of concern, including consultation requirements, are addressed in section 4.7.2.</p> <p>LA4-C41 The FEIS is not the depository of all correspondence for the proposed Project. All supporting documentation and consultation results are maintained in FERC's eLibrary. Information on the status of agency clearances and any FERC staff recommendations on how Mid-Atlantic Express should proceed can be found in the text addressing individual species in section 4.7.</p> <p>LA4-C42 Please see response to comment LA4-C41.</p>
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LA4 - The County of Chester Planning Commission, Ronald T. Bailey, AICP, Secretary

20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM		11 of 21	
Review of FERC Environmental Impact Statement June 16, 2008			
LA4-C45	45. Page 4-136. Pennsylvania-Listed Flora. The CCPC agrees with the recommendations listed by the FERC to minimize or eliminate negative impacts to both flora species as well as the serpentine barrens that are proposed to be crossed by the construction of the pipeline.	LA4-C43	Mid-Atlantic Express has consulted with CCPRD regarding this issue. See revised section 4.7.2.
LA4-C46	46. Page 4-137. Land Use. The CCPC requests clarification on whether the additional 25-foot of right-of-way, totaling 75-feet that are listed as "required for construction" would become a permanent right-of-way upon completion of the proposed project, or whether it would revert back to the existing 50-foot right-of-way.	LA4-C44	Comment noted.
LA4-C47	47. Page 4-138. Table 4.8.1-1. Acres of Land Affected by Construction and Operation of the Mid-Atlantic Express Pipeline Facilities. The table lists a total acreage of 584.7 acres in Chester County to be affected by construction, with 194.89 acres being permanently affected. The CCPC requests clarification on how the land use categories were defined - be it through local zoning ordinances, assessment information, land cover, land use, or other. Furthermore, the CCPC requests supporting information on whether this classification is consistent with both the land use information categories of the Chester County and the Delaware Valley Regional Planning Commission.	LA4-C45	Comment noted.
LA4-C48	48. Page 4-139. Existing Rights-of-Way. The text states again, that approximately 74.3 miles of the proposed pipeline would be constructed "within or adjacent to various existing rights-of-way." For clarity, please include any rights-of-way that are currently owned or operated by Sparrows Point/Mid-Atlantic Express, as well as those proposed to be created, and how the applicant will proceed if not granted the use of these corridors currently owned by other agencies.	LA4-C46	The additional 25 feet is temporary and thus would not be part of the 50-foot-wide permanent right-of-way. This is noted in section 4.8.1 and described in more detail in the text and figures of section 2.2.2.
LA4-C49	49. Page 4-139. Land Use Impacts. The Environmental Impact Statement states that agricultural land would be the primary land use affected by construction of the pipeline facilities, totaling 862.91 acres. These impacts, while some for construction of the pipeline and others for the operations of the pipeline, total 398.81 acres in Chester County. The CCPC would like to reiterate that based on information of the Chester County Department of Open Space Preservation, approximately 22 farms, totaling 1,696 eased acres of preserved farmland would be affected by the proposal in Chester County. As presented, this proposal is inconsistent with Landscapes Policies:  2.1.12 "Promote soil conservation practices to reduce erosion and sedimentation"; and 2.1.13 "Preserve and properly manage large areas of prime agricultural soils to support a sustainable food supply."	LA4-C47	Text indicating the source of the land use acreage information has been added in a footnote to table 4.8.1-1.
LA4-C50	50. Page 4-139. Land Use Impacts. The Environmental Impact Statement states that forest land would be the second-most affected land use by construction of the pipeline facilities totaling 312.1 acres. While the CCPC understands that not all of the acreage is within Chester County, we would like to express concerns with the amount of tree removal proposed. The removal of such a large amount of trees will have a significant impact on runoff, sedimentation, and habitat, among others. We would encourage Sparrows Point/Mid-Atlantic Express to work closely with the CCCD and the PADEP to ensure that remediation of these impacts occur to the greatest extent possible to be generally consistent with Landscapes Policies:	LA4-C48	None of the rights-of-way that would be paralleled by the proposed pipeline are owned or operated by Mid-Atlantic Express. The applicants would be required to obtain an easement for the pipeline with each landowner through negotiation or eminent domain.
		LA4-C49	Please see response to comments LA4-A1 and LA4-C22.
		LA4-C50	Comment noted. Please see response to comment LA4-C8.

LA4 - The County of Chester Planning Commission, Ronald T. Bailey, AICP, Secretary

20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM		12 of 21	
Review of FERC Environmental Impact Statement June 16, 2008			
	<p>2.1.17 states: "Protect existing woodlands and encourage reforestation;"</p> <p>6.1.8 states: "Encourage proper stormwater management to protect the environment and public health and safety by reducing runoff, erosion, flooding and drainage problems;"</p> <p>2.1.12 Promote soil conservation practices to reduce erosion and sedimentation."</p>		
LA4-C51	<p>51. Page 4-140. Existing and Planned Residences and Developments. The CCPC requests a more detailed map be provided that shows involved ROW land, and the proposed pipeline corridor, including the date of the map being used. Because Chester County is one of the fastest growing counties in the Commonwealth, we cannot accurately assess the impacted developments and planned residential developments without a more detailed map.</p>	LA4-C51	Mid-Atlantic Express provided updated maps to the CCPC and other Chester County agencies on July 25, 2008.
LA4-C52	<p>52. Page 4-142. Existing Residences. While it is unclear how many of the 179 homes and 56 "other" buildings, anticipated to be located within 50-feet of the construction area, are located in Chester County, the CCPC requests coordination with the CCCD, CCHD, as well as the affected municipalities, to ensure that proposed site plans are in accordance with municipal planning, Chapter 102, and any additional restrictions or regulations that may affect public health and safety.</p>	LA4-C52	The table of existing residences and buildings within 50 feet of the construction workspace in appendix F includes the county for each structure listed.
LA4-C53	<p>53. Page 4-142. Septic Systems. Previously, the Environmental Impact Statement states that the FERC is recommending that AES/Mid-Atlantic file site specific plans for those residences whose wells and septic systems fall within the proposed workspace. The Chester County Planning Commission (CCPC) would request any supporting documentation regarding the mitigation of impacts to these residences. Additionally, we request coordination with the PADEP and CCHD to create the requested "Septic System Contingency Plan." We also request any information regarding how the applicant will proceed, in the event that impacts or damage to septic systems occur on smaller lots where replacement areas are not viable.</p>	LA4-C53	See section 4.8.1.1 <i>Septic Systems</i> .
LA4-C54	<p>54. Page 4-143. Other Existing Development. Due to the highly suburbanized portion of part of the proposed pipeline corridor, the CCPC requests any information on how the applicant plans to remediate should any public water or sewer lines become compromised during proposed construction. Furthermore, CCPC requests any coordination and agreement documentation with the affected municipalities as well as the service providers, such as the Downingtown Area Regional Authority, PA DEP, Pennsylvania American Water Company, Aqua Pennsylvania, CCHD, and others, as all may become involved in the event of damage to the line.</p>	LA4-C54	Comments noted.
LA4-C55	<p>55. Page 4-147. Hazardous Waste Sites. Previously in the Draft EIS, the text states that the Strasburg Landfill, located in Newlin Township Chester County, would not be crossed by the pipeline. However, Table 4.8-4.1 lists that the project will be "crossed" at mile post 74.55. Please clarify the contradiction in these statements.</p>	LA4-C55	Please see response to comment LA4-C23.
LA4-C56	<p>56. Page 4-152. Table 4.8.5-1. Recreation and Public Interest Areas Crossed or Within 0.25 Miles of the Proposed Pipeline Route. This table does not include the Struble Trail, which is owned and operated by Chester County. The included mapping appears to depict the proposed pipeline crossing the Brandywine Creek and Struble Trail near MP83 on Figure B-31, placing it within ¼ mile of the proposed pipeline. Furthermore, it may also be possible that Marsh Creek State Park is located within ¼ mile of the proposed pipeline. Without more accurate mapping, it is not clear how close the proposed right-of-</p>	LA4-C56	See section 4.8.1.2 and table 4.8.1-3. Marsh Creek State Park would not be affected by the Project.

LA4 - The County of Chester Planning Commission, Ronald T. Bailey, AICP, Secretary

	<p>20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM</p> <p>Review of FERC Environmental Impact Statement June 16, 2008 13 of 21</p>	
LA4-C57	<p>↑ way will be to the boundary of the State Park. Additionally, the CCPC requests applicant coordination with CCPRD to ensure that no negative impacts to the Struble Trail or other County or State-owned property occur.</p> <p>57. Page 4-152. Table 4.8.5-1. Recreation and Public Interest Areas Crossed or Within 0.25 Miles of the Proposed Pipeline Route. The CCPC requests coordination with CCPRD and the affected municipalities to ensure that impacts to municipal open space and cultural resources are minimized to the greatest extent possible or eliminated. The disturbance of protected open space is inconsistent with the following policies of <i>Landscapes</i>:</p> <p>1.2.5 Develop a permanent open space system linking existing areas and adding new areas;            1.4.1 Create an open space network of natural resources for the many environmental benefits it provides;            1.4.2 Encourage municipal programs for natural resource preservation throughout Chester County;            1.4.3 Encourage cooperation among conservation groups, municipalities and the County to protect natural features.</p>	<p>LA4-C57 The appropriate Chester County agencies and land conservancy groups would be involved in the easement negotiations and the mitigation plans specified in the agreements. Please see response to comment LA4-A1.</p>
LA4-C58	<p>58. Page 4-154. Parks and Camps. The CCPC supports the recommendation of the FERC to require a draft plan that is developed through consultation and coordination with Uwchlan Township as well as the administrator of the park to minimize tree clearing, conflicts with park users, safety, restoration plans, and continuous use of the trail.</p>	<p>LA4-C58 Comment noted.</p>
LA4-C59	<p>59. Page 4-154. Parks and Camps. The CCPC supports the recommendations of the FERC to require schedules and plans for crossing the Girl Scout Camps, to minimize impacts, and examine negative effects and impacts on facilities, roads, utilities and waterbody areas, at a minimum.</p>	<p>LA4-C59 Comment noted.</p>
LA4-C60	<p>60. Page 4-159. Special Status Waterbodies. The CCPC requests that the CCWRA and CCCD be included in any discussions regarding the Octoraro Creek and the Brandywine Creek.</p>	<p>LA4-C60 In section 4.8.1.2 <i>Special Status Waterbodies</i>, we have recommended that Mid-Atlantic Express develop site-specific plans for the crossings of Octoraro Creek and the Brandywine Creek. The CCPC and CCWRA would be included in any discussions regarding the Octoraro Creek and Brandywine Creek.</p>
LA4-C61	<p>61. Page 4-159. As stated previously, Chester County is one of the fastest growing counties in the Commonwealth. For approximately 20 years, the citizens of Chester County have been funding an Open Space fund that is used to purchase open space easements, including agricultural preservation easements, municipal park and open space acquisition, conservancy partnership program, among others, to ensure a balance between suburbanized and rural landscapes. According to the Table on page 4-160, a total linear length of 59,730 feet of preserved land will be affected. This number, multiplied by the proposed 50-foot right-of-way, would total approximately 70 acres of permanently and negatively impacted preserved lands. The CCPC requests that the Chester County Department of Open Space and Agricultural Land Preservation, in addition to the affected land conservancies, in particular the Brandywine Conservancy, be given appropriate input and consultation to minimize or eliminate impacts on preserved open space.</p>	<p>LA4-C61 See response to comments LA4-A1 and LA4-C22.</p>
LA4-C62	<p>↓ 62. Page 4-162. Boating and Fishing. The CCPC requests coordination with CCPRD and the PAFBC to properly plan for and accommodate not only fishers and boaters, but other</p>	<p>LA4-C62 We have added a recommendation in section 4.8.1.2 for Mid-Atlantic Express to coordinate with the CCPRD and PFBC to ensure measures are taken to ensure proper notification and safety measures for boaters, fishermen, and other recreational users of Brandywine Creek.</p>

