

FINAL REPORT

U.S. DOT

**Pipeline and Hazardous Materials Safety Administration
“Pipeline Safety Information Grants to Communities – Technical Assistance Grants**

(TAG)”

DTPH56-09-SN-0003

Grant Agreement DTPH56-09-G-PHPT09

Prepared By:

James R. Wendelgass
Township Manager
West Vincent Township
729 St. Matthews Road
Chester Springs, PA 19425
610-458-1601
jwendelgass@westvincentwp.org

1. Statement of Purpose

West Vincent Township submitted its proposal for a Technical Assistance Grant (TAG) in order to obtain funding for technical assistance in the form of engineering and other scientific analysis of pipeline safety affecting the local community.

The objectives were to strengthen and increase public participation by allowing communities and groups of individuals access to information as it pertains to engineering, technical or other scientific analysis of pipeline safety issues and to help promote public participation in official proceedings.

2. Background

Dominion Keystone is a pipeline project that would transport new natural gas supplies from the Appalachian Basin to markets throughout the eastern United States. The proposed pipeline would take natural gas from southwestern Pennsylvania to Chester County, Pennsylvania, with connections to pipelines owned by Spectra, Williams and NiSource. The project schedule published on the Dominion website has the FERC filing in August of 2009, with construction from June 2011 to November 2012 and the pipeline is to be ready for service November 2012. The proposed route crosses highly sensitive wetlands, exceptional value streams (the highest value streams as certified by the Pennsylvania Department of Environmental Resources) in an area which is almost exclusively served by wells which tap the local groundwater. It also cuts through lands preserved from development (some of which were preserved through the use of public funds), a number of Federal historic districts and through or near critical historic resources from the 1700 and 1800s. In addition, the proposed pathway is adjacent to a number of institutional uses. Between the time of grant application and award, Dominion put the project on hold. However, several other local projects moved forward including an expansion of an existing Transco pipeline and the effort by AES to site a new pipeline from Sparrows Point, Maryland to the Columbia Gas Compressor Station located in West Vincent Township.

3. Proposal Narrative

The grant proposal was designed to meet the requirement of targeting a high-risk area in terms of civilian population density, pipeline density and environmental sensitivity and therefore high risk areas in pipeline safety. In order to foster open communication with the local community and pipeline operators, West Vincent Township took the lead in preparing and submitting the grant application with the following supporting partners:

West Vincent Land Trust, West Pikeland Land Trust, Green Valleys Association, and French & Pickering Creek Conservation Trust, all of which are nonprofit land conservation groups, and West Pikeland Township and East Nantmeal Township, which are local governmental entities. The grant requested enable the participating partners and the residents of three affected municipalities to evaluate the pipeline projects in terms of safety, effect upon the environment, damage prevention, and land use through public education and awareness. The grant proposal proposed the following outreach to the residents of the affected Townships in Northern Chester County, Pennsylvania:

1. Mailings to all residents informing them of the project proposal, route, FERC pre-filing and filing status.
2. Establishment of an electronic contact resource for the duration of the project.
3. Development of an interagency or project related Memorandum of Understanding identifying the responsibilities for the phases of the pipeline project so as to facilitate open communication and to educate the public on the FERC process.
4. Public meetings with interested residents to obtain public input on pipeline location, safety and environmental concerns (minimum 2 in 6 months).

5. Expansion of the West Pikeland Land Trust web site to feature a dedicated section on the Dominion project, coordination and dissemination of information on the issues of safety, damage prevention, adjacent land use, emergency response and general community awareness.
6. Review of local land development and zoning ordinances regarding land use and sensitive environmental areas.
7. The applicant proposes seven (7) workshops designed to improve performance and safety:
 1. Green Valleys Association: Damage Prevention in Your Watershed
 2. Chester County Conservation District: Pipeline Engineering, Safety & Permitting
 3. Carolyn Elefant, Esq.: Knowing the FERC Process
 4. PHMSA: Emergency Response in High Consequence Areas
 5. Legislative Liaisons: Community Awareness: Working with Agencies & Legislators; Role of Mediation in the process
 6. West Pikeland Land Trust: Pipeline Easements on Conserved Land
 7. Dominion: Our Pipeline and Our Neighbors

The project also includes GPS mapping of the Pipeline Path, in order to delineate:

1. Affected parcels, streams, wetlands, historic sites, etc.
2. The number of residents and institutions (churches, schools, day care facilities, medical facilities, parks, etc.) which will be in close proximity to the proposed path of the pipeline and who will be at greatest risk from a pipeline failure.
3. Existing and potential development in the path of the pipeline to effectively allow for land use planning so as to avoid damage to the pipeline by such development;
4. Alternative paths for the pipeline if applicable.
5. Information necessary to prepare effective emergency response plans to protect residents, their properties, and unusually sensitive environmental areas.

4. Projected Milestones

The grant was to allow the partnership to achieve the following milestones:

1. Creation of an information website for the affected areas and their residents;
2. Heightened community awareness by means of mass mailings, seven educational workshops, internet access for electronic communication, legislative communication and cooperation, operator communication and interaction and PHSMA safety education.
3. Public education of the FERC process and DOT Safety Regulations.
4. Damage prevention through better education, knowledge and land use planning.
5. Public awareness of what constitutes emergency response.
6. Providing legal assistance to residents to help clarify the FERC process, permitting and safety regulations.
7. Establishment of Federal, State and Local agency and legislative coordination in public outreach forums in the certification process.
8. Produce results which are measureable and transferrable to other communities with comprehensive reporting.
9. Creation of a digital map of the pipeline path showing existing physical features, affected residents and institutions, the location of unusually sensitive environmental areas, and existing and potential locations for further development.

