DATE: APRIL 13, 2016 **KIND OF MEETING:** INFORMATIONAL
KINDER MORGAN PIPELINE

WHERE HELD: MAPLE HILL HIGH SCHOOL **CLERK:** DONNA L. CONLIN

PRESIDING OFFICER: DENNIS E. DOWDS

MEMBERS PRESENT: JAMES E. BULT
MICHAEL KENNEY
SCOTT SWARTZ
TRACEY REX

MEMBERS ABSENT:

ATTORNEY:
COMPTROLLER:
OTHERS PRESENT: REBECCA F. ZACHAS, ESQ. – BCK LAW, P.C.
MARCO D. BOSCARDIN, PhD, P.E., LSP, D.GE.,
BOSCARDIN CONSULTING ENGINEERS, INC.

Supervisor Dowds called the April 13, 2016 Informational Town Board Meeting to order at 7:04 p.m. with the Pledge of Allegiance and dispensed with roll call. All present as noted above.

S. Dowds explained that the town was sponsoring this meeting to provide information about the proposed Kinder Morgan pipeline from an engineering and legal perspective. The project has been a topic of discussion for approximately 1½ years. During that time, the Town Board has: passed several resolutions opposing the project and forwarded them to our elected state and federal officials; joined the Berkshire Regional Plan Association which is providing legal and technical assistance to members of the pipeline group (Towns of Schodack, Nassau, and Stephentown and Rensselaer County), attended joint scoping meetings and filed as an intervenor, individually as well as part of the Berkshire Association. The next step in the process will be to look at the Draft Environmental Impact Statement (DEIS). He explained that when Kinder Morgan filed their application, FERC requested that they look at alternative sites for the six compressor stations (one of which is located in the Town of Nassau) which comprise the market path from Wright, NY to Dracut, MA. They did that and many people were concerned because they thought that a compressor station was going to be located in different areas in the Town of Schodack. The reality is, if they change the location of a compressor station they have to refile. Additionally, they have to notify every property owner within ½ mile of that proposed location and as of this date, that has not happened. The Board is constantly monitoring what is happening and doing what they can within the constraints of the law. S. Dowds explained that after both speakers finish their presentations, they will entertain questions related to their information.

S. Dowds introduced Rebecca Zachas, an attorney from BCK Law focusing on

energy regulations and policy matters and renewable energy development.

Ms. Zachas gave a Power Point presentation that focused on the legal aspects of the Kinder Morgan proposed pipeline. She stated that federal law governs interstate pipelines, specifically, under the Natural Gas Act of 1938. The Federal Energy Regulatory Commission (FERC) is the authority that authorizes construction or extension of interstate pipeline projects and the Gas Act gives them the right to grant "Certificates of Public Convenience and Necessity" to pipelines. Congress gave FERC a very broad authority and the courts have interpreted it that way. There is a division between federal, state and local authorities. Even though the pipelines go through local communities, the federal government has the most control. This does not mean that local governments do not have any participation rights and FERC encourages town officials and local residents to get involved in the process. The Northeast Energy Direct (NED) project is proposed by Tennessee Gas Pipeline Company, a subsidiary of Kinder Morgan Energy Partners, LP. It is high-pressure, 30-inch pipeline with sections of proposed extensions – the 1st from Wright, NY to Dracut, MA and the second from Franklin, PA to Wright, NY. The project is estimated to cost between $2.75 billion to $3.75 billion dollars. She gave a brief overview of the project status, which follows:

- The project started 9/15/ 2014, which was the pre-filing stage.
- There was a route change (through NH) which was filed 12/8/2014.
- The Berkshire Regional Planning Commission filed extensive scoping comments on 10/15/2015
- The Application (including final ER) was filed 11/20/2015 with FERC. This ended the pre-filing process and brought them into the filing process.
- The Notice of Application was issued on 12/7/2015 by FERC which meant that the application was complete and the filing could move forward.
- The Town of Schodack filed for Intervention status in December 2015. Also, other communities and residents filed throughout December and January.
- Tennessee Gas filed their response to those Interventions, Comments and Protests on 3/22/2016.
- The proposed construction start date is January 2017
- The estimated Placed in Service Date is November 2018

