

Appendix D

Comments on the Draft Environmental Impact Statement and Responses

ORIGINAL



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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MAY 13 P 3:33

May 5, 2008

Ms. Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, Room 1A
Washington, DC 20002

Subject: Docket CP08-13-000; EPA's NEPA Review of FERC DEIS for Floridian
Natural Gas Storage Project; Indianatown, Martin County, Florida

Dear Ms. Bose:

Pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) Region 4 has reviewed the Federal Energy Regulatory Commission's (FERC) Draft Environmental Impact Statement (DEIS) for the Floridian Natural Gas Storage Project proposed for Martin County, Florida. As opposed to a Liquefied Natural Gas (LNG) terminal that would receive LNG from overseas for domestic distribution, the proposed project would store LNG from existing pipelines until needed.

The proposed project would receive natural gas (feed gas) from the existing Gulfstream and FGT pipelines, liquefy it and store it as LNG for future use. When needed, the stored LNG would be vaporized by a closed circulating warming system and returned to the Gulfstream and FGT pipelines for distribution. In addition to emergencies and peak demand needs, there is also an overall increasing demand for natural gas (e.g., page 1-1 indicates that 90% of the new power plants in Florida are powered by natural gas). The project would occur in two phases, with one full-containment LNG storage tank being completed per phase; however, the impacts of both phases would be covered in the present NEPA document with Phase II scheduled to be in service no later than 2016. In addition to the storage facility, the FERC applicant (Floridian Natural Gas Storage Company LLC: FGS) is requesting one metering station and various pipelines to receive from, sendout and interconnect with the existing Gulfstream and FGT pipelines. No compressor stations (and their attendant noise and air emissions) would be needed along the pipeline.

Although the DEIS document indicates that the due date for public comments is May 5, 2008, we note that the actual due date is May 12, 2008, based on the EPA filing of the DEIS in Washington, DC. It is unclear if FERC provided a follow-up notice to the public to clarify this. In either case, we suggest that the full time to receive public review comments (45 days for DEISs) be allowed, starting with the *Federal Register* notice date of March 28, 2008, and ending May 12, 2008.

F1-1

• Alternatives

The proposed project would be located in Martin County near unincorporated Indiantown, Florida. The applicant's preferred alternative is a brownsfield site (former Florida Steel site that recycled car steel) being remediated under EPA supervision as an NPL Superfund site for contamination of soil (lead, zinc, PCBs) and groundwater (sodium). The 144.63-acre site includes a non-project soil disposal area (the "vault") and would not interfere with continued remediation (spray irrigation of groundwater). Page 4-11 states that "[a]ll contaminated soils on the storage facility have been removed, treated, and placed in a secure landfill." Although there are EPA deed restrictions regarding future use of the site, the project has apparently been cleared to proceed at the brownsfield site if the site is selected. Page 4-45 states that "[i]n a letter to FGS (EPA, 2006a), EPA stated that 'based upon the facts presently known to EPA, the Agency is of the opinion that the proposed use of the Property does not pose significant incompatibility issues with potential future cleanup activities.'" The site is currently not owned by the applicant but FGS has an "exclusive option" (pg. 4-40) to purchase the site.

The brownsfield site has an industrial character and is bounded by the CSX railroad/SR 710 corridor and the Cogentrix power plant, and is also near the FPL Martin Power Plant. The site and pipeline ROW would impact 132.01 acres of land (uplands and wetlands) during construction, with permanent impacts being less (pg. 4-24). Wetlands were characterized as being "previously disturbed" and dominated by invasive species such as Brazilian pepper and Australian pine.

In addition to the preferred brownsfield site, five alternate sites were considered (two FPL sites near the FPL Martin Power Plant, a Turkey Point site and two Palm Beach sites). System alternatives were also contemplated (use of LNG deepwater terminals and reservoir storage in salt domes, aquifers and depleted oil and gas wells). Additional discussion on these alternatives and other project aspects is provided in the enclosed *Additional Comments*.

• Wetlands

Although the preferred 144.63-acre site contains 27.95 acres of wetlands and waterbodies, the storage facility footprint (53.1 acres) is to avoid any on-site wetland fill. We concur with this approach. Beyond direct impacts, site wetlands should also be protected against indirect impacts such as non-point source runoff. In regard to the pipeline ROW which will affect 25.3 acres, some wetlands will be encountered even though the pipeline will be co-located with an existing transmission line corridor. A total of 2,620 linear feet of wetlands would be crossed. Impacts are to be minimized by reducing the construction ROW to 65 feet in wetlands and boring beneath two wetland ditches to be crossed. Three other ditches would be crossed by the open-cut method. Work space associated with wetland crossings would temporarily impact 3.91 acres of wetlands along the pipeline, which are to be restored as wetlands after pipeline placement. No forested wetlands will be permanently converted.

F1-2 Stormwater runoff and other potential sources of non-point runoff would be directed to stormwater management facilities prior to discharge.

F1-2

F1-3 The acreages of wetlands impacted by the permanent pipeline ROW are identified in Table 4.4-4. FDEP issued its wetland approval as part of the ERP on March 19, 2008. The U.S. Army Corps of Engineers (COE) has indicated it will make a permit decision for the proposed Project in the near future.

F1-3

F1-4 The COE has indicated it will make a permit decision for the proposed Project in the near future. FGS has committed to the FERC Procedures, which prohibit application of herbicides within 100 feet of wetlands and waterbodies (section V.D). The Project also complies with the Martin County PAMP, which limits herbicide use to in-situ application. We have also added a condition to the final EIS requiring that FGS develop a Standard Operating Procedure for Herbicide Use that meets EPA requirements prior to construction.

F1-4

F1-5 The main noise sources at the facility would include WEG heaters, BOG compressors, vaporizers, air compressors, gas meters, and emergency generators (used during power outages), which are identified in Section 4.11.2.2. Based on noise modeling, the proposed project would comply with our noise policy and no further noise reductions are required. Noise monitoring would be required once facility operations begin to confirm modeling results

F1-5

F1-6 The EIS recommends verification of noise levels at the nearest noise sensitive areas (NSAs) after prospective operation. If noise levels at the nearest NSAs exceed an L_{dn} of 55 dBA during operations, FGS would incorporate additional noise controls, which would include source reduction, to achieve the threshold of 55 dBA at the NSAs.