20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM		14 of 21	
Review of FERC Environmental Impact Statement June 16, 2008			
	↑ types of watercrafts, such as kayaks, that regularly utilize the Brandywine Creek.		
LA4-C63	63. According to information at the CCPC, Scenic Byways exist in Chester County that stand to be impacted by the proposed pipeline construction including the Brandywine Valley Scenic Byway and the Exton Bypass Scenic Byway. Additionally, there are many municipally designated scenic roads. The CCPC requests coordination with the affected municipalities to minimize any negative impacts, visually or otherwise, to these roadways.	LA4-C63	Comment noted. See section 4.8.5.2.
LA4-C64	64. Page 4-173. Public Services. The CCPC requests that the applicant work in coordination with both municipal emergency responders as well as the CCDES, as they may be more available to respond to future needs on the proposed site.	LA4-C64	Response to pipeline emergencies, including establishing and maintaining liaison with appropriate emergency response entities, is addressed in section 4.12.9.
LA4-C65	65. Page 4-177. Roadway and Highway Construction Impacts. According to the text, "the proposed pipeline route would cross many major and minor roadways." The CCPC requests the applicant coordinate with municipalities as well as PennDOT to minimize impacts to both the roadways and the citizens of Chester County. This coordination would be consistent with <i>Landscapes</i> Policies:  4.1.5. Protect existing investments in the road network with proper maintenance. 4.1.4. Enhance the safety of the existing road network. 4.1.1. Maintain the functional integrity of existing and future roadways through appropriate land use controls and design standards to alleviate congestion, promote safety, and reduce the need for new highways. 4.1.2. Provide sufficient capacity on the existing road network in Urban and Suburban Landscapes.	LA4-C65	Road crossings — including required permits, safety measures, litigation for traffic disruption, and our recommendation that Mid-Atlantic Express prepare site-specific traffic and safety plans — are addressed in section 4.9.4.1.
LA4-C66	66. Page 4-179. Railroads. Please clarify whether the FERC will require the applicant to apply to the Pennsylvania Public Utility Commission (PA PUC) for approval of all rail crossings or alterations that may be required for the installation of the proposed pipeline construction, or whether FERC approval will deem approval for all crossings.	LA4-C66	Railroad crossings, including the need for Mid-Atlantic Express to comply with state and local regulations, are addressed in section 2.3.2.2.
LA4-C67	67. Page 4-192. Above Ground Cultural Resources. The text states that "no survey of above ground resources has been conducted along the proposed pipeline route." The CCPC requests that the applicant explore alternatives to avoid these sensitive historic and cultural sites, as well as the "terrestrial archaeological resources," in coordination with the Pennsylvania Historical and Museum Commission, and that supporting documentation regarding any clearances and mitigation plans be included for clarity and reference in the final document.	LA4-C67	Please see response to comment LA4-C3.
LA4-C68	68. Page 4-198. Air Quality. Landscapes Policy 2.1.16 states: "Ensure businesses comply with state and federal air quality emission standards." The CCPC requests continued coordination with EPA and the PADEP to ensure that the proposed project meets or exceeds state and federal air quality standards.	LA4-C68	Minimal air emissions would be generated by the pipeline during normal operation. Emissions due to possible leaks in the valves and flanges along the pipeline and miscellaneous venting would primarily be comprised on natural gas components (ethane and methane). Assuming all of the emissions are methane, from leaks and miscellaneous venting were estimated to be 0.21 tpy methane.
LA4-C69	69. Page 4-221. Construction Noise. The CCPC requests that the applicant create a schedule of construction hours that will be posted and adhered to, in order to minimize noise pollution and impacts on residents in the proposed construction area.		
LA4-C70	↓ 70. Page 4-259. Pipeline Safety Standards. The CCPC requests coordination with the CCHD, the CCDES, and the affected municipalities regarding public health and safety,		

<p>20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM                  Review of FERC Environmental Impact Statement June 16, 2008 15 of 21</p>	
LA4-C71	<p>↑ both during construction and for the long term.</p> <p>71. Page 4-273. Cumulative Impacts on Vegetation. The text states that “the Project would significantly increase the temporary impacts to forested lands in Chester County Pennsylvania,” when combined with the impacts from the Williams/Transco proposed pipeline expansion. The proposed Williams/Transco pipeline expansion does not intend to revegetate tree species. The CCPC requests the inclusion of trees and scrub-shrub woody species that would provide habitat. In doing so, the revegetation would be consistent with <i>Landscapes</i> Policy 2.1.11: “Preserve and manage habitats necessary for survival of existing rare, threatened and endangered species identified in the Pennsylvania Natural Diversity Inventory and the Chester County Natural Areas Inventory.” Additionally, the CCPC requests that Sparrows Point/Mid-Atlantic Express consult and coordinate with the CCCD to obtain recommendations for seed mixtures to be used during ROW restoration. For our records, the CCPC requests all correspondence between Sparrows Point/Mid-Atlantic Express and the CCCD.</p>
LA4-C72	<p>72. Page 5-19. FERC Staff’s Recommended Mitigation. The CCPC requests a copy of the detailed alignment maps/sheets and aerial photographs for our records.</p>
LA4-C73	<p>73. Page 5-20. FERC Staff’s Recommended Mitigation. The CCPC requests a copy of any information that is sent to affected landowners, so that we may have it for our records.</p>
LA4-C74	<p>74. Page 5-21. FERC Staff’s Recommended Mitigation. Should the FERC approve this proposal, the CCPC requests that the CCWRA, CCCD, and CCPRD be included in any stats reporting, as construction and restoration activities may require their involvement.</p>
LA4-C75	<p>75. Page 5-22. FERC Staff’s Recommended Mitigation. Regarding Variation 9, 10, the Byers realignment, and Variation 12a, the CCPC requests copies of the engineering information and alignment sheets, etc., as it becomes available, to maintain a complete set of information for those affected property owners in Chester County, which may require additional review by our agencies.</p>
LA4-C76	<p>76. Page 5-24. FERC Staff’s Recommended Mitigation. The CCPC supports the recommendation of the FERC to require a site specific Project Blasting Plan with the Secretary and written approval of the Director of Office of Energy Projects (OEP).</p>
LA4-C77	<p>77. Page 5-24. FERC Staff’s Recommended Mitigation. The CCPC supports the recommendation of the FERC to require AES to file an amended “Potentially-Contaminated Soils Management Plan” with the Secretary.</p>
LA4-C78	<p>78. Page 5-24. FERC Staff’s Recommended Mitigation. The CCPC supports the recommendation of the FERC to require the filing of results of the evaluation of pipeline alignments relative to water wells, to be filed with the Secretary for review and written approval by the Director of OEP.</p>
LA4-C79	<p>79. Page 5-24. FERC Staff’s Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to file the final version of its Spill Prevention Control and Countermeasures Plan for pipeline construction with the Secretary for review and written approval by the Director of OEP.</p>
LA4-C69	<p>The construction activities would cause temporary increases in ambient noise levels, the majority of which would occur during the daytime hours. See sections 2.3.2.1 and 4.11.2 for additional information.</p>
LA4-C70	<p>Mid-Atlantic Express must comply with the pipeline safety standards established by DOT. A state may also act as DOT’s agent to inspect interstate facilities within its boundaries; however, the DOT is responsible for enforcement action. The majority of the states have either 5(a) certifications or 5(b) agreements, while nine states act as interstate agents. Maryland, Pennsylvania, and Virginia have 5(a) certifications. Also see our response to comment LA4-C64.</p>
LA4-C71	<p>Comment noted. See response to comment LA4-C8. AES indicated in its July 9, 2008 meeting with the Chester County agencies that it would contact the county regarding native plant suppliers.</p>
LA4-C72	<p>Mid-Atlantic Express provided updated map materials to CCPC, CCPR, and CCWRA on July 25, 2008.</p>

LA4 - The County of Chester Planning Commission, Ronald T. Bailey, AICP, Secretary