Ms. Zachas explained that many acronyms are used during the process and provided the following list to help residents:

EA = Environmental Assessment (this is the highest level of review, which will be done for this project)
EIS = Environmental Impact Statement
DEIS = Draft Environmental Impact Statement (this is the next major filing)
FEIS = Final Environmental Impact Statement
ER = Environmental Report
FERC = Federal Energy Regulatory Commission
NEPA = National Environmental Policy Act of 1969
NGA = Natural Gas Act
USDOT = U.S. Department of Transportation (they govern the safety aspects of pipelines. For people who abut the pipeline, this is a huge issue).

She explained that there are different phases of the process and the phase we are in right now is the FERC Application Review. The law does not provide a statutory time limit for this phase. Once an application is filed, the average time for FERC to issue an order is approximately 12 months, but complex and controversial projects may take longer which is the case with this pipeline. The final phase is the Post-FERC Order. She explained that if someone has filed as an intervenor, they have the right to request rehearing of the FERC order. Once that is complete you can take the Order to the Federal Appellate Court for an appeal, which is the judicial review phase.

During the application process the Town can file for intervenor status (which Schodack did). The next formal issuance is the Notice of Schedule. This is the document that will put forward the rest of the schedule for the remaining proceedings and includes the DEIS. The DEIS is a significant document and a very important stage, which local officials and residents should definitely comment on. There is a minimal 45 day public comment period, but if there is a controversial proposal such as this one, FERC often allows 60 days or more. After it closes, the FEIS will be issued and, normally, FERC will issue their final order about 30 days after that issuance.

Ms. Zachas discussed the issue of pre-emption. She explained that federal law pre-empts state and local laws in most instances. Courts will say FERC "occupies the field" with respect to siting, construction, or operation of natural gas facilities, which means that federal law governs over duplicative law or laws that conflict in any way with the federal law. There are three exceptions to this and they relate to federally required state certification programs – Section 401 Water Quality Certificate under the Federal Water Pollution Control Act; the Coastal Zone Management Act of 1972 and the Clean Air Act. These involve permits that the pipeline has to get after they get the Certificate Order from FERC. Based on the route, the pipeline may also have to get local permits (i.e. – street opening permits, wetland crossing, erosion and sedimentation control, etc.) and the Town can place reasonable conditions on granting the permit. You cannot, however, use that to deny or reasonably delay the pipeline from going through your Town. Despite the pre-emption, FERC's policy is to encourage local officials, involved stage agencies and residents to participate in the process and file comments during the proceedings. FERC takes all the comments and participation into consideration during the environmental review.

During the Application Review Phase, FERC looks at two areas of review: a non-environmental review and an environmental review. The non-environmental review assesses whether the project is going to be financially viable. FERC doesn't want half-built pipelines, so the companies have to show that there is market support & need and they have to file a tariff with the rates, terms and conditions of service. During this review the project must be found to be a public convenience and necessity. The threshold question is "Is the project financially prepared to stand on its own without subsidies from existing customers?" She continued that if it is brand new pipeline, there are no existing customers but they still have to the show it is a financially viable company. FERC then conducts a balancing test and tries to determine if the overall public benefits outweigh any adverse impacts. In terms of public benefits they are talking about whether there is need for the natural gas service. Public Benefits are case specific: meeting unserved demand, eliminating bottlenecks, access to new supplies, lower costs to consumers, competitive alternatives, electric reliability, advancing clean air objectives, etc. In 1999 FERC changed its policy statement and now the pipeline does not have to be 100% subscribed (agreements with companies like National Grid to utilize the line0, which is case with the

Kinder Morgan pipeline. The more the pipeline gets subscribed, the more it goes in their favor. In the Kinder Morgan filing they could possibly look to build the pipeline based on the contracts they do have, so perhaps they would not build it all right away. There may be some laterals that they would look to build later as those contracts were added. On the other side of the public benefits are the adverse impacts. There are three main criteria they review: impacts on existing customers (rate increase, service degradation); impacts on existing pipelines in the market and their captive customers (loss of market share, left with unsubscribed capacity) and the impact on landowners and communities affected by the route of the new pipeline. FERC looks at how those negative impacts can be eliminated or mitigated by possible route changes, well testing, conditions placed on blasting, etc.