F1-6

With regard to wetland impact documentation, the DEIS indicates that there will be no "permanent" wetland impacts since construction impacts would be restored as wetlands and no forested wetlands would be permanently converted to herbaceous wetlands. As previously stated, we appreciate the wetland avoidance and minimization procedures. However, we believe that the FEIS should nevertheless document the centerline acreage (permanent ROW) along wetland crossings. Despite the planned wetland restoration along this centerline, there would still be temporal functional losses until restoration is complete (1-2 growing seasons), hydrologic circulation patterns may be altered after pipeline placement, any natural succession to forested wetlands would not be allowed along the centerline, and pipeline maintenance disturbing the revegetated wetlands is possible. Bore crossings beneath wetlands should also be documented but, in contrast, could be designated as having no construction or permanent wetland impacts (beyond any temporary work space impacts).

Despite wetland avoidance and post-construction restoration efforts, we assume the applicant has coordinated these proposed crossings with the U.S. Army Corps of Engineers (COE). Temporal wetland losses should be compensated and invasive species should not be allowed to colonize the revegetated areas. Maintenance of ROWs should avoid use of herbicides (mechanical or manual methods preferred, especially near waterbodies). Any use of herbicides should be limited to EPA-registered products applied by trained personnel according to labeled directions. Herbicide application should not be conducted by aircraft to avoid overspray potential and resultant opportunities for invasive species to establish in denuded areas.

► Noise

Noise effects were modeled and calculated for the nearest residences (2 sites with a total of 4 clustered single-family residences) for temporary construction and continuous operational noise. Results at these receptor sites showed a low DNL noise increase during construction and fairly low DNL noise increase during operation. At the property line, however, two corners of the site would exhibit significantly elevated background (ambient) levels (+18.6 DNL and +16.2 DNL; pg. 4-68). In order to attenuate these levels, FGS is offering shielding around stationary sources at the facility. We would concur with the use of shielding, but further suggest that source reduction be added so that noise levels would already be less at the source. To assist in this, the FEIS should disclose what the main noise sources of the facility would be. Given that the facility would be new, it presents an excellent opportunity to install technologies that emit low noise levels for these main sources. The combination of source reduction, shielding and site topography should reduce noise levels at the property line. In addition, we support the FERC staff's recommendation to verify noise levels at the nearest residences after prospective operation and request that any determined need for project adjustments to achieve the 55 DNL target be made as soon as possible. We also recommend that this noise level verification and adjustment process be required at the site property line.

F1-7 The final EIS clarifies that 820 truck deliveries during month 17 of the construction period equals 820 trucks entering and an additional 820 trucks exiting the site for an average of 106 additional truck trips per day. Currently, truck traffic accounts for 21.4% (approximately 1,670 trips) of the 7,800 ADT along SR 710 to the northwest of Allapattah Road. The expected daily truck traffic (4 daily truck trips: two entering, two exiting) during normal project operation is identified in Section 4.9 of the EIS.

F1-7

► Air Quality

The hours of operation described on page 4-56 for the various fuel burning equipment should be made enforceable. Recommended options to achieve this are through the applicant's commitment in the FEIS, inclusion as a FERC staff Recommendation in the FEIS, incorporation in FERC's Record of Decision (ROD) or FERC's Final Order equivalent), through permit conditioning and/or other means.

F1-8

F1-8 The hours of operation for the various fuel burning equipment were made enforceable under the FDEP Air Construction Permit (Permit # 0850147-001-AC). The air construction permit limits hours of operation and/ or fuel consumption of the various fuel burning equipment.

F1-9

F1-9 The final EIS includes an analysis of Environmental Justice issues.

► Environmental Justice (EJ)

Although the DEIS provides basic socioeconomic information (pp. 4-48, 5-5), it does not provide the demographics of the area (levels of minority and low-income populations). The FEIS should provide such data (percentage shares) for relevant U.S. Census block groups (BG) to determine if project effects would disproportionately affect potential EJ communities. These data should be compared to adjacent BCs and counties, and to the state of Florida to assist in the site selection process (i.e., is the site, with its impacts, located in an area with a disproportionately higher share of minorities and low-income populations relative to surrounding areas?). In addition, the demographics of the nearest residences/residents to the proposed site should be provided. Also, would local minorities and low-income groups have any opportunities to access project benefits, such as jobs during construction (270 temporary jobs on average, with a peak of 450 jobs) and operation (32 permanent jobs)? What training opportunities would be offered to all demographics for such employment?

F1-10

F1-10 When available, local workers would be used for construction. FGS is sponsoring a welding training program at the Indian River Community College to develop skilled welders for pipe and plate welding. This welder training course will teach unskilled personnel a skill, plus safe work habits.

► EPA DEIS Rating

EPA rates this DEIS as an "EC-1" (Environmental Concerns, with some additional information requested in the FEIS). We appreciate that a brownfield site is proposed for reuse consistent with its deed restrictions, and that many aspects of the project would reuse/recycle resources. Wetland impacts would also be minimized through avoidance and minimization, including the use of bore crossings. Noise increases at the nearest residences during prospective operation do not appear significant, but are to be monitored against the 55 DNL target per FERC staff recommendation. Noise impacts at the southern property line are too elevated and should be attenuated through FPS-offered shielding as well as EPA-recommended source reduction. It is also

F1-11 Thank you for your comment.

F1-11

requested that the EJ demographics of the project area be further documented in the FEIS. Other informational requests include verification of good water quality for used hydrotect waters (storage tanks and pipelines) before these waters are returned, as proposed, to the St. Lucie Canal through coordination with State of Florida's NPDES Program. EPA also recommends continued coordination with the COE on wetlands impacts and restoration and with Superfund authorities regarding ongoing site remediation.

We appreciate the opportunity to review this DEIS. Should you have questions, feel free to coordinate with Chrs Hoberg of my staff at 404/562-9619 or hoberg.chris@epa.gov.