20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM		16 of 21	
Review of FERC Environmental Impact Statement June 16, 2008			
LA4-C80	80. Page 5-24. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require review and written approval by the Director of OEP regarding the hydrostatic test water source locations, volumes, discharge locations and discharge rates. The CCPC also requests that this be performed in conjunction with the CCWRA.	LA4-C73	Comment noted. Items sent from the applicants can be acquired from AES directly. FERC's landowner notification requirements can be found starting on page 2-1 of FERC's <i>Guidance Manual for Environmental Report Preparation</i> available at <a href="http://www.ferc.gov/industries/gas/enviro/erpman.pdf">http://www.ferc.gov/industries/gas/enviro/erpman.pdf</a> . FERC's citizen's guide, <i>An Interstate Natural Gas Facility on My Land? What Do I Need to Know?</i> , is available at <a href="http://www.ferc.gov/for-citizens/citizen-guides.asp">http://www.ferc.gov/for-citizens/citizen-guides.asp</a> .
LA4-C81	81. Page 5-26. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require consultation with appropriate agencies regarding seasonal construction restrictions to protect spawning fishes in sensitive water bodies, including the East Branch Brandywine Creek, West Branch Brandywine Creek, Buck Run, and Octoraro Creek.	LA4-C74	The noted Chester County agencies can acquire these reports directly from Mid-Atlantic Express. Our recommendation that Mid-Atlantic Express provide weekly status reports requires that Mid-Atlantic Express provide these to other agencies upon request.
LA4-C82	82. Page 5-27. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require a bog turtle management plan in consultation with the National Fish and Wildlife Service.	LA4-C75	Mid-Atlantic Express provided updated map materials to CCPC, CCPR, and CCWRA on July 25, 2008. If the Project is certificated, the final, approved project maps can be requested directly from the applicants.
LA4-C83	83. Page 5-27. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to file with the Secretary the results of the state-endangered and threatened plant species surveys, as well as mitigation plans.	LA4-C76	Comment noted.
LA4-C84	84. Page 5-27. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to commit to mitigation and restoration of landscaping, mature trees, and lawn areas of residences within 50 feet of the construction work area.	LA4-C77	Comment noted.
LA4-C85	85. Page 5-28. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to file a site-specific plan, as described, including location of the residence, location of the proposed pipeline, edge of construction work area, edge of the new ROW, nearby residences, and evidence of landowner concurrence.	LA4-C78	Comment noted.
LA4-C86	86. Page 5-28. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require a Septic System Contingency Plan, to be filed with the Secretary that would include mitigation plans, restoration/replacement plans, and account for all wastewater that the system would normally process.	LA4-C79	Comment noted.
LA4-C87	87. Page 5-28. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to work with the Chester Water Authority to develop and implement a site-specific plan for crossing the Chester Water Authority mains, and file this plan with the Secretary.	LA4-C80	Comment noted.
LA4-C88	88. Page 5-28. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to update Appendix F, in the event that new residences are built prior to Project construction, to be filed with the Secretary before construction and to have reviewed and written approval of the Director of the OEP prior to construction.	LA4-C81	Comment noted.
LA4-C89	89. Page 5-29. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to file its draft plan for crossing Dowlin Struble Forge Park, to be developed through continuous consultation	LA4-C82	Comment noted.

LA4 - The County of Chester Planning Commission, Ronald T. Bailey, AICP, Secretary

	<p>20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM                      Review of FERC Environmental Impact Statement June 16, 2008 17 of 21</p> <p>↑ with Uwchlan Township and the administrator of the park, to be filed with the Secretary for review and written approval by the Director of OEP.</p> <p>90. Page 5-29. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to submit construction schedules and plans, developed with the input of the Girl Scouts Council of Eastern PA and the Girl Scouts of Central Maryland, for crossing and minimizing impacts to the facilities at Camp Conowingo and Camp Tweedale.</p> <p>91. Page 5-29. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require a site-specific plan for the crossing of the Brandywine Trail, including a scaled plot plan showing the areas of ground disturbance and locations of tree clearing; locations of temporary fencing; means for keeping the trail open during the construction period; trail restoration; and a revegetation plan that includes active replanting, and will be developed in consultation with the Wilmington Trail Club to minimize construction conflict with the Brandywine Trail End-to-End hike, as listed in section 4.8.5.1. The CCPC also requests a similar requirement where the project appears to cross the Struble Trail between MP82 and MP83.</p> <p>92. Page 5-30. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to develop in consultation with PA DCNR, the Octoraro Creek Watershed Association, and the Brandywine Conservancy, construction and mitigation plans for the Octoraro River and each of the crossings of the Brandywine Creek system, which will address minimalization of tree clearing within riparian zones, potential measures to reduce impacts to recreational access during construction, and effects on the viewshed along these Pastoral Rivers.</p> <p>93. Page 5-30. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to develop and file with the Secretary for review and written approval by the Director of OEP site-specific plans for the crossing of the Gunpowder Crossing Scenic Byway. The CCPC also requests that similar requirements be obtained for designated Scenic Byways in Chester County, including, but not limited to, the Brandywine Valley Scenic Byway and the Exton Bypass Scenic Byway. Additionally, Chester County has many municipally designated scenic roads. The CCPC requests coordination with the affected municipalities to minimize any negative impacts, visually or otherwise, to these roadways.</p> <p>94. Page 5-30. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to work with the appropriate authorities to develop site-specific traffic and safety plans where road closures or restrictions may be required, to be filed with the Secretary.</p> <p>95. Page 5-31. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to defer the construction of the pipeline facilities until the results of the historic architecture field investigations along the proposed pipeline route and comments of the appropriate SHPA are filed with the Secretary, reviewed, and written approval obtained from the Director of the OEP.</p> <p>96. Page 5-31. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to defer the construction of the pipeline facilities until all outstanding cultural resources surveys of the pipeline</p>	<p>LA4-C83 Comment noted.</p> <p>LA4-C84 Comment noted.</p> <p>LA4-C85 Comment noted.</p> <p>LA4-C86 Comment noted.</p> <p>LA4-C87 Comment noted.</p> <p>LA4-C88 Comment noted.</p> <p>LA4-C89 Comment noted.</p> <p>LA4-C90 Comment noted.</p> <p>LA4-C91 See section 4.8.1.2 <i>Parks and Camps</i>.</p> <p>LA4-C92 Comment noted.</p> <p>LA4-C93 Please see response to comment LA4-C63.</p> <p>LA4-C94 Comment noted.</p> <p>LA4-C95 Comment noted.</p> <p>LA4-C96 Comment noted.</p>
LA4-C90		
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20080616-5089 FERC EDF (Unofficial) 6/16/2008 4:30:09 PM		18 of 21	
Review of FERC Environmental Impact Statement June 16, 2008			
	<p>↑</p> <p>corridor and ancillary use areas are completed.</p>		
LA4-C97	<p>97. Page 5-31. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to defer the construction of the pipeline facilities until all additional required cultural resources survey reports and any treatment plans are filed with the Secretary, and the Maryland and Pennsylvania SHPO's comment on all reports and plans for Doe Run and Kirk's Mills Historic Districts to identify any appropriate mitigative measures that would protect the Districts from pipeline installation and operation.</p>	LA4-C97	Comment noted.
LA4-C98	<p>98. Page 5-31. FERC Staff's Recommended Mitigation. The CCPC supports the recommendation of the FERC to require Mid-Atlantic Express to defer the construction of the pipeline facilities until the Director of OEP reviews and approves all cultural resource reports and plans, and notifies Mid-Atlantic Express in writing that they may proceed with treatment or construction.</p>	LA4-C98	Comment noted.
	<p>D. General Comments. The following comments are not related to specific pages of the Draft EIS, but that the CCPC feels are important:</p>		
LA4-D1	<p>1. The CCPC requests that Sparrows Point/Mid-Atlantic Express work cooperatively with all existing utility companies and authorities that exist in the planning and construction area.</p>	LA4-D1	The applicants would be required to contact all entities that have utilities within the proposed right-of-way during the design of the pipeline alignment.
LA4-D2	<p>2. There are several surface water intakes within five miles downstream on the Brandywine Creek, including the Downingtown Municipal Water Authority, located south of the Route 30 bypass in the East Branch of the Brandywine Creek; Aqua Pennsylvania's intake located in the East Branch of the Brandywine Creek, at Ingram's Mill; and the City of Wilmington Delaware's intake, which is located near the confluence of the Brandywine Creek and the Christina River, near the state line. The CCPC requests coordination with the CCCD and the CCWRA and the Delaware River Basin Commission regarding these crossings, as the County would prefer not to disrupt stream flows where possible. Other methods for pipe placement, such as directional drilling, may minimize impacts to those downstream, as well as minimize impacts to the aquatic habitat of the stream itself.</p>	LA4-D2	Please see response to comment LA4-C5. AES has agreed to consult with all water intake operators prior to construction.
LA4-D3	<p>3. Karst topography exists throughout the suburbanized portion of the proposed pipeline area. Additionally, there are three sinkholes located within ¼ mile of the proposed Williams/Transco replacement, which may parallel the proposed AES/Mid-Atlantic corridor. Please include information regarding mitigation plans that will be enacted should a sinkhole be encountered during the proposed construction, as locating a pipeline in this type of geology could lead to future line instability.</p>	LA4-D3	Karst topography is addressed in section 4.1.1.2.
LA4-D4	<p>4. Drain tiles exist on farms throughout the County. The CCPC recommends that the applicant consult with the CCCD, township engineers and landowners to identify properties that may have drain tiles. Please include the location and, at a minimum, the segment of pipeline in which the drain tiles were located, in the final document.</p>	LA4-D4	See section 4.8.1.3.
LA4-D5	<p>5. As a result of proposed construction, temporary impacts on groundwater resources may result from construction activities. The CCPC requests any supporting information and documentation on how Sparrows Point/Mid-Atlantic Express will proceed with construction activities while maintaining a safe and clean water supply for residents</p> <p>↓</p>	LA4-D5	Impacts to groundwater resources and wells are discussed in section 4.3.1.1.

20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM Review of FERC Environmental Impact Statement June 16, 2008		19 of 21	
	<p>↑ living in this area who utilize wells. If Sparrows Point/Mid-Atlantic Express will be furnishing a temporary water supply, please include any agreement information for clarity.</p>		
LA4-D6	<p>6. As previously discussed, the proposed Williams/Transco pipeline Downingtown Replacement project is scheduled to begin construction within the next year. As proposed, it will have many similar negative impacts to the County, including the crossing of the Brandywine Creek and the Struble Trail, that the Sparrows Point/Mid-Atlantic Express project presents. The CCPC requests the applicant to indicate how this project would impact the Williams/Transco project, and in turn, the County, as the proposed Williams/Transco revegetation process would most likely be in its early phases when the proposed Sparrows Point/Mid-Atlantic Express project would begin construction and may negatively impact plantings, trail repairs, streambank stabilization efforts, etc. The CCPC would request any supporting documentation and coordination information with Williams/Transco, for our files that discusses these matters.</p>	LA4-D6	See response to comment LA4-C38 regarding interaction with the Transco project.
LA4-D7	<p>7. The clearing of temporary work areas, such as pipeyards, will most likely result in changes to overland water flow and subsequently affect groundwater. Many of the suburbanized areas of the county experience numerous problems relating to stormwater runoff, sedimentation, and flooding, among others. Any impact to the overland flow of water holds the potential to be much greater than might be anticipated by Sparrows Point/Mid-Atlantic Express and the FERC. Compaction, clearing, and creating additional impervious coverage to the land in this part of the County, without proper mitigation, may result in inconsistency with <i>Landscapes</i> Policy 6.1.8: "Encourage proper stormwater management to protect the environment and public health and safety by reducing runoff, erosion, flooding and drainage problems" and <i>Watersheds</i> Objective 5-1 "Achieve post-development hydrologic conditions that are consistent with the natural hydrologic characteristics of the receiving stream system and that sustain and enhance groundwater recharge, stream baseflows, stable stream channel processes, flood carrying capacity of the receiving streams and their floodplains, and water quality conditions necessary to meet state water quality standards, support habitat and protect public drinking water supplies."</p>	LA4-D7	Please see response to comment LA4-B4.
LA4-D8	<p>8. The CCPC requests information on how Amish landowners were contacted regarding the review of the Draft EIS. At the public hearing, held June 11, 2008, it was suggested by both the audience and at least one member of the panel that information was not as readily available to all affected landowners as the FERC would have preferred, and that the Draft EIS was available both online and on disc, neither of which is an accessible format to the Amish.</p>	LA4-D8	Amish landowners would have access to project information provided via local newspapers, company notice mailings, FERC notice mailings, and land agent visits.
LA4-D9	<p>9. The CCPC requests any mitigation planning documentation as to how Sparrows Point/AES/Mid-Atlantic will be responsible for future impacts in the proposed construction area. As stated previously, with the ongoing development and implementation of the Environmental Protection Agency's TMDL program which PA DEP enforces, many of the proposed "short term" impacts have the potential to affect municipalities for a much longer period of time and at both a financial and staff burden to mitigate problems that were ultimately initiated by the Sparrows Point/Mid-Atlantic Express project.</p>	LA4-D9	CCPC may acquire this information directly from Mid-Atlantic Express during its consultation with your agency.
LA4-D10	<p>↓ 10. Deer overpopulation and management issues are prominent in Chester County. Once trees are removed, if deer are present, any planting efforts may never revert to pre-</p>	LA4-D10	Vegetation monitoring is discussed in Mid-Atlantic Express's ECP (appendix T) and in sections 4.4 and 4.5 of the FEIS.