The environmental review is conducted by FERC under NEPA. This has three levels of environmental impact: the EIS which is most significant and in this case there are substantial impacts; the next level down is an EA which has a slightly less rigorous process and finally there is a "Finding of No Significant Impact", which is much easier. Under NEPA review FERC must integrate environmental values into its decision making. They look at many different issues which include: ecology, water resources, cultural resources (historic preservation), land (recreation, aesthetics), soils and geology, air and noise, socioeconomic impacts (impact on property values), looking at alternative sites (FERC is required to consider alternatives for the pipeline route- compressor stations and metering stations), and the cumulative impact of pipeline project. If they don't look at alternative sites and the case is appealed to the Court, the Court can say they didn't do adequate assessment and it can be sent back to FERC. She said after the Final EIS is issued and the Commission draws up the Order, it is highly unlikely that FERC will deny the application. A pipeline may withdraw, but FERC doesn't usually deny the application at this stage.

Ms. Zachas noted that there is an Appeal process, but the standard of review is extremely differential. Courts see FERC as the expert in energy affairs and are unlikely to substitute their judgement over that of FERC. When the FERC Order comes out there will be pages of conditions, some are very standard for pipelines and others are very specific and relate to that pipeline only. The town or individuals can request FERC to put conditions in its Order and the pipeline is required to comply with them so it is important to have them made part of the Order. Last spring FERC asked Tennessee Gas to consider whether they would fund a third party compliance program which would operate at the direction of FERC staff to provide pre-imposed construction testing of water quality and quantity to landowners with wells or springs located within 150 ft. of any work space so FERC already has started to consider some of the conditions for the pipeline; however, the Town could ask them to increase the number of feet to 300 ft. FERC also asked Tennessee Gas to certify that they will comply with USDOT safety regulations, because FERC doesn't have jurisdiction over safety. Other conditions the town could ask for would be deeper pipeline depth, safety valves, etc.

With respect to Eminent Domain, she said the pipeline can only use that after it has received its Certificate Order. FERC sees eminent domain proceedings as a last resort, but it is allowed.

Towns can enter into what is known as a Host Community Benefit Agreement (HCBA). It is an agreement regarding certain pipeline issues that the Town thinks is important to their landowners. By entering into an agreement, it should not be construed as a blanket approval of the project. She said some of the provisions you might include in the agreement are: town road provisions – when they can be on the roads, weight limits,

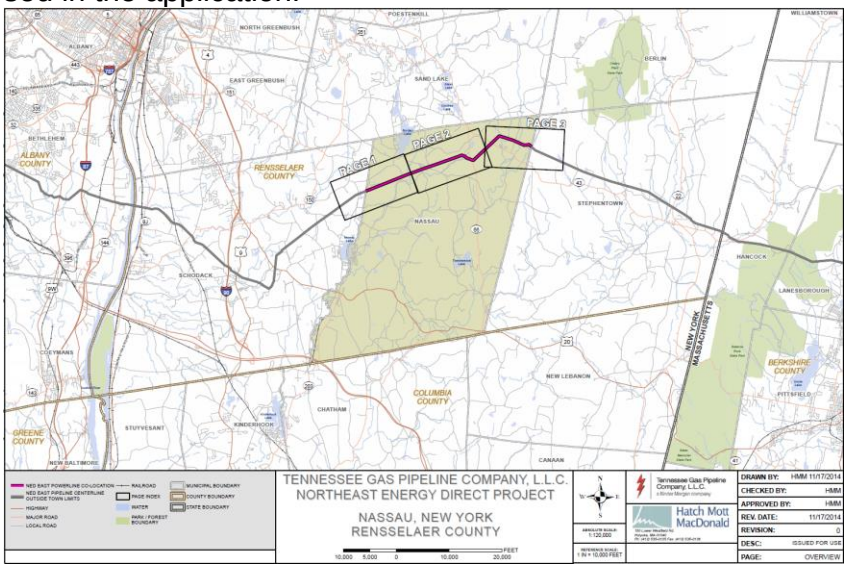
staging areas, what routes heavy equipment may use, construction days and times; environmental mitigation for landowners – well testing, conditions on blasting; compensation to the town for special training for first responders; and compliance with local regulations/permits. As a town you could negotiate a sample agreement for landowners that would be entering into ROW agreements with the pipeline so all landowners have basic equal protections. The Berkshire Planning Commission has reached out to Kinder Morgan to begin working on a Host Community Benefit Agreement. She advised that communities should negotiate these agreements when they have some leverage during the FERC process. Once you get to the Certificate Order you have lose that leverage.