Sincerely,



Heinz J. Mueller, Chief
NEPA Program Office
Office of Policy and Management

Enclosure: *Additional Comments*
cc: FERC Gas Branch 3 – Washington, DC

ADDITIONAL COMMENTS

* Alternatives

+ *Site Alternatives:* Of the five site alternatives offered in addition to the preferred brownsfield site (pg. 3-5), several do not seem viable (reasonable and feasible). While we understand that project and land constraints can make site selection difficult, and that it was good documentation to have considered these sites, they are not realistic candidates for multiple reasons. These sites include two plots near the FPL Martin plant that were not for sale and plots that are distant from the desired interconnection with the Gulfstream and FGT pipelines (Turkey Point, FL), or are otherwise undesirable (Turkey Point is the site of an FPL nuclear power plant). One of the two Palm Beach plots was also too close to a private airport runway. However, other sites considered were viable, consistent with NEPA, but not necessarily favorable (pg. 3-6). For the pipeline, the preferred alignment appeared reasonable since it would co-locate with an existing transmission line ROW and was characterized as having the least amount of impacts. Other pipeline alternatives, such as co-location with the CSX railroad or SR 710, were not feasible due to ROW conflicts or not favorable due to greater wetland impacts.

+ *System Alternatives:* Several systems alternatives were also discussed. These included LNG deepwater terminals and various underground storage reservoirs (salt domes, aquifers and depleted oil and gas wells). We agree that salt dome storage is inappropriate given Florida's geology and that LNG terminals are not necessarily intended for storage (however, in addition to deepwater terminals, the DEIS could have also discussed onshore LNG terminals under the jurisdiction of FERC). Aquifer storage is being piloted by the COB for Everglades water storage, but may not be appropriate for LNG storage and is expensive. Recovery at mature oil and gas wells can often also be enhanced through "flooding" (CO₂) such that LNG storage there may interfere with such follow-up extraction. Florida extraction wells are also often associated with environmentally sensitive areas such as the Everglades.

+ *Water Pipeline Alternatives:* Alternatives for routing project surface water to the preferred brownsfield site were not discussed. Surface water is needed for hydrotesting the competence of the storage tanks (over 32 million gallons per tank) and the pipeline pipe. Pipeline connection to the St. Lucie Canal is proposed to receive and return such test water. Such water pipelines routes and their impacts should be discussed in the FEIS, either as a jurisdictional facility (since hydrostatic testing is required for FERC infrastructure) or non-jurisdictional facility.

However, discussion of such alternatives may not be needed since page 4-31 states that the applicant "... would use an existing permitted irrigation intake structure..." It is unclear if this implies that the water pipeline is already in place or that only the intake is in place and is permitted to some applicant. The FEIS should discuss this and make this clear earlier in the FEIS (e.g., executive summary and alternatives chapter).

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F1-12 As indicated in Section 3.2.2 of the draft EIS, the alternative sites were identified according to the following criteria: area to accommodate project needs; extent of wetlands/protected areas; compatible land uses; compatible zoning and future land use; and proximity to one or both of the Gulfstream and FGT pipelines.

Detailed analyses of the alternative sites identified the proposed Site as the preferred location for the project. The final EIS also analyzes an additional alternative site to the northeast of proposed Project in the Allapattah Flatts; however, large portions of this area are part of the SFWMD Allapattah Flatts Management Area, which promotes the preservation and restoration of native land cover.

F1-12

F1-13 There are no existing LNG terminals in Florida that would be available to supply natural gas during emergencies, as discussed in Section 3.2.1; therefore, onshore LNG terminals were not a viable alternative for the Project and would not meet the Project purpose.

F1-14 The intake is already in place and permitted as described in the section 4.5.2 of the draft EIS. The Project uses a temporary hydrotest line to convey test water to the Site. Temporary impacts from use of the water pipeline are subject to the FERC's review and are described in section 2.4.1.4. The hydrotest line was sited along existing drainage ditches to minimize impacts. The proposed route is the most direct, follows existing drainage ditches and transmission line rights-of-way, requires no additional easements, and would not result in any permanent impacts. We believe that FGS's proposed configuration would adequately minimize impacts and that no environmentally preferable alternative exists.

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F1-14

+ *No Action Alternative*: Page 3-1 suggested that if the no action alternative was selected, natural gas customers could select other energy sources such as oil. While oil is one option, there are many others that are not mentioned in this section that are emerging, including renewables such as solar, wind, wave/tidal and biofuels – used either individually or in combination (despite the fact that natural gas has fewer emissions than oil, it has generally more emissions than renewables and other forms of energy being considered). While these alternatives may not yet be fully practical, the expansion of the availability of natural gas through LNG storage could slow the emergence of these energy forms. Conversely, selection of an action alternative (project implementation) would make natural gas more available which could increase or expedite development and associated developmental impacts. We recommend that the FEIS acknowledge these induced effects on renewables and development, even though we realize that FERC must be responsive to their applicants when project applications are reasonable.

+ *Security Alternatives*: Related to the alternatives discussion, EPA will defer to FERC and the U.S. Department of Homeland Security Administration (DHS) regarding the selection of sites relative to the security of natural gas systems discussed in the DEIS (pg. 4-93). However, for these agencies' consideration, we note that the project area (2-mile radius) encompasses the Cogentrix and Martin power plants and the CSX railroad and SR 710 corridor, with a private airport also nearby. Regarding potential (accidental or intentional) explosions, would the site be vulnerable from these sources? The figures on pages 4-87 and 4-90 suggest compliance with the thermal radiation and vapor dispersion exclusion zone thresholds for siting requirements. Nevertheless, siting an LNG storage facility close to power plant facilities, transportation corridors and an airport would seem undesirable.

* *Noise* – We appreciate that FERC has “adopted” (pg. 4-65) EPA’s 55 DNL noise level for public noise protection. The rationale for this noise level was determined and reported in EPA’s so-called “Levels” document published in the 1970’s. It should be noted, however, that this noise level is more of a target than a noise criterion, guideline or standard. However, it is a useful target for proposed projects in terms of gauging attenuation at site boundaries, the nearest residences or other sensitive receptors.