	<p>20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM                  Review of FERC Environmental Impact Statement June 16, 2008 20 of 21</p> <p>↑ existing conditions, as proposed by the Draft EIS. The CCPC requests any supporting information on how Sparrows Point/AES/Mid-Atlantic will monitor and maintain their revegetation and reforestation efforts.</p> <p>11. The CCPC would request that the FERC and the applicant review and incorporate any relevant information from municipal Zoning Ordinances, Subdivision Land Development Ordinances, Act 537 Sewage Facilities Planning, Stormwater Management Ordinances, Rivers Conservation Plans, the County Comprehensive Plan, <i>Landscapes</i>, and the County Integrated Water Resources Plan, <i>Watersheds</i>, as well as others, into the final recommendations, decision-making, and document.</p> <p>12. The CCPC, in coordination with the CCWRA, CCCD, and CCPRD, would request a work session with the FERC to discuss the process of how applications are reviewed, examined and approved or denied, to gain a better understanding of the entire process.</p> <p>Thank you for the opportunity to comment on this project. If you have any questions, please contact the Director of the Chester County Planning Commission at 610-344-6285.</p> <p>Sincerely,</p>  <p>Ronald T. Bailey, AICP Secretary</p> <p>RTB/CC/yg                  cc: Chester County Commissioners Office                  Mark Rupsis, Chester County Commissioners Office                  Chester County Water Resources Authority (CCWRA)                  Chester County Conservation District (CCCD)                  Chester County Parks &amp; Recreation Department (CCPRD)                  Chester County Health Department (CCHD)                  Chester County Department of Open Space Preservation (CCDOSP)                  Chester County Department of Emergency Services (CCDES)                  Pennsylvania Historical and Museum Commission                  Caln Township                  Downingtown Borough                  East Brandywine Township                  East Fallowfield Township                  Highland Township                  Londonderry Township                  Lower Oxford Township                  Newlin Township                  Upper Oxford Township                  Upper Uwchlan Township                  Uwchlan Township                  West Bradford Township                  West Marlborough Township                  West Vincent Township                  Chester Water Authority                  Pennsylvania American Water Company                  Aqua Pennsylvania</p>	<p>LA4-D11 Comment noted.</p> <p>LA4-D12 The requested work session was held at CCPC offices in West Chester, Pennsylvania on August 15, 2008.</p>
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LA4-D11

LA4-D12

<p>20080616-5089 FERC PDF (Unofficial) 6/16/2008 4:30:09 PM</p> <p>Review of FERC Environmental Impact Statement June 16, 2008</p> <p>OEP-Gas Branch 2, PJ-11.2 Federal Energy Regulatory Commission 888 First Street, NE Washington, DC 20426</p>	<p>21 of 21</p>
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20080616-5096 FERC PDP (Unofficial) 6/16/2008 4:01:43 PM

## THE COUNTY OF CHESTER

CHESTER COUNTY  
WATER RESOURCES AUTHORITY  
Government Services Center • Suite 260  
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COMMISSIONERS  
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June 16, 2008

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E., Room 1A  
Washington, D.C. 20426

Re: Sparrows Point LNG Terminal and Pipeline Project  
Docket No. CP07-62-000, CP07-63-000, CP07-64-000, and CP07-65-000

Dear Ms. Bose:

The Chester County Water Resources Authority (CCWRA) appreciates the opportunity to provide the Federal Energy Regulatory Commission (FERC) with comments on the *Sparrows Point LNG Terminal and Pipeline Project*. CCWRA is a county-wide municipal authority established by the Chester County Board of Commissioners to serve as the County's flood control and water resources management agency. CCWRA is responsible for numerous aspects of water resources management, planning, monitoring, facilities operation, technical guidance, and scientific investigations regarding all aspects of water resources management, and particularly those within the Brandywine Creek watershed.

CCWRA also represents the County on review and coordination of inter-jurisdictional water resources issues affecting Chester County. Further, CCWRA is responsible for development and implementation of "*Watersheds- An Integrated Water Resources Management Plan for Chester County, PA and Its Watersheds*" our county-wide water resources plan adopted by the Chester County Board of Commissioners as a component of Chester County's comprehensive land use plan *Landscapes*. *Watersheds* serves to ensure sound strategies and priorities are employed to balance water resources stewardship, public safety, and growth management needs of the County and its constituents.

CCWRA facilities provide flood protection for the Brandywine Creek watershed. CCWRA also serves as the local instream flow management coordinator for the Brandywine Creek watershed working with water suppliers who operate continuous withdrawals from the Brandywine, owners of three regional water supply reservoirs, regulatory agencies, and United States Geological Survey who maintain an extensive stream gaging network within the Brandywine Creek to monitor inter-state flows for use in making reservoir releases and flood response decisions.

CCWRA has reviewed the Draft Environmental Impact Statement *Sparrows Point LNG Terminal and Pipeline Project* (referred to herein as the "EIS") with regard to its consistency with *Watersheds*, and consistency with various ongoing water resources activities that may be impacted by the proposed project. CCWRA has many concerns regarding this project that have not been addressed in the EIS.

LA5 - The County of Chester, Chester County Water Resources Authority (CCWRA), Chester County, Pennsylvania, Janet L. Bowers, P.G., Executive Director

20080616-5096 FERC PDF (Unofficial) 6/16/2008 4:01:43 PM	
Review of Sparrows Point LNG Terminal and Pipeline Project 2 of 7	
<p>To discuss and resolve these concerns, CCWRA requests a meeting with FERC and Chester County agencies combined. CCWRA also strongly recommends that FERC obtain detailed information, data, and maps available from numerous Chester County agencies so that a more robust and accurate environmental impact analysis could be produced. CCWRA also suggests that FERC conduct a more thorough and updated review of their distribution list and media contacts. CCWRA requests a separate meeting with the applicant and Chester County agencies combined to discuss all of the unresolved concerns raised by county agencies after reviewing the EIS.</p> <p>CCWRA respectfully submits the following comments regarding the Chester County, Pennsylvania portion of the pipeline project and strongly requests they be addressed prior to approval of the project by FERC.</p>	
LA5-1	1. CCWRA strongly recommends that FERC and the applicant review the proposed project for consistency with <i>Watersheds</i> .
LA5-2	2. CCWRA strongly supports all comments submitted by the Chester County Planning Commission (CCPC) (letter dated June 16, 2008, from Mr. Ronald Bailey) and requests all CCPC comments be addressed prior to approval by FERC.
LA5-3	3. CCWRA strongly supports all comments submitted by the Chester County Conservation District (CCCD) (letter dated June 16, 2008) and requests all CCCD comments be addressed prior to approval by FERC.
LA5-4	4. The technical materials presented in the EIS were generally insufficient to provide a complete technical review. Additional detail is needed on a number of items to fully understand exactly how construction will proceed and restoration will be carried out. The comments below relate to several of the key issues that require additional detail/explanation and coordination with local agencies.
LA5-5	5. Detailed design plans should be submitted to CCCD immediately indicating the details of the project, area of disturbance, erosion and sediment control plans, post-construction stormwater management plans, any proposed environmental mitigation activities, construction sequence, etc. These plans must be reviewed before a full understanding of the potential impacts the project can be assessed.
LA5-6	6. Frequent communication between the applicant, county departments, local municipalities and residents regarding the process, construction sequence, and project changes is integral to the success, if this project were to be approved. Special consideration is required to insure that FERC and the applicant communicate details about the project with the Amish landowners in advance of approval by FERC.
LA5-7	7. As recommended by FERC, the applicant should provide direct contact information to county agencies and landowners for three years once construction is completed. Reports should be filed containing details about how problems will be addressed, and communication, coordination and agreement with the affected landowners should be required until resolved. A local single point of contact should be established and maintained by the applicant for landowners to report problems to, during and after completion of the project to resolve problems.
LA5-1	Please see response to comment LA4-B4.
LA5-2	Comment noted. Please see responses to comments in letter LA4.
LA5-3	Comment noted. Please see responses to comments in letter LA4.
LA5-4	Please see response to comment LA4-B5.
LA5-5	Please see response to comment LA4-B5.
LA5-6	Please see response to comment LA4-D8.
LA5-7	Comment noted.