In conclusion, Ms. Zachas said participation can be done in variety of ways – as an individual, a group of individuals, through the town or through a regional group like the Berkshire Planning Regional Commission (BPRC). She advised that the Town should consider their objectives - are you looking to solely oppose it or are you looking for reasonable mitigation or avoidance to make sure you have some protections in place? Then the Town should go to the involved state agencies, the EPA and FERC and submit comments to those proceedings.

S. Dowds said, at this point in time, we don't honestly don't know the exact route that the pipeline will actually take so he felt the Town would be remiss if they didn't try to get any protections in place. If the project is approved, they can invoke Eminent Domain. At the proper time, the Board will be working on a Host Benefit Agreement because they want to ensure that residents are protected as much as they can.

S. Dowds then introduced Dr. Boscardin, who gave an overview on gas pipeline design and construction. Dr. Boscardin has over 35 years of experience. His engineering emphasis is on trenched and trenchless pipeline design and construction.

Dr. Boscardin explained that he was going to talk about typical gas pipeline design consideration, typical gas pipeline construction methods, potential landowner concerns and potential impacts. Also, many of the issues he was going to talk about may be points that the Town may want to consider in their Host Community Benefit Agreement. *(Editor's note - such topics are so noted throughout the minutes)*. The following is a map of the pipeline with was proposed in the application.



He said Schodack is fairly rural, which is a two-edged sword. Rural areas are viewed as having a less dense population than urban areas so the standard is to allow for slightly

higher stresses in the pipeline. Conversely, it is quieter so the decibel level accepted in noisy cities might not be acceptable in a quiet, rural area. In a quiet, rural area the ambient decibel range for a compressor station may be held at 30, but in a suburban area FERC may allow a 50 ambient decibel range. He believes they reduced the size of the compressor from 91,000 HP to 41,1000 HP but it is still a major issue. You have to look at what you can do to make them lower the sound. They often buy more land than they need for light and decibel level control at the property line. In this filing, they are looking at a 20 acre site, with 10 acres being used for the facility. Also lighting might be more offensive in rural areas because if the station is not fully manned they usually surround it with a lot more lighting and cameras and it may create light pollution. *(HCBA) - Ambient Decibel Level – request more soundproofing at compressor station*. *(HCBA) – Lighting – request redirection of lights so they won't be quite so offensive to surrounding landowners*.

Another potential issue for landowners and the community is the alignment of the pipeline and how close it comes to houses. He explained that if someone has plans to do future development on their property, they need to plan ahead because they will want the ability to have access to develop it.

Everybody is concerned about safety. There are videos on the internet about pipeline explosions, but many of those are from pipelines that are 75 years old. They are trying to do things better with more stringent design codes and inspections. A person in the audience said pipeline explosions were not minimal effects in people's lives. Mr. Boscardin said he didn't mean to imply they were minimal effects. He said he was trying to explain that you need to make your decisions based upon your main concerns so if this pipeline comes through your community, you get as many requirements as possible to protect yourself.