The DEIS indicates that a +3 dBA increase in noise levels is not detectable by the human ear (pp. 4-66 & 4-105). We agree. However, this conclusion should be limited to instantaneous measurements rather than other averaged noise descriptors such as the day-night level (DNL) often used in the DEIS. In contrast, a +3 dBA increase in DNL is statistically detectable by the human ear. In fact, a +1.5 DNL increase in noise levels within a background of a 65 DNL contour at an airport is considered a significant increase according to FICON (Federal Interagency Committee on Noise). For quieter backgrounds (e.g., 60 DNL), greater increases are required for significance (+3.0 dBA). Consequently, since the project’s ambient sound level is similar to 60 DNL (pg. 4-66), project increases may not be significant increases at the nearest noise receptors to the site (but would be at the southern property line (pg. 4-68)). The DEIS should be modified in the FEIS regarding the noise effects of increases measured in DNL.

F1-15 The final EIS includes a discussion of renewable energy.

F1-15

F1-16 Section 4.12, Reliability and Safety, of the draft EIS describes a detailed analysis of internal and external risks to the facility and surrounding communities and determined the proposed facility is consistent with all applicable regulatory policies. The Vapor Dispersion and Thermal Radiation Exclusion zones for the Project are contained on-site.

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F1-17 The description of noise effects in Section 4.11.2.2 has been modified.

F1-18 The description of noise effects in Section 4.13.4 has been modified.

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F1-18

F1 Page 8 of 10

F1-19 Diesel driven generators are typical for emergency use. The use and storage of a liquid fuel such as diesel would be more appropriate for emergency operations (e.g., facility shut-down) than natural gas because natural gas is stored in liquefied form and would have to be regasified prior to use. This would not be possible during emergency operations (e.g., facility shut-down).

F1-20 The FERC will consult with the EPA if a future need arises for wetland assessments that were not included as part of the analysis in the final EIS, but at this time there are no further wetland assessments planned.

F1-21 The FERC Procedures require screening of all intakes to prevent entrainment. Further, the Project will comply with the terms of the Water Use permit from the SFWMD for use of surface water from the C-44 canal.

F1-22 The need for a NPDES permit is discussed in Sections 2.4.2.1 and 4.3.2. The discussion of hydrotesting in Section 2.4.1.4 has been revised to specifically reference compliance with the NPDES permit. As described in the EIS, no chemicals would be added to the water during hydrotesting. The hydrotest water would be sampled and tested for compliance with SFWMD permit conditions prior to discharge.

F1-23 The FDEP Hazardous Waste Cleanup Section approved use of Production Well One for landscaping/fire control in a letter dated November 28, 2007.

F1-24 As described in the EIS (Section 4.4.2), the applicant would revegetate with native species in accordance with the Martin County PAMP.

* **Air Quality** – We also note that the redundant generators for emergency power are diesel-fired. Are natural gas driven generators available that would produce fewer emissions than diesel and also might have less fuel storage issues?

* **Wetlands** – EPA should be included as a consulting agency for all FERC staff recommendations involving wetland assessments. It is unclear as to why this is omitted in the present (e.g., pp. 2-15, 5-12) and many previous FERC pipeline NEPA documents. In any case, efforts should be made to avoid and minimize wetlands for project sites, pipeline ROWs and staging areas.

* **Hydrotesting** – We appreciate that no biocides will be added to the hydrotest waters that are to be taken from and returned to the St. Lucie Canal. We also agree with the screening of the intake to help prevent impingement and entrainment of fish eggs, larvae and juveniles. We recommend that this be further discussed with the FWS and their state counterparts to optimize intake and discharge flow rates, mesh size, seasonal impacts, intake water depth, etc.

In the DEIS sections discussing the return of hydrotest waters to the St. Lucie Canal, the need for an NPDES permit for such point-source discharge is sometimes referenced (pg. 2-22) and sometimes not (pp. 2-19, 4-16). For clarity, we suggest that it be referenced each time (or at first mention) to the extent that discharge is consistent with the State NPDES permit. Regarding water quality, will there be any new construction constituents of concern added to the wash water from tank and pipeline hydrotesting? Will there be any testing to verify good water quality? As always, consistency with the NPDES permit is required.

As noted in the DEIS (pg. 4-14), the COE under the Comprehensive Everglades Restoration Plan (CERP) and its state sponsor are investing considerable monies and effort in cleaning up the Indian River Lagoon (IRL) using Stormwater Treatment Areas (STAs) and other restoration techniques. As such, introduction of metals, solvents or other constituents from new construction into the IRL by way of the St. Lucie Canal could be counterproductive to those efforts.

* **Landscaping Water** – We note (pg. 4-13) that an existing well on the brownsfield site would be used for landscape watering and that this well "... would have negligible effects on nearby wells and the on-site groundwater remediation system." However, page 4-45 stated that "[a]ccording to EPA (2006), groundwater contaminant concentrations have decreased and are nearing cleanup standards." Since the spray irrigation cleansing of groundwater is still ongoing, is it desirable to already use groundwater before it is deemed fully clean, even for landscaping purposes? We will defer to the Superfund authorities and site deed restrictions. In any case, however, we wish to promote the use of xeric landscaping that employs native plants which require less watering, such that consumptive water use in south Florida will be minimized.

* **Cumulative Impacts** – The cumulative impacts section (pg. 4-98) was generally well written. However, this section could have been improved by listing the impacts (at least

F1-25 The cumulative effects analysis included the influence of existing industrial activities on the additive regional effect of the project.

F1-26 The EIS analyzes the impacts of the Phase I and II construction as part of the Project; therefore, these effects are already considered as part of the cumulative impact assessment.

F1-27 As described in Section 4.11.2.2, all major noise-generating equipment would be contained within shelters or enclosures to attenuate operations noise levels and ensure that noise impacts do not exceed Martin County standards. The final EIS recommends verification of noise levels at the nearest noise sensitive areas (NSAs) during operation.

F1-28 There are no residences within 0.6 mile of the pipeline or the associated aboveground facilities.