20080616-5096 FERC PDF (Unofficial) 6/16/2008 4:01:43 PM	
Review of Sparrows Point LNG Terminal and Pipeline Project 3 of 7	
LA5-8	8. CCWRA recommends that the applicant begin immediate increased detailed communication with Williams/Sentinel Pipeline project representatives where the project will overlap in Chester County, including the proposed pipeline areas, staging areas, right-of-way, stream crossings, permanent mitigation/restoration plans, etc.
LA5-9	9. Mapping presented in the EIS is unreadable and extremely outdated and must be updated to adequately present the proposed project relative to existing land cover conditions and features. It is recommended that the applicant contact the Chester County Department of Computer Information Services to obtain the GIS coverages of county-wide 2005 aerial photography, 2000 aerial based 5-foot topographic contours, roads/streets and names, water features, etc. for the project area. The mapping in the EIS should be revised using these materials as the base mapping so that reviewers can understand what existing features and properties will be affected by the proposed project. Chester County agencies should be provided with updated, legible and detailed maps with up-to-date route variations for review.
LA5-10	10. It is strongly recommended that horizontal directional drilling (HDD) be re-evaluated for all stream crossings – including the Octoraro Creek, Buck and Doe Runs, Broad Run, and East and West Branches of the Brandywine Creek – to avoid impacts and mitigation requirements to instream flow volumes, instream erosion/sedimentation, instream habitats, and downstream water supply withdrawals. CCWRA feels that a more in-depth analysis of the viability of using HDD for the stream crossing is needed in light of the many sensitive resources, and especially downstream public water supply intakes, EV and HQ streams, and sensitive habitats that could be critically affected by the construction. If HDD is not feasible, then a site-specific detailed plan for each proposed stream crossing and the construction sequence must be provided, indicating how the applicant will avoid instream impacts and coordinate with water suppliers and CCWRA.
LA5-11	11. Information should be provided explaining how the Octoraro Creek, and West and East Branches of the Brandywine Creek stream crossing activities will be protected from severe flooding during construction. This reach of Brandywine Creek is protected by five upstream regional flood control dams, but remains subject to rapidly rising and severe flood levels. CCWRA recommends that the applicant and its inspectors stay informed of daily weather events and upstream stream flows, and have contingency plans in place for implementation during severe weather events, including over weekends when limited staff may be available during a storm event. CCWRA suggests that referencing United States Geologic Survey (USGS) stream gaging stations on the Brandywine Creek will provide excellent data to determine low flow and flood threshold analyses and to help make daily decisions. The applicant must remain aware – at all times - of local hydrological conditions to help safely manage the construction activities and avoid negatively affecting the instream flows and sensitive resources. The applicant should also be in continued contact with the Pennsylvania Fish and Boat Commission to help address instream flow management issues during period of low flow.
LA5-12	12. According to Appendix I, a table listing the waterbodies crossed by the pipeline, it states that the Octoraro Creek at MP 56.31 will be crossed to install the pipeline by using the “dam and pump open cut crossing”. The East Brandywine Creek at MP 82.31 will be crossed using the “intermediate wet open cut” method. Additionally, Appendix I states that the proposed crossing of the West Brandywine Creek at MP 74.19 may be completed by using the “intermediate wet open cut” method or a “cofferdam, possibly in combination with a flume”. It is strongly recommended that the methods used to cross the Octoraro Creek, and East and West Branches of the Brandywine Creek are re-evaluated. A wet open cut method may not be advisable in a creek that is highly susceptible to flooding, and a continuous source for drinking water at three downstream sites. A dam and pump around may not be effective in the event a large storm event
LA5-8	AES has committed to working with Williams/Transco wherever their projects may overlap. Please see response to comment LA4-B2.
LA5-9	Please see responses to comments LA4-C18 and LA4-C32.
LA5-10	See section 4.3.2.5 for a revised HDD analysis.
LA5-11	Section 4.1.2.1 discusses Mid-Atlantic Express’ intention to conduct evaluations for flooding impacts associated with stream and wetland crossings during the detailed design phase. The recommendations made by the CCWRA with regards to useful data sources to conduct these evaluations are noted.
LA5-12	Section 4.3.2.5 discusses additional analyses conducted by FERC which indicates that alternative crossing methods, including HDD, is technically feasible at Octoraro Creek at MP 56.31. With regards to East Brandywine Creek at MP 82.31 and West Brandywine Creek at MP 74.19, seasonal restrictions would be implemented to minimize stream impacts. See section 4.3.2.5 for additional discussions regarding Brandywine Creek crossings.

LA5 - The County of Chester, Chester County Water Resources Authority (CCWRA), Chester County, Pennsylvania, Janet L. Bowers, P.G., Executive Director

20080616-5096 FERC PDF (Unofficial) 6/16/2008 4:01:43 PM	
<p>Review of Sparrows Point LNG Terminal and Pipeline Project <span style="float: right;">4 of 7</span></p>	
<p>↑ would occur during construction. The applicant should conduct further analysis to determine the most environmentally feasible option in an area prone to flood waters, and provide more details that will ensure the protection of downstream drinking water intakes.</p>	<p>LA5-13 Spoil storage would be in compliance with Mid-Atlantic Express's ECP (appendix T) to minimize impacts from construction.</p>
<p>LA5-13 13. Topsoil and spoil storage should not be located within 50 feet of any wetland or waterbody.</p>	
<p>LA5-14 14. All work at stream banks and within stream channels should be conducted to insure that stable stream channel processes and geomorphology conditions will remain during and after completion of construction. CCWRA recommends follow-up monitoring of streambank stability where stream crossings occurred by the applicant and where necessary stream channel/bank restoration or repair be conducted.</p>	<p>LA5-14 Mid-Atlantic Express's ECP includes BMPs (see appendix T, figures 21 and 22) for bank stabilization. The COE would also require adequate bank restoration through its permit process.</p>
<p>LA5-15 15. CCWRA supports the FERC recommendation that the applicant shall consult with PA DCNR, Octoraro Creek Watershed Association and the Brandywine Conservancy to reach agreement on the Octoraro Creek crossing and the four Brandywine Creek crossings. CCWRA should also be included in these discussions as well as other appropriate Chester County agencies.</p>	<p>LA5-15 Comment noted.</p>
<p>LA5-16 16. CCWRA supports the FERC recommendation that the applicant shall work with the Chester Water Authority (CWA) to "develop and implement a site-specific plan for crossing the Chester Water Authority mains" and any potential impacts to CWA's waterworks, dam and sources of water supply. The applicant should also reach agreement with CWA to establish advanced contact and coordination to insure the water withdrawals by CWA are anticipated by the applicant during construction. The applicant should establish a schedule of advanced notification with CWA of in stream activities.</p>	<p>LA5-16 Comment noted. See revised section 4.8.</p>
<p>LA5-17 17. Downingtown Municipal Water Authority (DMWA) operates an intake on the East Branch Brandywine Creek that is within three miles directly downstream of the proposed East Branch Brandywine Creek crossing. During construction a pulse of elevated suspended solids flowing downstream could force DMWA to close its intake and shut down water production for the region. The applicant should meet with DMWA to discuss the proposed project and reach agreement with DMWA on any modifications that may be needed. The applicant should also reach agreement with DMWA to establish advanced contact and coordination to insure the water withdrawals by DMWA are not affected by turbidity from the project. The applicant should establish a schedule of advanced notification of instream activities to DMWA and other downstream water suppliers.</p>	<p>LA5-17 See revised section 4.3.2.3.</p>
<p>LA5-18 18. Aqua America operates a drinking water facility on the East Branch of the Brandywine Creek in the West Chester area. The applicant should establish a schedule of advance notification of instream activities to all downstream water supply withdrawers.</p>	<p>LA5-18 See revised section 4.3.2.3.</p>
<p>LA5-19 19. The project proposes blasting in several areas, including areas in the vicinity of the West Branch Brandywine Creek and public and private water supply wells. The blasting plan should indicate a zone of influence within which water wells could be impacted. It is strongly recommended that the applicant conduct pre-blasting water level measurements in all water wells within this zone of influence before and after all blasting has been completed. The EIS should describe what contingency plans the applicant will implement to restore safe drinking water to any well owner whose well has been impacted by the blasting. The EIS and blasting plan should also specify that the applicant will coordinate with the Chester County Health Department to obtain information regarding existing public and private water supply wells and to coordinate and review contingency plans for restoring damaged water supplies.</p>	<p>LA5-19 Please see response to comment LA4-C20.</p>

LA5 - The County of Chester, Chester County Water Resources Authority (CCWRA), Chester County, Pennsylvania, Janet L. Bowers, P.G., Executive Director

20080616-5096 FERC PDF (Unofficial) 6/16/2008 4:01:43 PM			
Review of Sparrows Point LNG Terminal and Pipeline Project 5 of 7			
LA5-20	20. The blasting plan should also identify other vulnerable active and historic dams, residential, commercial and utility structures and infrastructure within the zone of influence and provide details indicating how blasting will be performed to avoid damage to these features, and the applicant should provide contingency plans for restoration of the features should they be damaged by blasting.	LA5-20	Please see response to comment LA4-C20.
LA5-21	21. CCWRA strongly recommends that the applicant monitor well yield and water quality pre and post construction and address any temporary or permanent damage to individual and public water wells within 150 feet of the blasting area. CCWRA also recommends that the applicant file a report of landowner complaints, and adhere to a fair and equitable process to address the complaints.	LA5-21	Please see response to comment LA4-C20. Also, see section 4.3.1 for a discussion on well monitoring.
LA5-22	22. No information was included in the EIS indicating locations of existing septic systems, or spray or drip irrigation lands within the proposed project area. The applicant should contact the Chester County Health Department and the municipalities to identify what if any wastewater disposal systems may be impacted by the pipeline replacement and expansion of the easement area and blasting area. CCWRA strongly supports the FERC recommendation that the applicant shall file a Septic System Contingency Plan.	LA5-22	All septic systems would be required to be identified prior to construction and would be protected, as discussed in section 4.8.1.1 of the EIS.
LA5-23	23. CCWRA recommends that the applicant should file a site-specific detailed plan for the Strasburg landfill crossing to ensure mitigation of any negative affects to the landfill contamination remediation components and to groundwater or surface water.	LA5-23	Please see response to comment LA4-C23.
LA5-24	24. The project proposes clear-cutting and removal of extensive tree canopy in terrestrial and steep slope areas, agricultural lands and within riparian corridors (considered to be the land within 100 feet of any bank of a stream or water body). Tree removal should be avoided in every place possible to minimize increased flooding, terrestrial and instream erosion and sedimentation, loss of nutrient pollutant removal, stream bank erosion, and thermal stream pollution. If mature trees are not replaced, additional post-construction stormwater management should be considered to compensate for the loss of critical runoff reduction that existing tree canopies currently provide in the watershed. This is especially critical where tree removal will occur within the 100 foot riparian buffer on each side of a waterbody or where a canopy has been removed from steep slopes.	LA5-24	Comment noted. Please see response to comment LA4-C35.
LA5-25	25. CCWRA supports the FERC recommendation that the applicant shall file a draft plan for the Dowlin Struble Forge Park crossing and reach agreement with Uwchlan Township and the Chester County Department of Parks and Recreation prior to the approval of the project. Similar plans should be prepared, in conjunction with municipal officials, for other parks that will be impacted such as in West Bradford Township.	LA5-25	Any plan would be approved prior to construction.
LA5-26	26. Despite the lack of a FERC requirement to reforest affected areas outside of the right-of-way that are to be deforested to accommodate construction activities, CCWRA requests that the applicant work with landowners to the greatest extent possible to reforest the areas as quickly as possible. In Chester County, temporary workspace will result in the deforestation of 11.36 acres of previously forested areas. Depending on the health of the adjacent forest and the local deer population, natural re-establishment of these woodlands may be difficult. This is particularly critical within the 100-foot riparian corridors.	LA5-26	Please see response to comment LA4-C35.
LA5-27	27. Riparian buffer areas should not be disturbed beyond the width of the corridor necessary for the pipe installation. To the maximum extent practicable, staging and storage areas should not be located within the riparian corridors to avoid further damaging these critical buffer features.	LA5-27	This is consistent with Mid-Atlantic Express's ECP (see appendix T).