He said one of the biggest impacts will be during construction – deterioration of local roads, silt control, protection of wetlands, loss of control of your property for those that have easements, building or utility settlement. You also need to look at erosion control, dust, noise and vibration from blasting and drilling. With blasting you are entitled to ask for an inspection of your wells and houses if you are within so many feet of the operation (believed to be 300 ft). He noted that in Nov. 2015 Rensselear County passed a bill that said the homeowner has to be offered a free inspection of the water quality if the home is within a mile from the blasting site. He didn't know if it would be preempted, but it is something worth noting in your host community agreement. *(HCBA) – Well testing after blasting.*

With regard to the transmission line, it is proposed to be a 30" line at 1460 psi. People often ask if the company can increase the pressure later on. He said that is not likely to happen because in order to allow higher pressures they would have to test them at those higher pressure levels. The design life of the lines is usually 5-75 years, but some are much older. Location class is important; most of Schodack is a Class Location 1 (10 or less houses/mile) or Class Location 2 (10-46 houses/mile). This is based in a radius of 660 ft. If the company can classify everything as Class 1 or Class 2, the stress level they can use in the pipe is much higher, which equates to thinner pipe which means it will cost them less. The Pipeline Hazard Safety Administration PHMSA is the division of USDOT that regulates pipeline safety and is charged with periodic testing. Using a map, he showed where the pipeline would most likely cross the river. Corrosion and abrasion is a big issue with some of the construction companies. The pipeline should be steel and coated inside and outside. The pipes come corrision protected from the factory but the joints are not corrision protected. They have to be welded in the field and tested and then corrision protected. When they weld, they need to have a certified welder, which has different levels, even if

they are using an automated welding machine. They will x-ray the welds and then corrision protect them. *(HCBA) – Inspection of the welds and testing.*

He gave an overview of gas pipeline construction methods. He said they use a conventional trenched construction on land which is also called cut and cover. If you have a 30" line, there would be at least a 5-ft wide trench and possible more if sloped. The top of the pipe is at least 30-36" inches below the top of the land. If you want to use that land for any agricultural purposes you may want that deeper. They will probably use a trenchless method called Horizontal Directional Drill (HDD). They haven't shown the entry and exit pits or the geology. The Tennessee Gas filed maps show that they are putting in low permeability barriers in the trenches. The drawings show erosion protection measures for the slopes. Trenchless construction is often used to pass under areas with less disturbance. It can be what is called pipe jacking, microtunneling, or HDD. *(HCBA) – Request that they use certain processes if they use trenchless methods.* They typically want about a 150' work temporary easement, for working, depending on the slope of the land, and a permanent 50' easement. As they go forward with the design, the information should be more fixed. They may have several miles of pipe alignment in various stages of construction at one time. The average rate of construction is 50-100 feet/day. When they are inserting the pipe they may place up to 2000'/day or more. This all means that you could expect 3 – 6 months of activity at one location. They will be doing different areas at the same time and then connect them. *(HCBA) – Inspection of the welds and testing.*

He cautioned that people should be careful after the easement rights are given and the pipeline is in place that they don't go on the property and use a backhoe and damage the pipe, which could cause an accident or "event'. An event might not be a catastrophic event, it might be a later life water test and or detecting a leak or corrision, which they will correct. *(HCBA) – Compliance and sufficient oversight and training for Emergency Response Teams.*

Another concern is leaking gas. One of the tools used today is a gauge called a "smart pig" which are designed to go into a pipeline that contains electronic and magnetic sensors and it checks the interior condition and monitors for how much gas is in the line. Gas is so compressible that small changes in temperature and pressure can cause volume changes. When you start looking at gas accounting there's always a small percentage that is missing. They (gas companies) do not want to call it a leak. USDOT oversees safety after construction and they have schedules about pipeline inspection frequency which is mandated by population density, age of pipe. *(HCBA) – Request for more frequent inspections.*

After construction there are Operation and Maintenance safety precautions that should be taken. They include:

1) Aerial patrols - to detect construction activities too close to the route of the pipeline, particularly in residential areas.
2) Unauthorized construction and digging - primary threat to pipeline safety.
3) Leak detection – use of smart pigs; pipeline markers and placing signs above natural gas pipelines to warn the public and reduce the chance of interference with the pipeline
4) Routine gas sampling - for quantity and indications of corrision of the interior of the pipeline or the influx of contaminants
5) Preventative maintenance – testing of valves, removal of surface impediments to pipeline inspection and emergency response.