F1-29 The EI is responsible for bi-weekly reporting to FERC on the Project compliance with the Certificate. Additionally, FERC staff would conduct monthly inspections of the Project.

F1-30 The final EIS references the EPA's oversight of the Florida NPDES and Superfund program.

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qualitatively) of local industrial sites such as power plants, particularly those impacts that are common to both the proposed LNG storage facility and the existing, proposed or reasonably foreseeable facilities in the project area. The contaminants of the Superfund site might also be briefly reiterated and that discussion that the soils and groundwater of the site would not be re-contaminated by the proposed project. Finally, the fact that a Phase II is planned should be addressed since those impacts, even though covered in the present EIS, would be cumulative to Phase I impacts.

With regard to the nearby planned residential "Quillen Development" referenced in this section as future actions (pg. 4-101), we note that this development would be within 1.25 miles of the site. Since this is farther away than the existing residences assessed for noise impacts, noise levels presumably would be less (attenuation by distance). The proposed development also appears to be north of the site where noise levels at the property line were not very elevated compared to the south (pg. 4-68). Nevertheless, we suggest that reators be advised (by FERC, applicant or other appropriate vehicle) that the noise environment at the development may be elevated by the project (with continuous operational noise) if the site is selected and the project is approved.

* **Affected Residents** – Four single-family residences clustered at two sites are located within about 0.50 miles of the preferred site. It is unclear, however, how many residences/residents (if any) are located close to the pipeline (pg. 4-44). The FEIS should address this.

* **EIS** – We appreciate that the project Environmental Inspector (EI) is to have some independence, including stop-work authority. However, it is unclear what "independent status" (pg. 2-25) entails. We recommend that even though the EI would be compensated by the applicant, that he/she report not only to the applicant but also concurrently to FERC (we recommend this be added to the list of EI duties on page 5-11). Moreover, we agree that "...FERC would conduct independent inspections to monitor the Project for compliance with the Commission's environmental conditions." Any project non-compliance should be quickly corrected.

* **Jurisdiction** – We suggest that Table 1.3-1 for "Permits/Approvals/Consultations" be expanded to include EPA's continued supervision of the Superfund site as a form of "consultation". Additionally, EPA's oversight of the Florida NPDES Program might also be referenced in this table.

* **GHGs** – For safety and economic reasons, extensive efforts will surely be made to prevent any natural gas leaks from the storage facility and its pipelines. Such leaks should also be prevented from a greenhouse gas (GHG) emissions perspective, i.e., to minimize potential climate change effects. Methane (CH₄), the main component of natural gas, is a powerful GHG, many times more insulative than carbon dioxide (CO₂) in the stratosphere. In addition, given that LNG must be kept refrigerated at -260°F, any refrigerants escaping from such a major cooling system could also contribute GHGs

F1-31 The mixed refrigerant is composed of methane, ethylene, propane, i-pentane, and nitrogen. Of these, only methane is considered a GHG.

and should therefore be prevented (the FEIS should clarify if the refrigerants listed on page 2-4 are GHGs, although we note that at least one of these constituents (methane) is a GHG).

* **Reuse/Recycle** – EPA is impressed with the number of reuse/recycling efforts proposed by the applicant and the FERC staff (pg. 2-16). These include potential reuse of the preferred brownfield site itself as well as the site's existing railroad infrastructure (continued use for some large site deliveries), rails (offered for reuse to CSX or as scrap) and wooden ties (offered for reuse to local landscapers) and existing concrete foundations (crushed for reuse as site gravel). We assume these items have been cleared for reuse by Superfund authorities. In addition, some of the tank hydrotest waters would also be reused for pipeline testing (pg. 2-22) and some of the cleared vegetation may be chipped (pg. 2-21) for mulch. We also note that tree stumps will be cut at ground level when possible as opposed to being grubbed (uprooted), which will reduce the potential for soil erosion since root systems will be left in place (pg. 2-20).

* **Truck Loading Option** – We find that a second entrance to the site (pg. 4-53) is paramount to help ensure that the truck loading option can succeed during local emergencies (should the pipeline option become disabled) and as second entrance/exit for any on-site emergencies.

* **Construction Timeframes** – We appreciate that the DEIS provides construction timeframes for several processes. For example, hydrotesting is expected to take five weeks (pg. 4-44). Such timeframes will help affected residents gauge the magnitude of construction impacts.

* **Blasting** – Since the site is generally level, we assume there will be no blasting necessary during construction. The FEIS should verify. Such blasting or any pile driving might interfere with groundwater site remediation.

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F1-32 The EPA Region 4 Superfund office indicated that all on-site materials were examined as part of the Remedial Action and would have been removed if contaminated.

F1-33 The proposed Project provides for access from two alternative locations across the railroad tracks.

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F1-34 No blasting is anticipated as identified in Sections 4.2.1 and 5.0.

F1-34

From: John_Wrublik@fws.gov [mailto:John_Wrublik@fws.gov]
Sent: Tuesday, June 24, 2008 8:02 AM
To: Bullock, Karl
Subject: Floridian Natural Gas Storage Project , Temporary Construction Staging Area

June 24, 2007

Karl Bullock
Golder Associates Incorporated
6241 NW 23rd Street
Suite 300
Gainesville, FL 32653-1500

Service Federal Activity Code:	41420-2007-FA-0664
Service Consultation Code:	41420-2007-TA-1136
Date Received:	June 23, 2008
Project:	
County:	Martin

Dear Mr. Bullock:

The U.S. Fish and Wildlife Service (Service) has received your letter dated May 13, 2008, for the project referenced above.

PROJECT DESCRIPTION

The project involves the construction of a natural gas storage facility with a capacity of up to 8,000,000 dekatherms per day. The project will also include a liquefaction and revaporization facilities, and two 4-mile pipelines to connect with existing natural gas pipelines with metering facilities. In your letter you indicate that the project sponsor has also proposed to establish a temporary construction staging area within a 10.5-acre site located adjacent to the existing transmission right-of-way and pipeline route. The staging area is comprised of agricultural lands used for hay production. The project is located in Martin County, Florida.