LA5 - The County of Chester, Chester County Water Resources Authority (CCWRA), Chester County, Pennsylvania, Janet L. Bowers, P.G., Executive Director

	<p>20080616-5096 PERC PDF (Unofficial) 6/16/2008 4:01:43 PM</p> <p>Review of Sparrows Point LNG Terminal and Pipeline Project 6 of 7</p>	
LA5-28	<p>28. CCWRA recommends that the applicant address how water quality protection will be accomplished while conducting the project. The project will affect 314 linear feet in total of Shamona and tributaries of Marsh Creek Lake, waterbodies designated as "High Quality". The project area will also affect 728 linear feet in total within Broad Run, an "Exceptional Value" stream with approved TMDL criteria in place. Two additional stream crossings at Muddy Run and Rattlesnake Run will also be in a watershed with approved TMDL criteria.</p>	<p>LA5-28 BMPs to minimize construction impacts on water quality are included in the applicants ECP (see appendix T).</p>
LA5-29	<p>29. The management of the Brandywine Creek instream flows has not been adequately addressed. Two instream water supply intakes are located in the East Branch Brandywine Creek downstream of the proposed project to provide public water supply, and the City of Wilmington, Delaware water suppliers may also be affected. It is critical that adequate analysis has occurred on how the proposed operations will proceed during periods of low flow, drought, or large storm events. CCWRA recognizes that often construction work in streams is conducted in expected low flow periods such as the summer; however, low flows can and frequently do occur throughout the year in this watershed. In the fall of 2007, Chester County experienced a lengthy drought and the "Drought Watch" status was not lifted until January 2008. The instream flows of the Brandywine Creek are heavily regulated and carefully managed for supporting water supply withdrawals in Chester County, PA and New Castle/Wilmington County, DE. Instream flow management regulatory protocols have been established by PADEP and Delaware River Basin Commission (DRBC) and must be adhered to for all water supply withdrawals. During periods of low flow, water supply releases are made from Marsh Creek Reservoir (upstream of project crossing of the East Branch of the Brandywine Creek) to support withdrawals by Downingtown Municipal Water Authority (intake just south of Route 30 bypass), Aqua PA (West Chester intake), and City of Wilmington. Information should be provided explaining how the project will avoid disrupting instream flows which may affect water supply withdrawals and aquatic habitat during periods of low-flow. CCWRA recommends that the applicant communicate these project details with the DRBC, CCWRA and all affected water suppliers.</p>	<p>LA5-29 Water supply withdrawals are discussed in section 4.3.2.3. Mid-Atlantic Express has indicated that it would consult with water suppliers prior to constructing near the water supplies.</p>
LA5-30	<p>30. The EIS indicates that the applicant will be withdrawing large volumes of water from the Susquehanna River for use in hydrostatic testing. Information should be provided indicating how and where these withdrawals will be accomplished, what pumping rates will be used, when the withdrawals will occur and for what duration. These withdrawals should be coordinated with the Susquehanna River Basin Commission and other regulatory agencies. If waters are to be withdrawn from any Chester County streams, then CCWRA and the appropriate water suppliers should be contacted to insure instream flows are not impacted in such a way as to cause disruption to water supply withdrawals or impacts to aquatic habitats. CCWRA strongly recommends that CCWRA and all affected water suppliers be notified at least 24 hours in advance of the start of withdrawal operations, when/if planned to occur within Chester County streams.</p>	<p>LA5-30 The hydrostatic test plan prepared by AES indicated that they would coordinate with the Susquehanna River Basin Commission. No hydrostatic test water would be withdrawn in Chester County. See section 4.3.2.5 <i>Hydrostatic Testing</i>.</p>
LA5-31	<p>31. The applicant will be discharging the water used in the hydrostatic testing back into the stream system. While the return of flow to the stream from which it is withdrawn is important, information should be provided indicating what if any water quality and thermal impacts may occur from internal pipe residues, chemicals or metals from the hydrostatic testing, and what measures will be taken to insure the discharge rate does not create instream turbidity or erosion conditions. If any of these waters are to be discharged in Chester County streams, we strongly recommend that the applicant alert CCWRA and all downstream water providers at least 24 hours in advance of discharge operations.</p>	<p>LA5-31 Hydrostatic test water would be discharged to well vegetated uplands near the waterbodies and not directly into the waterbodies. See table 4.3.2-4.</p>

LA5 - The County of Chester, Chester County Water Resources Authority (CCWRA), Chester County, Pennsylvania, Janet L. Bowers, P.G., Executive Director

<p>20080616-5096 FERC PDF (Unofficial) 6/16/2008 4:01:43 PM</p> <p>Review of Sparrows Point LNG Terminal and Pipeline Project <span style="float: right;">7 of 7</span></p> <p>32. CCWRA strongly recommends that the applicant coordinate with the Chester County Open Space Preservation Department and reach agreement with landowners, land trusts and conservancies who may hold the rights to farmland preservation and land preservation easements in the project area. CCWRA strongly recommends that the applicant and the proposed construction activities comply with all easement requirements.</p> <p>33. CCWRA recommends that the applicant provide agricultural mitigation plans to correctly restore drainage, soil profiles and grading on agricultural lands affected by the project. CCWRA also recommends that the applicant be required to file a report of landowner and farmer complaints relating to preserved lands, and adhere to a fair and equitable process to resolve their complaints, and provide a single point of contact to resolve problems during and after construction.</p> <p>34. CCWRA supports FERC recommendation that environmental inspectors must be employed and on site during construction. CCWRA recommends that the applicant hire local inspectors familiar with Chester County to ensure responsible compliance with federal, state and local requirements and to resolve issues that result from weekend emergencies that may occur.</p> <p>35. After CCWRA and other county agencies have reviewed the requested detailed plans, CCWRA strongly recommends that all follow-up comments from county agencies are then incorporated into the final EIS requirements.</p> <p>Thank you for your consideration of these comments. CCWRA is willing to meet with FERC and the applicant to provide relevant information and to discuss the above comments.</p> <p>Sincerely,</p>  <p>Janet L. Bowers, P.G. Executive Director</p> <p>cc: Carol Aichele, Chester County Commissioner Terence Farrell, Chester County Commissioner Kathi Cozzone, Chester County Commissioner Mark Rupsis, Chester County Commissioners Office Ronald Bailey, Chester County Planning Commission Daniel Greig, Chester County Conservation District Margaret Rivello, Chester County Health Department John Mikowychok, Chester County Parks &amp; Recreation Department William Gladden, Chester County Open Space Preservation Department OEP-Gas Branch 2, Federal Energy Regulatory Commission</p>	<p>LA5-32 Easement negotiations are between the company and the landowner or if applicable the land management agency.</p> <p>LA5-33 See section 4.8.1.3.</p> <p>LA5-34 Comment noted.</p> <p>LA5-35 Agency comments would be included in the development of plans prior to construction.</p>
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20080619-0057 FERC PDF (Unofficial) 06/16/2008



Upper Uwchlan Township

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COMMISSION  
2008 JUN 16 P 3 22  
FEDERAL ENERGY  
REGULATORY COMMISSION

May 29, 2008

Kimberly D. Bose  
Federal Energy Regulatory Commission  
888 First St. N.E., Room 1A  
Washington, DC 20426

Re: Sparrows Point LNG Terminal and Pipeline Project  
Docket Nos. CP07-62-000, CP07-63-000, CP07-64-000, and CP07-65-000

Dear Ms. Bose,

The Board of Supervisors of Upper Uwchlan Township, Chester County, Pennsylvania, has reviewed the re-route plans known as "12-A" and "12-B" as depicted in Figure 3.3.3-11 of the Draft Environmental Impact Statement dated April 2008 and officially declares no preference for either re-route plan, and furthermore, will take no further action on this matter.

We appreciate the opportunity to comment on this project.

Should you have any questions, please do not hesitate to give me a call.

Truly yours,

  
John J. Roughan, Jr.  
Township Manager

JJR/gaj

Cc: Upper Uwchlan Township Board of Supervisors  
Kent Morton, The AES Corporation  
David Leh, P.E., Township Engineer  
State Representative Curt Schroder  
State Senator John Rafferty  
Congressman James Gerlach

140 Pottstown Pike, Chester Springs, PA 19425  
Phone: (610) 458-9400 • Fax: (610) 458-0307

LA6-1

LA6-1

Thank you for your comment and your involvement in reviewing the Project.

LA7 - East Fallowfield Township, East Fallowfield Historical Commission, Paula Latta Coyne, Chairman

EAST FALLOWFIELD TOWNSHIP  
2264 Strasburg Road  
East Fallowfield, Pa. 19320  
Phone: 610-384-7144 Fax: 610-384-7143

June 26, 2008

**BOARD OF SUPERVISORS**

Mr. George Broadbent, Chairman  
Mr. Garth Monaghan, Vice Chairman  
Mr. Christopher Makely, Member

**SECRETARY**

Denise Miller  
**TREASURER**  
Mark Espie

Ronald T. Bailey, AICP  
Executive Director  
Chester County Planning Commission  
Government Services Center, Suite 270  
601 Westtown Road  
P. O. Box 2747  
West Chester, PA 19380-0990

Dear Ron:

As you know, I am a resident of East Fallowfield Township, Chester County, PA, and Chairman of the East Fallowfield Historical Commission. I am writing on behalf of the Commission to express concern about the Draft Environmental Impact Statement ("DEIS") for the AES Mid Atlantic Express Pipeline.