6) Unmanned Valve Stations – (*HCBA) – Request a remote control valve station, which is more costly, but it is better to get them to install something that is more automated).*

Dr. Boscardin opened the floor for questions.

The following questions were asked:

1) Can the Town ask for some of conditions that Dr. Boscardin mentioned? Yes. He believed a lot of them are not unusal construction practices on other types of projects.
2) Can the people make it so expensive for them that they won't want to come here? No.
3) Did the Supervisor request all of the mitigation efforts that were mentioned at the meeting tonight in his comments to FERC? The Supervisor responded that the comments submitted in the fall were made by the Berkshire Regional Planning Commission on behalf of the Massachusette communities and the Town. It was complied and based on specific areas – for Schodack a lot of attention was given to environmental aspects, roads, culverts, etc. They were our scoping comments. Later in the process as intervenors we will be able to make other comments.
4) What is the impact of multiple pipelines in a row? How far apart do they have to be? Dr. Boscardin said they will be about 25' apart. One person said she was told by her insurance carrier that they would continue to insure her because she was already was on the existing pipeline; however, some insurers will not cover homes in on multiple lines.
5) If you are near an existing pipeline and they blast, what precautions are taken? Dr. Boscardin said generally you would not expect to see blasting. If they do, they would have to shut off their other pipeline. (*HCBA) – Request that when they go near an existing pipeline they must use non-blasting measures.*
6) How much time do people have to continue to effectively oppose the pipeline? Ms. Zachas said people should go full bore during the DEIS process. You really need to be aggressive on filing comments on whatever the DEIS says. All of those comments are taken into account on the FEIS. When you get to the FEIS then there is essentially 30 days before FERC issues the Order so at that point, it is essentially over.
7) Since FERC exists to essentially facilitate the pipeline, who is really looking out for the people? Ms. Zachas said that is the legal standard. They are supposed to balance the two.
8) If residents or communities do something to slow the pipeline down, would that come back to hurt them financially? Ms. Zachas said if, for example, they needed a road opening permit and the town tried to drag it out for some unreasonable length of time and that was the goal, eventually the pipeline would catch on to it and they would go back to FERC. In that example, she didn't see that it would really cost the town anything.
9) What will the town do to protect the residents? Will you try some different tactics to oppose the pipeline like other communities have done? S. Dowds responded that they will be negotiating many of the things that were mentioned here tonight in the HCBA. Once the DEIS comes out, they will comment on it, which is very important. The Board is working individually, as well as a member of the BRPC, to protect our

people to the extent that they can. Ms. Zachas felt that commenting on the DEIS was very important as those comments can have an impact.