THREATENED AND ENDANGERED SPECIES

The Service has queried our database, and we do not have records of federally-listed species occurring within the proposed construction staging area. Moreover, the Service notes that the proposed staging area is currently used for hay production and does not appear to provide habitat for federally-listed species. Based on the information provided, the Service believes that the use

F2-1 Thank you for your comment.

of the proposed construction staging area in association with the project will not increase risk to federally-listed species.

Thank you for the opportunity to comment. If you have any questions, please contact John Wrublik at 772-562-3909, extension 282.

Sincerely yours,

John M. Wrublik
U.S. Fish and Wildlife Service
Vero Beach Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960
Phone: 772-562-3909, x-282
Fax: 772-562-4288

ORIGINAL



United States Department of the Interior

FISH AND WILDLIFE SERVICE
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960



2008 MAY - 1 P 11
RECEIVED
OFFICE OF THE
SECRETARY
U.S. DEPARTMENT OF THE
INTERIOR

April 30, 2008

Charles Brown
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, DC 20426

Service Federal Activity Code: 41420-2007-FA-0664
Service Consultation Code: 41420-2007-TA-1136
Date Received: April 10, 2008
Project: Floridian Natural Gas
Storage Project (Docket
No. CP08-13-00)
County: Martin

Dear Mr. Brown:

The Fish and Wildlife Service (Service) has reviewed your undated letter on April 10, 2008, and the Draft Environmental Impact Statement dated March 2008, submitted by the Federal Energy Regulatory Commission (FERC) for the project referenced above. This letter is submitted in accordance with section 7 of the Endangered Species Act of 1973, as amended (Act) (87 Stat. 884; 16 U.S.C. 1531 *et seq.*) and the provisions of the Fish and Wildlife Coordination Act of 1958, as amended (48 Stat. 401; 16 U.S.C. 661 *et seq.*).

PROJECT DESCRIPTION

The project involves the construction of a natural gas storage facility with a capacity of up to 8,000,000 dekatherms per day. The project will also include a liquefaction and revaporization facilities and two 4-mile pipelines to connect with existing natural gas pipelines and metering facilities. The project will result in temporary impacts to 3.91 acres of wetlands, and the applicant has proposed to revegetate these wetlands following construction of the project. The project is located in Martin County, Florida.



Charles Brown

THREATENED AND ENDANGERED SPECIES

Eastern indigo snake

The project occurs within the geographic range of the threatened eastern indigo snake (*Drymarchon cordis couperi*). During construction, the applicant has agreed to implement the Service's Standard Protection Measures for the Eastern Indigo Snake (Service 2002), which will minimize adverse effects to this species. FERC has determined the project "may affect, but is not likely to adversely affect" the eastern indigo snake. The Service concurs with this determination.

F3-1

F3-1 Thank you for your comment.

Wood stork

The project site is located within the core foraging area (CFA) (within 18.6 miles) of an active breeding colony of the endangered wood stork (*Mycteria americana*). The project will result in temporary impacts to 3.91 acres of wetlands that may provide foraging habitat for the wood stork. To minimize the project's impacts to the wood stork, the applicant has agreed to revegetate the 3.91 acres of wetlands impacted by the project. FERC has determined that the project "may affect, but is not likely to adversely affect" the wood stork. Based on the proposed measures to compensate for impacts to wetlands, the Service concurs with this determination.

F3-2

F3-2 Thank you for your comment.

Audubon's crested caracara

The project is located in the geographic range of the threatened Audubon's crested caracara (*Polyborus cheriway = Polyborus pliancus audubonii*). Habitat suitable for caracara nesting was not found to occur on the project site. FERC has determined that the project will "not affect" the caracara. The Service supports this determination.

F3-3

F3-3 Thank you for your comment.

This letter fulfills the requirements of section 7 of the Act and no further action is required. If modifications are made to the project, if additional information involving potential effects to listed species becomes available, or if a new species is listed, reinitiation of consultation may be necessary.

F3-4

F3-4 Thank you for your comment.

Thank you for the opportunity to comment. If you have any questions, please contact John Wrublik at 772-562-3909, extension 282.

Sincerely yours,

Allen D. Webb

Paul Souza
Field Supervisor
South Florida Ecological Services Office

Charles Brown

Page 3

cc: FWC, Tallahassee, Florida (Mary Ann Poole) electronic copy only

LITERATURE CITED

U.S. Fish and Wildlife Service. 2002. Draft standard protection measures for the eastern indigo snake. Fish and Wildlife Service, South Florida Ecological Services Office, Vero Beach, Florida.



United States Department of the Interior
 OFFICE OF THE SECRETARY
 Office of Environmental Policy and Compliance
 Richard B. Russell Federal Building
 75 Spring Street, S.W.
 Atlanta, Georgia 30303



FEDERAL AND STATE AGENCIES

F4 United States Department of the Interior, Office of the Secretary,
 Office of Environmental Policy and Compliance
 Page 1 of 1

FR 08/323
 9043.1

May 5, 2008

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

RE: Notice of Availability of the Draft Environmental Impact Statement for the Floridian
 Natural Gas Storage Project, FERC No. CP08-13-000

Dear Ms. Bose:

The Department of the Interior has reviewed the referenced document. We have no comments to provide for your consideration. If necessary, I can be reached at 404-331-4524.

Sincerely,

Gregory Hogue

cc: OIEPC, Washington

F4-1 Thank you for your comment.

F4-1



Florida Department of Environmental Protection
DEPT. OF ENVIRONMENTAL PROTECTION
Marjory Stoenman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-0001
MAY 12 A 10:34

ORIGINAL
Charlie GRIFF
Governor
Jill Kaitump
H. Governor
Michael W. Sole
Secretary

FEDERAL AND STATE AGENCIES
S1 Florida Department of Environmental Protection
Page 1 of 4

May 5, 2008

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

RE: Federal Energy Regulatory Commission - Docket No. CP08-13-000 -
Draft Environmental Impact Statement, Floridian Natural Gas Storage Project -
Indianatown, Martin County, Florida.
SAI # FL200803274137C (Reference SAI # FL200702223089)

Dear Ms. Bose:

Pursuant to section 403.061(40), *Florida Statutes*, the Florida State Clearinghouse has coordinated Florida's review of the referenced Draft Environmental Impact Statement (DEIS) under the National Environmental Policy Act, 42 U.S.C. §§ 4321, 4331-4335, 4341-4347, as amended, and the Coastal Zone Management Act, 16, U.S.C. §§ 1451-1464, as amended.