5. Achievement of Project Milestones

The TAG grant was to be used for a number of specific purposes and projects. First, it was to fund the mapping of existing pipelines in three Townships. This had been requested by emergency management personnel. The maps will allow them to better respond to any emergency situation where an evacuation and/or emergency response is necessary. The maps will allow the emergency management personnel to best plan the local response to any emergency.

This project was completed by a local engineering company. Maps have been produced for emergency management personnel.

The second project was public outreach. Towards that end, a series of public informational meetings were planned and held. The first was in January of this year at the headquarters of Green Valleys Association, a local watershed and conservation group. The first session was attended by numerous pipeline companies, who made presentations to the attendees. In addition, a representative of USDOT made a short presentation on its role. One notable development which came out of the session was that USDOT corrected a misunderstanding which the pipeline companies had on how low vegetation needed to be cut in riparian areas. The pipeline companies had been cutting vegetation much lower than required and this is not as healthy for stream banks.

The second session was in March at the West Pikeland Township building. An earlier session scheduled for February was cancelled because of snow. The session focused on safety and was well attended by, among others, local emergency management personnel. Both a USDOT representative and pipeline company representatives made presentations on the topic.

The third session had to be cancelled for lack of pre-registrations. It was rescheduled for May and the event was cosponsored by the S.A.V.E. group, which is also a TAG grant recipient. Carolyn Elefant, Esquire, a Washington-based attorney with extensive experience in the area of federal energy practices and policy including pipeline siting. It was held at the West Whiteland Township Building and was very well attended. Representatives were there from a number of Townships and also included a number of locally elected State representatives.

The next session was in September at Green Valleys with Congressman Joe Sestak, Representative Curt Schroder and representatives of the Brandywine Conservancy and the Chester County Conservation District. A representative of USDOT also attended. The focus on the program was on how pipelines affect the watershed and the role of the local conservation district in pipeline siting and construction.

The grant also facilitated another meeting between local residents, a pipeline company and elected officials in August. New single family homes have been constructed in the Eagle Farms Development and the new owners have raised a series of complaints against the Columbia Gas Compressor Station which abuts the development. In addition, there is another compressor station owned by Texas Eastern which is within a quarter mile of the development. Discussions continue between the neighbors and the gas pipeline companies. Columbia has taken certain steps to diminish releases of gas from the facility.

Finally, the group was a co-sponsor of another educational meeting in September hosted by S.A.V.E.

Another project is a review of regulations and laws to determine whether a municipality has any ability through zoning ordinances or otherwise to impact utility construction within the municipality. Residents have concerns over light, noise, odors and the general appearance of such buildings. The results of that review were presented at the September meeting to the public by the legal consultant hired by the group with grant funds.

Finally, the project used the web to disseminate information on all of its events. In addition, the group used its grant resources earmarked for web design by working with the S.A.V.E. group to pool resources to have a joint web site on pipeline issues. In addition, the West Vincent Township

web site was used to host information on the community outreach during the period covered by the grant.

6. Summary of Achievements

The group clearly met the first milestone by working with S.A.V.E. to pool resources to create a pipeline related web site. In addition, both the Green Valleys and West Vincent Township web sites were used to convey pipeline related information.

Community awareness was clearly heightened by use of the grant funds. There were a series of public seminars and the group used a consultant to prepare those seminars and to coordinate efforts and information sharing between local groups, individual residents, elected officials, the pipeline companies, and USDOT.

The DOT safety regulations were the subject of one entire public educational meeting. The FERC process was the subject of the meeting with Carrolyn Elefant, Esquire.

The issues of damage prevention and emergency response were also covered in the March and September meetings.

Legal work was done and assistance provided to the public through the September meeting and also through contacts by the consultants with local groups, elected officials, agencies like the Pennsylvania Public Utility Commission (PA PUC).

Considerable work was done by Eileen Juico to work with Federal, State and Local agencies and public officials like Congressman Sestak and State Representative Schroder to coordinate information sharing and to develop the public programs.

Digital maps were prepared and were shared with the public and with local emergency service providers.

7. Financial Report

The group proposed the following budget for the work:

BUDGET

TOTAL PROJECT BUDGET = \$50,000

Project Components:

	<u>Budget</u>
	<u>Implications</u>
1. GPS Mapping	\$15,000
GIS and GPS mapping using professional outside consultants	
• to identify affected parcels	
• to identify unusually sensitive environmental areas	
• to identify residents and institutional uses in the pipeline path	
• to allow evaluation of existing and proposed development	
2. Outreach and Education	\$25,000
The applicant is proposing seven (7) workshops on various topics	
Budget includes:	
• mailings to over 4,000 households in affected area	

- content development, coordination and facilitation
- advertising, promotion and facility costs

3. Regulation Review and Coordination \$8,500

Review of local, state and federal laws and regulations by consultants to

- facilitate review and comment on Dominion's project
- clarification of the FERC process
- evaluate permitted land uses near pipelines

4. Web Site Development \$1,500

Web graphic design with an outside consultant

TOTAL PROJECT BUDGET \$50,000

The project came in under budget. The final expenditures were as follows:

	<u>Budget</u>	<u>Actual</u>
1. GIS Mapping Vendor: E.B. Walsh & Associates	\$15,000	\$4,500
2. Outreach and Education Vendors: Green Valleys Assn. Carrolyn Elefant, Esq. Eileen Juico	\$25,000	\$17,600
3. Legal Review Vendor: Eileen Juico, Esq.	\$8,500	\$8,500
4. Web Design Vendor: S.A.V.E.	\$1,500	\$1,500
Total:		\$32,100

The amount requested from U.S. DOT matched the above expenditures.