10) With concern about pipeline integrity and optimal human safety, would it be Dr. Boscardin's recommendation to put a pipeline to the left of the power line? Dr. Boscardin said no. He said he looks at the gas line and the electric lines as being two lifeline-type structures so if you co-locate them and a catastrophic event happened to one, it would affect the other.
11) Was there also a concern about creating corrision issues if power and gas lines are co-located? Dr. Boscardin said yes. You would have to rely on additional corrision protection measures and adequate inspections, so there are two reasons they shouldn't be co-located.
12) Could you put a caveat in the HCBA to pro-rate taxes for those residents whose properties abut the pipeline and will lose the quiet enjoyment of their homes for 3 – 6 months during construction? The Supervisor said that essentially cannot happen. If the town reduces the taxes of fifty people, the rest of the tax payers would have to make up that deficit. Could you request that Kinder Morgan pay for it? S. Dowds responded that he understood the concerns, but in terms of NYS Real Property Law he didn't think it could happen, but he will talk to the Assessor about it.
13) At what point in the process will local communities learn what techinque the pipeline company will use to cross the Hudson River and the marshes? Dr. Boscardin responded that, initially, some of their information said Horizontal Directional Drill (HDD), but if you read some of their material, they waffled a little. He believed that they were looking at newer trenchless techinque for the Hudson River. They haven't put up the data yet regarding all the other wetlands. As far as when people will know, it is a difficult question to answer. They had to design enough to get the permit, but they haven't submitted 100% the design drawings.
14) Could you influence which techinque they were going to use by putting something in the HCBA? Yes, definitely.
15) Are the presentations going to be posted on the website? Yes, once the new web site is up.
16) How are things published on line with FERC? They publish the information by project.
17) Is the town going to request liablity insurance to cover road damage above and beyond the normal construction contracts? The Supervisor said it is definitely our intention. We want them at the table so our demands have to be realistic. Say they damage a culvert, we would like to have an agreement where they would repair it at their expense; that is realistic. If we want a tower ladder for a fire department it would not be not realistic.
18) Is it the town's intention to have an independent monitor, either individually or as part of a consortium, to look at construction, especially welding and blasting events? The Supervisor said that comes under USDOT. We wouldn't have the money to pay for that. Someone suggested that the Town ask Kinder Morgan to pay for it in the HCBA.
19) Who monitors the safety of the construction? Dr. Boscardin said it is the contractor's responsilbity for the safety of his people and then OSHA checks periodically. You can request in the HCBA that Kinder Morgan hire an independent quality assurance group to be on site and report back.

20) Did Dr. Boscardin have an idea about the amount of charge needed to create a trench? Dr. Boscardin said it will probably take about #1 of explosive per cubic yard per delay. If you were looking at a trench that is 6' wide x 6' deep, you would need about 1 and ½ lbs/per foot of trench for a total charge. The amount of charge for delay is going to depend on how close the structures of interest are. As they get farther away the charge per delay will go up and as they get closer it will go down.
21) Could you clarify how they could build part of a pipeline if it is not 100% subscribed? Ms. Zachas said she believed they were referring to the laterals going off the main pipeline.
22) Is there anything the people can do in terms of mitigating the solication of new customers? You can monitor some of the proceedings that are going on and file comments the same as you do with FERC.
23) How are health impacts being addressed and is the process going to be a little more transparent? Ms. Zachas said she understands this concern. If you look in FERC Orders, they do address some of the health issues; however, she couldn't recall a project that health concerns had an impact on FERC's decision. It is something you can file comments about and FERC does address.
24) How is the town or BRPC planning to require monitoring of pollutents before and after construction, particularly around the compressor stations? The Supervisor said he didn't have the technical expertise to answer at this point. The resident felt it was something that should be added to the HCBA. People have real concerns about "blow-downs" and possible long term health impacts.
25) Will the NYS ban on fracking impact the pipeline? Ms. Zachas said it is condition of the state and would likely be pre-empted by the Natural Gas Act and FERC's ability to certificate the pipeline.
26) If they build the pipeline and later abandon it, are there any provisions for removal of the line? Ms. Zachas said yes; they have an abandonment plan.
27) Do you know how they intend to protect the superfund site (Dewey Loffel), which is already contaminated, from being disturbed by blasting? Dr. Boscardin said the blasting standards are 1 mile away for wells and 2 miles away for superfund sites and he believed that was intended to address those sorts of issues.

Concerns and comments are as follows:

Explosions - People were concerned about how explosions were going to be addressed and the lack of emergency responders trained in that type of event. One person said they had a conversation with Kinder Morgan and they said to cordon it off and let it burn which is a scary thing. They said you are not supposed to turn on your vehicles, click on your phone or ring a doorbell to alert your neighbor to mitigate any sparking incidents. One speaker said the USDOT has information on their site relative to accident investigations and have determined that the pipelines installed in the last 10 years have a higher accident rate than those installed in the 1930's where you expect to have accidents. They commented that the new technology is not throughly tested and there is no on-site monitoring. The pipeline companies are self-monitoring and they don't have enough people to go to the sites. Dr. Boscardin said most small towns don't have the experience to handle that type of event. You should ask the pipeline company to fund training for your volunteers or have them engage a first responder team that would respond. As far as burning off, that is the purpose of the valves- to limit how much has to burn off, which is why the Town

should ask for remote contolled valves. Additionally, you should try to get an independent evaluator on site. *(HCBA)- Request remote controlled valves; fund training for emergency responders or have Kinder Morgan employ a First Responder Team.*

Concerns were raised about the responsiveness of Kinder Morgan to the Town's requests regarding the Host Community Benefit Agreement.