The Florida Department of Environmental Protection's (DEP) Southeast District office in West Palm Beach advises that an Environmental Resource Permit (No. 43-0280459-001) was issued for the proposed project on March 19, 2008, in accordance with Part IV of Chapter 373, *Florida Statutes*.

In addition, the South Florida Water Management District (SFWMD) approved a Water Use Permit (No. 43-02186-W) on April 10, 2008, for hydrostatic testing at the storage facilities, as outlined in Section 2.4.1.4 of the DEIS. To fulfill the demonstrated need requirement for water supply testing, the SFWMD reviewed the DEP Environmental Resource Permit application for construction of the facilities and U.S. Army Corps of Engineers Easement Agreement No. DACW17-9-08-0013, authorizing the placement of temporary pumps along the C-44 Canal right-of-way to withdraw the testing water. The SFWMD also reviewed and approved Water Use Permit No. 43-02115-W on March 7, 2008, for landscaped area irrigation at the proposed facility. Section 2.4.2.1 of the DEIS states that dewatering activities for the construction of the related pipeline are not anticipated. Similar projects such as the Gulfstream Natural Gas Pipeline have required dewatering during pipeline construction trenching operations. SFWMD staff recommends that dewatering permits be obtained prior to the commencement of

Ms. Kimberly D. Bose
May 5, 2008
Page 2 of 2

trenching operations, as there are existing contamination sites and wetlands in the vicinity.

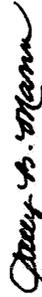
S1-1

Based on the information contained in the DEIS, the above state agency comments and issuance of the required Environmental Resource Permit, the state has determined that the proposed federal action and project are consistent with the Florida Coastal Management Program (FCMP). As noted in Section 4.7.4 of the DEIS, final agency action on the Environmental Resource Permit application constitutes the state's determination as to whether the activity is consistent with the federally approved FCMP under section 373.428, Florida Statutes. We recommend that Floridian Natural Gas Storage Company, LLC continue to coordinate with DEP and SFWMD staff on the above-referenced state permits to ensure compliance with the requirements and conditions therein.

S1-2

Thank you for the opportunity to review the subject DEIS. Should you have any questions or need further assistance, please contact Ms. Lauren P. Milligan at (850) 245-2170.

Yours sincerely,



Sally B. Mann, Director
Office of Intergovernmental Programs

SBM/lzn
Enclosures

cc: Tim Gray, DEP, Southeast District
Jim Golden, SFWMD

S1-1 No trench dewatering is currently proposed. Should dewatering become necessary, the Project would comply with all state rules and regulations.

S1-2 The Commission encourages cooperation between applicants and local authorities to obtain all applicable state or local permits.



Florida
Department of Environmental Protection
"More Protection. Less Process."

DEP Home | DEP Home | Contact DEP | Search | DEP Site Map

Project Information	
Project:	FL200803274137C
Comments	04/22/2008
Due:	05/05/2008
Letter Due:	05/05/2008
Description:	FEDERAL ENERGY REGULATORY COMMISSION - DRAFT ENVIRONMENTAL IMPACT STATEMENT; FLORIDIAN NATURAL GAS STORAGE PROJECT - INDIANTOWN, MARTIN COUNTY, FLORIDA.
Keywords:	FERC - DEIS, FLORIDIAN NATURAL GAS STORAGE PROJECT - INDIANTOWN, MARTIN CO.
CFDA #:	81.000
Agency Comments:	TREASURE COAST RPC - TREASURE COAST REGIONAL PLANNING COUNCIL
The proposed project is not in conflict or inconsistent with the Strategic Regional Policy Plan.	
MARTIN - MARTIN COUNTY	
COMMUNITY AFFAIRS - FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS	
DCA has no comment.	
FISH AND WILDLIFE COMMISSION - FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION	
NO COMMENT BY JOE WALSH ON 4/2/2008.	
STATE - FLORIDA DEPARTMENT OF STATE	
No Comment/Consistent	
TRANSPORTATION - FLORIDA DEPARTMENT OF TRANSPORTATION	
No Comments Received	
ENVIRONMENTAL PROTECTION - FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION	
The DEP's Southeast District office in West Palm Beach advises that an Environmental Resource Permit (No. 43-0280459-001) was issued for the proposed project on March 19, 2008, in accordance with Part IV of Chapter 373, Florida Statutes.	
SOUTH FLORIDA WMD - SOUTH FLORIDA WATER MANAGEMENT DISTRICT	
The District reviewed and approved a Water Use Permit (No. 43-02186-W) on April 10, 2008, for hydrostatic testing for the storage facilities outlined under Section 2.4.1.4 of the DEIS. To fulfill the requirement of demonstrated need for testing water supply, the District reviewed DEP Environmental Resource Permit No. 43-0280459-001 for the construction of the facilities and U.S. Army Corps of Engineers Easement Agreement FACW17-9-08-0013 authorizing the placement of temporary pumps along the C-44 Canal right-of-way to withdraw the testing water. The District also reviewed and approved Water Use Permit No. 43-02115-W on March 7, 2008, for irrigation of the landscaped areas at the proposed facility. Section 2.4.2.1 of the DEIS states that dewatering activities for the construction of the related pipeline are not anticipated. Similar projects such as the Gulfstream Natural Gas pipeline have required dewatering during pipeline construction trenching operations. The District recommends that dewatering permits be obtained prior to the commencement of trenching operations, as there are existing contamination sites and wetlands in the vicinity.	

S1-3

S1-3 Thank you for your comment.

S1-4 Thank you for your comment.

S1-5 Thank you for your comment. No trench dewatering is currently proposed. Should dewatering become necessary, the Project would comply with all state rules and regulations.