On page 4, section 3 of your letter dated June 16, 2008, addressed to the Hon. Kimberly D. Bose, Secretary of the Federal Energy Regulatory Commission ("FERC"), you mention the problems with the pipeline right of way in the historic districts of Doe Run Village and Kirk's Mill outside East Fallowfield; however, I want to direct your attention to additional concerns about sites not mentioned which are located in East Fallowfield Township. A farm located at mile marker 72.7 to 73.34 is listed as the "John Hanna Farm" on the National Register of Historic Places, and the proposed right of way and the Columbia Gas Pumping Station are within one hundred feet of the 1840 Fairview Schoolhouse located on the John Hanna Farm, and the proposed right of way passes within one hundred feet of the John Hanna House itself.

We are also concerned that the proposed right of way crossing of the West Branch of the Brandywine Creek below the Mortonville Bridge, also listed on the National Register, comes within the boundaries of the proposed Mortonville Historic District that was determined eligible for inclusion on the National Register in 1992.

I would like you to supplement your letter to Secretary Bose to include these historical resources as areas of concern.

Respectfully,  
  
Paula Latta Coyne, Chairman  
East Fallowfield Historical Commission

LA7-1

LA7-2

LA7-1

See section 4.10 for discussion of cultural resource impacts, and ongoing consultation to avoid and minimize possible impacts to the John Hanna Farm, Schoolhouse, Mortonville Bridge, and other historic properties.

LA7-2

Comment noted. Please see response to comment LA7-1.

20080710-0108 FERC PDF (Unofficial) 06/30/2008



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 COMMISSION  
 2008 JUN 30 P 3 16 June 25, 2008  
 FEDERAL ENERGY  
 REGULATORY COMMISSION  
 P.O. Box 467  
 Chester, Pennsylvania 19016-0467  
 Tel: (610) 876-8185  
 8400-007

Mr. Glenn Wininger  
120 Hunter Wood Way  
Port Matilda, PA 16870

Re: FERC Docket No. PF06-22-000  
Proposed AES/Mid Atlantic Express Natural Gas 30-inch Transmission Main Crossing CWA Property

Dear Mr. Wininger:

As discussed at our June 11, 2008 meeting with you and Kent Morton, enclosed are the following drawings of CWA facilities which you propose to cross with the 30-inch gas main.

1. CWA Drawing No. 1042, Sheets 1-4: 48-inch Concrete Wastewater Line and Lagoon Facilities
2. CWA Drawing No. 2388, Sheets 1-13: Backwash Wastewater Recycling
3. Gannett Fleming Drawings, Complete Set: Transmission Main No. 2 Replacement

These drawings do not show the gabions on the creek side of the 48-inch concrete wastewater line that we looked at in the field, however, the approximate area of the gabions is highlighted on the drawing.

The Transmission Main No. 2 Replacement contract was awarded on June 19, 2008 and construction is expected to start in the fall of 2008 and be completed by the spring of 2009. At that time, the original Transmission Main No. 2 will be abandoned in place and the replacement main will be in service. As discussed, all crossings of our transmission mains shall be above our mains (a standard detail is enclosed). It appears our transmission mains are deep enough to allow the proper clearance from our mains and also allow AES enough cover over the proposed gas main, however, we will await your final design before approving the crossings. Also, no blasting shall be permitted in the vicinity of our facilities and vibration monitoring shall be required if the gas main work proceeds. The maximum allowable peak particle velocity (PPV) shall be 1.9 inches per second. We will also need details regarding the cathodic protection you propose to install in the vicinity of our mains.

At such time that you have detailed drawings showing the extent of the permanent easement, temporary work space, and additional temporary work space required on Authority property, please forward the drawings to my attention. We will then provide final comments on the proposed project including the financial compensation necessary for the requested easements. As previously mentioned in our May 22, 2006 letter, the transmission mains and our other facilities are the sole source of drinking water for approximately 200,000 people, so protection of CWA facilities is of the utmost importance to assure there is no interruption of our operation.

If you have any further questions, please let me know.

Sincerely,  
  
 Brian P. MacEwen, P.E.  
 Director of Engineering

BPM/lhm  
 Enclosures  
 c: RCW, PPS, KHL, SCF, KMJ  
 Kent Morton AES Corporation  
 /Kimberly D. Bose, FERC  
 Q:\DAILY\2008\UUN 0839.doc

LA8-1

LA8-1

Site-specific plans have been provided and are contained on the docket under accession no. 20080616-4003 and Attachment DC64 under accession no. 20080616-4017.

20080610-0250 EERC PDF (Unofficial) 06/09/2008



ORIGINAL

Upper Uwchlan Township

June 4, 2008

Kimberly D. Bose  
Federal Energy Regulatory Commission  
888 First St. N.E., Room 1A  
Washington, DC 20426

Re: Sparrows Point LNG Terminal and Pipeline Project  
Docket Nos. CP07-62-000, CP07-63-000, CP07-64-000, and CP07-65-000

Dear Ms. Bose,

The Township recently forwarded your office a letter dated May 29, 2008 in which the Municipality stated no preference for the re-route plans 12-A and 12-B.

The April 2008 "Sparrows Point Impact Statement", page 3-63 "Route Variation 12-A and 12-B" states of a meeting with Upper Uwchlan Township to discuss "suggested route variations...to avoid or minimize residential impacts."

Please let me reiterate that Upper Uwchlan Township did not, and does not, recommend or suggest either the 12-A or 12-B re-route. And, to the extent that you believe that the Township suggested an alternative route or expressed a preference for an alternative route, please be advised that the Township withdraws any such suggestion and confirms that it has no such preference.

Should you have any questions, please do not hesitate to give me a call.

Truly yours,

*John J. Roughan, Jr.*  
John J. Roughan, Jr.  
Township Manager

JJR/gaj

Cc: Upper Uwchlan Township Board of Supervisors  
Kent Morton, The AES Corporation  
David Leh, P.E., Township Engineer  
State Representative Curt Schroder  
State Senator John Rafferty  
Congressman James Gerlach

140 Pottstown Pike, Chester Springs, PA 19425  
Phone: (610) 458-9400 • Fax: (610) 458-0307

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COMMISSION  
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FEDERAL ENERGY  
REGULATORY COMMISSION

LA9-1

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The Township recently forwarded your office a letter dated May 29, 2008 in which the Municipality stated no preference for the re-route plans 12-A and 12-B.

LA9-1

Please see response to comment LA6-1.

LA9-2

|

Please let me reiterate that Upper Uwchlan Township did not, and does not, recommend or suggest either the 12-A or 12-B re-route. And, to the extent that you believe that the Township suggested an alternative route or expressed a preference for an alternative route, please be advised that the Township withdraws any such suggestion and confirms that it has no such preference.

LA9-2

Comment noted. Section 3.3.3 has been revised to reflect this.

20080627-0119 FERC PDF (Unofficial) 06/23/2008

ORIGINAL

**Federal Energy Regulatory Commission**  
**Sparrows Point LNG Terminal and Mid-Atlantic Express Pipeline Projects**  
**Draft Environmental Impact Statement Meeting Comments**

☐ June 9, 2008, Baltimore, MD ☐ June 11, 2008, Downingtown, PA ☐ June 12, 2008, Edgewood, MD

Comments can be: (1) left at the sign-in table (2) mailed to the addresses below, or (3) electronically filed at <http://www.ferc.gov> under the link to "Documents and Filings" and "e-Filing." New users must first create an account by clicking on "Sign up" or "eRegister." This type of filing is considered a "Comment on Filing." In addition, there is a "Quick Comment" option available, to submit text only comments on a project and does not require registration however, you will be asked to provide a valid email address.

If mailing:  
 Please send three copies referenced to Docket Nos: CP07-62-000 and CP07-63-000 to the addressee below.

<p><b>Two for Official Filings:</b>                  Kimberly Bose, Secretary                  Federal Energy Regulatory Commission                  888 First Street, N.E., Room 1A                  Washington, DC 20426</p>	<p><b>Another copy:</b>                  Gas Group 2, PJ 11.2                  Federal Energy Regulatory Commission                  888 First Street, N.E.                  Washington, DC 20426</p>
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Mail your comments to be received in Washington, DC on or before June 16, 2008.

COMMENTS: (Please print clearly. Use the back and/or attach additional sheets if necessary.)

Chester County Conservation District has DES  
MAJOR Environmental concerns, which will be  
addressed in The STATE permit application is  
ALSO The Amount of ground within The right of way  
being disturbed that is Prime Agricultural soils.  
Many of The Farms that will be crossed have  
installed Agricultural Best Management Practices  
for stormwater and EROSION control. Some of The BMPs  
are management practices others are constructed practices  
partially paid for By Local, state, and federal  
funds. Project sponsors should identify any and  
all Agricultural Practices that  
will be disrupted,  
Promise specific  
remediation  
and certify that the  
BMPs are functioning

Commenter's Name and Mailing Address (PLEASE PRINT)

Daniel Greig DANIEL GREIG  
Chester County Conservation District  
Kennett Square PA  
~~08045~~  
dgreig@chesco.org  
d.greig@chesco.org

LA10-1

LA10-1

Impacts to farmland would be temporary and mitigated as discussed in sections 4.2.3 and 4.8.1.3. In section 4.8.1.3 we are recommending that Mid-Atlantic Express develop an Agricultural Impact Mitigation Plan for agricultural lands.

<p>20080627-0119 FERC PDF (Unofficial) 06/23/2008</p> <p style="text-align: center;">ORIGINAL</p> <p style="text-align: right;">CP07-62 CP07-63</p> <p>FILED SECRETARY OF THE COMMISSION</p> <p>2008 JUN 23 A 10:18 June 7, 2006</p> <p>FEDERAL ENERGY REGULATORY COMMISSION</p> <p>Arundel County Council for the Environment Inc.</p> <p><b>Testimony: Re: LGN Plant</b></p> <p><b>Position: Against Approval of siting Facility in Sparrows Point</b></p> <p><b>Reason: Environmental Justice</b></p> <p><b>Comments:</b> The historical background of this area contains evidence that shows the people in the proposed site area of the LNG tanker have been used as a major dumping group for the past 30 years for siting polluting industries. These areas are in zip codes of -21224-21225-21226-21230. They represent Anne Arundel County, Baltimore City, and Baltimore County. Maryland Department of the environment has records of numerous hearings the citizens have attended to plead with the agencies to stop locating these hazardous and health threatening industries in these locations.</p> <p><b>We have many superfund and brownfield sites. Many of the industries that are there have been sited for repeated violations of air and water. This area is in a non-attainment area for ozone. However, these plants continue to be sited.</b></p> <p><b>When President Clinton established Environmental Justice law it was defined as: "The fair treatment and meaningful involvement of all people regardless of race, color national origin, or income with respect to the development implementation and the enforcement of environmental law, regulations, and policies. Fair treatment means that no group of people, including racial, ethnic, or socioeconomic group should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operation of the execution of federal, state, local and tribal programs and policies.</b></p>	<p>LA11-1      Comment noted. Environmental justice is analyzed and discussed in section 4.9.7.</p> <p>LA11-2      The federal and state agency database search identified 22 hazardous, potentially hazardous and solid waste sites within 0.25 mile of the LNG terminal site and 0.25 mile of the proposed pipeline route. Section 4.8.3 contains discussions on the hazardous waste sites identified with 0.25 mile of the Project. Section 4.2.1 contains a discussion on soil contamination at the LNG terminal site. Section 4.2.3.8 contains additional information on hazardous waste sites identified along the proposed pipeline route. For a discussion on ozone attainment status see section 4.11.1.2. Sections 4.13.2 and 4.13.11 contain discussions on cumulative impacts for soils and air, respectively.</p>
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20080627-0119 FERC PDF (Unofficial) 06/23/2008

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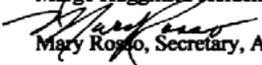
LA11-3

Disproportionate share is the key word in this law. It is clear that the communities of Dundalk, Curtis Bay, Fairfield, Brooklyn, and Turners Station are the communities at risk.