Speakers advocated for people to continue their calls to federal and state officials and pressure them to stop the pipeline. They should discuss safety issues. One person said while the federal government has the most power, the State can deny the permit under the Clean Water Act. People should also contact companies that may be considering being customers of the pipeline so they can express their opposition. Ms. Zachas said there is a DPU proceeding involving the Massachusetts Department of Public Utilities where National Grid is looking for approval of the capacity contract that would involve two pipelines, one being NE Energy Direct. Essentially, they are requesting that the capacity be funded on the backs of the rate payers. She agreed that they should voice their opposition to all the representatives, especially federal officials. It isn't necessarily a done deal that they would have a greater impact but they should absolutely be involved. The names of the subscribing companies are listed in the application which is available on line. The Supervisor also agreed that people should include the representatives at the federal level since FERC is a federal agency. Recently, Senators Schumer and Gillibrand submitted a joint letter to FERC expressing their concerns and have gone on record opposing it. Someone suggested that the Governor has the power to to stop this project by urging DEC to reject the 401 Water Quality Permit and the Title 5 Air Quality Certificate and felt that people should be calling his office every day to have him do so.

Several speakers felt the presentations were somewhat disappointing. One person got the impression that they should just accept the pipeline, but she is rejecting that idea. One speaker said she worked on DEIS's for 12 years in California and found the whole process to be completely prescribed by the industry. She felt that the concerns shared by many residents who wanted to stop the pipeline were ignored. While it may be valuable to have information from a lawyer and an engineer, she didn't think they necessarily addressed what is going to impact the residents of Schodack. She thinks that the topics of health impacts and environmental impacts such as the impacts on our local water systems were completely ignored tonight. As a homeowner and resident, those are the things that hold the most upmost importanance to people – how they can protect themselves and their families. She also said she was dissatisfied that the Supervisor didn't identify any specific things that the Board was going to do to fight this pipeline.

A speaker felt there should be fair standard practices that FERC should impose as a matter of course, like insurance coverage, road damage, etc., rather than have each community develop various Host Community Agreements.

A resident felt the process seemed arbitrary and think it should not be up to private citizens to find out what is going on. She said she understands that the Board is doing what they can, but she felt there is a disconnect on the decisions the Board is making on behalf of the community. She would like to know how they determine what they think is adequate and good for community.

A suggestion was made that a health impact study be conducted especially around the compressor station area. Some residents wondered if the Town intended to hire experts to help them formulate and understand the results of the study and then make recommendations regarding how mitigation measures could be implemented. S. Dowds

said the Town was talking with the County Department of Health. They are looking at a health assessment study, basically around the compressor station site on behalf of the towns of Nassau, Schodack and Stephentown.

A concern was raised about siting the compressor station near the superfund site. Ms. Zachas suggested that they raise that concern to the State EPA, who will be filing comments with FERC.

A recommendation was made that if the Town conducts another meeting on this issue they invite the state and federal representatives so they could hear the people's concerns.

Several speakers thanked the Board for organizing the meeting. S. Dowds thanked Rebecca Zachas and Dr. Marco Boscardin for their presentations and the public for their comments and suggestions.

ADJOURNMENT

As there was no further business before the Board, C. Swartz made a motion to adjourn the 04/13/16 Town Board meeting at 10:04 p.m., seconded by C. Rex. Meeting adjourned.

Respectfully Submitted,

Donna L. Conlin
Schodack Town Clerk/RMC/CMC

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