Please, do not allow another dangerous, and hazardous facility to locate. We request you deny the application to site this plant.

Thank you,

  
Marge Huggins, President, AACCE

  
Mary Rosso, Secretary, AACCE

208 Waterfountain Court Unit 103  
Glen Burnie, MD 21060  
410-766-5899

cc: County Executive John Leopold  
cc: Delegates District 31,  
cc: State Senator: District 31

LA11-3

Section 4.9.7 contains an updated environmental justice analysis for the Project. The FERC as the lead federal agency prepared this FEIS in compliance with the requirements of NEPA, the CEQ regulations for implementing NEPA, and the FERC's regulations implementing NEPA.

20080627-0119 FERC PDF (Unofficial) 06/23/2008



**Harford County Public Schools**  
 102 S. Hickory Avenue • Bel Air, MD 21014 410-838-7300 Fax 410-893-2478  
 Jacqueline C. Haas, Ed.D., Superintendent of Schools

ORIGINAL

June 13, 2008

Mr. Christopher H. Diez  
 Project Manager  
 AES Sparrows Point LNG, LLC and Mid-Atlantic Express, LLC  
 140 Professional Parkway, Suite A  
 Lockport, New York 14094

Re: CP07-63-000, CP07-64-000, CP07-65-000

Dear Mr. Diez:

This is to advise you that Harford County Public School System is adamantly opposed to the construction of a natural gas pipeline on its property or properties, particularly on the southeastern property line of the Fallston Middle School, located at 2303 Carrs Mill Road, Fallston, Maryland 21047, as currently proposed. We are equally opposed to the construction of a natural gas pipeline on any property line, easement, or right-of-way contiguous to our property or properties in Harford County.

It is our contention that the construction of such a pipeline would create the potential for a dangerous and/or disastrous situation involving hundreds of school-age children occupying our properties.

Thank you very much for your consideration in this matter.

Sincerely,



Joseph P. Licata  
 Chief of Administration  
 Harford County Public Schools  
 102 South Hickory Avenue  
 Bel Air, Maryland 21014  
 (410) 588-5202

pc: Jacqueline C. Haas, Ed.D. Superintendent  
 Thomas L. Fidler, Jr., President, Board of Education of Harford County  
 Magalie R. Salas, Secretary, Federal Energy Regulatory Commission

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 COMMISSION  
 JUN 23 P 2 14  
 FEDERAL ENERGY  
 REGULATORY COMMISSION

LA12-1

LA12-1 Thank you for your comment and involvement in reviewing the Project.

LA12-2

LA12-2 Pipeline safety is discussed in section 4.12.9.

<p>20080924-5034 FERC PDF (Unofficial) 9/24/2008 1:42:04 PM</p> <p style="text-align: center;"><b>LITTLE BRITAIN TOWNSHIP</b></p> <p>323 Green Lane Quarryville, PA 17566</p> <hr/> <p style="text-align: right;">Telephone (717) 529-2373 Fax (717) 529-6160</p> <p>July 11, 2008</p> <p>Kimberly D. Bose Federal Energy Regulatory Commission 888 First Street, N.E. Room 1A Washington, DC 20426</p> <p>RE: Docket Nos. CP-07-62-000, CP07-63-000, CP07-64-000 and CP07-65-000</p> <p>Dear Ms. Bose:</p> <p>On behalf of the Board of Supervisors of Little Britain Township, I am writing to convey concerns and opposition to the proposed Mid-Atlantic Pipeline Project. Little Britain Township is a rural municipality located within the southern end of Lancaster County with a population of 3,514 residents. Since its establishment in 1738 Little Britain has been and desires to remain an agriculture community.</p> <p>The pipeline being proposed would:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Present sever obstacles for our farming community,</li> <li><input type="checkbox"/> Present grave concerns and potential danger for the residents,</li> <li><input type="checkbox"/> Jeopardize the historic integrity of the Township,</li> <li><input type="checkbox"/> Threaten the safety of the water supply as all residents and businesses have private well and septic systems, and</li> <li><input type="checkbox"/> Impact wildlife through the disruption of creeks and streams.</li> </ul> <p>While Township Officials were previously advised that their comments, concerns and suggestions were appreciated, the Township has received no response to their input or much cooperation when requesting updated information for review.</p> <p>As officials of the Township, it is the Boards responsibility to maintain the health, safety and welfare of its residents. Residents depend upon the officials they elect to ensure their best interests are being served. Due to the lack of information received and questionable readability of what is received, the proposed pipeline has left local officials and residents with countless concerns and questions. It has also left local government officials who are nearest to the residents they serve desiring the support of the Federal Government in their handling of this matter.</p>	<p>LA13-1 Prime farmland soils, hydric soils, compaction potential, erosion, stony rocky soils and shallow-to-bedrock soils, and revegetation potential are discussed in section 4.2. Section 4.8.1.3 contains a discussion on agricultural impacts and mitigation measures. We are recommending that Mid-Atlantic Express prepare an Agricultural Impact Mitigation Plan for agricultural lands.</p> <p>LA13-2 Pipeline operation safety is discussed in section 4.12.9. Section 4.8.1.1 contains a discussion on impacts associated with construction close to residences and mitigation measures that would be employed.</p> <p>LA13-3 See section 4.10 for discussion of cultural resource impacts, and ongoing consultation to avoid and minimize possible impacts to historic properties.</p> <p>LA13-4 Please see response to comment LA3-DC1.</p> <p>LA13-5 Section 4.3.2.5 contains a discussion on pipeline construction and operation impacts and mitigation measures associated with surface water resources including waterbody crossings. For a discussion on wildlife impacts see sections 4.6 and 4.7.</p>
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LA13-1  
through  
LA13-5  
  
LA13-6

<p>20080924-5034 FERC PDF (Unofficial) 9/24/2008 1:42:04 PM</p> <p>LA13-7</p> <p>The Board of Supervisors have obtained and read comments submitted on the proposed pipeline from the Lancaster County Planning Commission dated June 16<sup>th</sup> and solidly concur with their comments. The Board has also reviewed comments submitted by the Chester County Planning Commission as well as numerous other local boards and commissions and we are supportive of their views and concerns as well.</p> <p>LA13-8</p> <p>Therefore, as a governing body, we implore the Federal Energy Regulatory Commission to ensure that due diligence is completed on this proposal. Additionally, we urge that the effects of this project to residents, the environment, and the agricultural and historical nature of our area be taken into serious consideration prior to any final determinations being made on this proposed project.</p> <p>Your time and consideration in this matter are greatly appreciated.</p> <p>Sincerely,</p> <p>Margaret D. DeCarolis Secretary/Treasurer</p> <p>Cc: Rep. Joseph Pitts Rep. Bryan Cutler Sen. Gibson Armstrong Sen. Arlen Specter Sen. Robert Casey</p>	<p>LA13-6</p> <p>We appreciate all comments received on the DEIS. All written and oral comments received prior to the FEIS being sent to the printer were considered and evaluated in the preparation of this FEIS. We address written and oral comments by responding to all comments within the scope of this FEIS. All project information is available in the Project docket. Please see response to comment LA1-2.</p> <p>LA13-7</p> <p>Comments noted. See comment letters LA3 and LA4.</p> <p>LA13-8</p> <p>The FERC as the lead federal agency prepared this FEIS in compliance with the requirements of NEPA, the CEQ regulations for implementing NEPA, and the FERC's regulations implementing NEPA. All written and oral comments received during the public comment period were seriously considered. The FERC would consider the findings in this FEIS in its determination of whether the Project should be approved. A final approval would only be granted if, after consideration of both environmental and non-environmental issues, the FERC finds that the proposed Project is in the public interest.</p>
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Upper Uwchlan Township

October 1, 2008

Ms. Kimberly Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street N.E., Room 1A  
Washington, DC 20426

RE: AES Sparrows Point Project  
Docket Nos. CP07-62-000, CP07-63-000, CP07-64-000, CP07-65-000  
Upper Uwchlan Township Property – 545 West Township Line Road  
Lakeridge Wastewater Treatment Facility (WWTF)

Dear Ms. Bose,

It is the Township's understanding that a proposal for routing the gas pipeline through the generally-central area of the Lakeridge WWTF disposal area is under review. Our engineers have reviewed this option and have also discussed with AES criteria involving rights-of-way, cathodic protection and subsurface construction near the pipeline.

Please be advised the property in question is the only wastewater effluent disposal area available to the homes connected to the Lakeridge WWTF.

Based upon the criteria communicated to us, installation of the pipeline anywhere on the Lakeridge property would negate use of either the currently utilized area or the back-up area for wastewater effluent disposal. It is also likely PADEP will not approve of such soil disturbance in proximity with a disposal area.

Therefore, the Township must respectfully deny use of the Lakeridge route.  
Please advise if you have any questions or comments.

Truly yours,

*John J. Roughan, Jr.*  
John J. Roughan, Jr.  
Township Manager

Cc: Board of Supervisors  
Municipal Authority  
Dave Leh, P.E. – Gilmore & Associates  
G. Matthew Brown, P.E., DEE – ARRO Consulting  
Neal Fisher, EIT – The Hankin Group

140 Pottstown Pike, Chester Springs, PA 19425  
Phone: (610) 458-9400 • Fax: (610) 458-0307

LA14-1

LA14-1

Thank you for the additional information. We have considered this in an analysis of alternatives in the area. See section 3.3.3 for our revised analysis.