S1-4

S1-5

For more information or to submit comments, please contact the Clearinghouse Office at:

3900 COMMONWEALTH BOULEVARD, M.S. 47
TALLAHASSEE, FLORIDA 32399-3000
TELEPHONE: (850) 245-2161
FAX: (850) 245-2190

Visit the Clearinghouse Home Page to query other projects.

COUNTY: MARTIN
Sch - PERC
DATE: 3/26/2008
COMMENTS DUE DATE: 4/22/2008
CLEARANCE DUE DATE: 5/5/2008
SA#: FL200803274137C
REFER TO: FL200702223089

MESSAGE: 2008-02126
PLEASE EXPEDITE COMMENTS - 4/22/08

STATE AGENCIES	WATER MNGMNT. DISTRICTS	OPB POLICY UNIT	RFCS & LOC GOVS
COMMUNITY AFFAIRS	SOUTH FLORIDA WMD		
ENVIRONMENTAL PROTECTION			
FISH AND WILDLIFE COMMISSION			
R STATE			
TRANSPORTATION			

The attached document requires a Coastal Zone Management Act/Florida Coastal Management Program consistency evaluation and is categorized as one of the following:

- Federal Assistance to State or Local Government (15 CFR 930, Subpart F). Agencies are required to evaluate the consistency of the activity.
- Direct Federal Activity (15 CFR 930, Subpart C). Federal Agencies are required to furnish a consistency determination for the State's concurrence or objection.
- Other Constituent Staff Expenditure, Development or Production Activities (15 CFR 930, Subpart E). Consistency determinations are required to provide a consistency determination for state concurrence/objection.
- X Federal Licensing or Permitting Activity (15 CFR 930, Subpart D). Such projects will only be evaluated for consistency when there is not an analogous state license or permit.

Project Description:
FEDERAL ENERGY REGULATORY COMMISSION - DRAFT ENVIRONMENTAL IMPACT STATEMENT; FLORIDIAN NATURAL GAS STORAGE PROJECT - INDIANTOWN, MARTIN COUNTY, FLORIDA.

RECEIVED
APR 30 2008

To: Florida State Clearinghouse
EO. 12372/NEPA Federal Agency
AGENCY CONTACT AND COORDINATOR (SCH) No Comment/Consistent
3900 COMMONWEALTH BOULEVARD MS-47 Consistent/Comments Attached
TALLAHASSEE, FLORIDA 32399-3000 Comment Attached
TELEPHONE: (850) 245-2161 Inconsistent/Comments Attached
FAX: (850) 245-2190 Not Applicable

From: Division of Historical Resources
Bureau of Historic Preservation

Reviewer: Samantha Earnest
Date: 04/25/08
2008 APR 11 10:13
RECEIVED
BUREAU OF
HISTORIC PRESERVATION
James H. Kammery
Deputy SAH
4.28.2008



FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State
DIVISION OF HISTORICAL RESOURCES

FILED
OFFICE OF THE
SECRETARY

2008 MAY -9 P 2:46

LEGISLATIVE
SECRETARIAT COMMISSION

Kimberly D. Bose
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20002

April 25, 2008

RE: DHR Project File Number: 2008-1590
Federal Energy Regulatory Commission
Floridian Natural Gas Storage Company, LLC
Docket Nos. CP08-13-000 and PF07-3-000
Draft Environmental Impact Statement for the Floridian Natural Gas Storage Project

Dear Ms. Bose:

Our office received the referenced project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended and 36 CFR Part 800: Protection of Historic Properties and the implementing state regulations.

Based on the information provided, we maintain our concurrence that the proposed undertaking will have no effect on historic properties listed or eligible for listing in the National Register of Historic Places. S2-1

If you have any questions concerning our comments, please contact Samantha Earnest, Historic Preservationist, by electronic mail swearnest@dos.state.fl.us, or at 850-245-6333 or 800-847-7278.

Sincerely,

Frederick P. Gasko, Director, and
State Historic Preservation Officer

500 S. Brough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>
 Director's Office (850) 245-6300 • FAX: 245-6436
 Archaeological Research (850) 245-6444 • FAX: 245-6452
 Historic Preservation (850) 245-6333 • FAX: 245-6437
 Historical Museums (850) 245-6400 • FAX: 245-6433
 North Regional Office (850) 245-6445 • FAX: 245-6435
 South Regional Office (561) 416-2115 • FAX: 416-2149
 Central Regional Office (813) 272-3943 • FAX: 272-2340

INDIVIDUALS AND ORGANIZATIONS

II Charles Sisco
Page 1 of 5

Federal Energy Regulatory Commission
Attention: Secretary Rose
888 1st Street, NE Room 2A
Ref Project NO. 08-13-000 Indiantown

(202) 208-0118
Transmitted via FAX

LNG DEIS
Washington, DC 20002
Dear Sec. Rosc:

Attention: Dennis Mevlin
Howard Forman
Richard Miles, Director

11-1 Section 4.12 of the Draft EIS, Reliability and Safety, completed a detailed risk analysis of the Project from internal and external risks to the facility and surrounding communities and determined the proposed facility is consistent with all applicable regulatory policy. The Vapor Dispersion and Thermal Radiation Exclusion zones for the Project are contained on-site.

11-2 Section 4.12 of the Draft EIS, Reliability and Safety, completed a detailed risk analysis of the Project from internal and external risks to the facility and surrounding communities and determined the proposed facility is consistent with all applicable regulatory requirements. The Vapor Dispersion and Thermal Radiation Exclusion Zones for the Project are contained on-site.

11-3 Industrial development within agricultural land, outside the Primary Urban Service Boundary (PUSB), is not consistent with the Martin County Growth Management Plan. Vacant land (the proposed Site) is currently available within the PUSB; therefore, expansion of the PUSB is not warranted. Additionally, development of these areas would increase the length of the pipeline and therefore disturbance from pipeline construction. The Allapattah Flats areas north and east of Indiantown are part of the SFWMD Allapattah Flats Management Area, which promotes the preservation and restoration of native land cover. The Final EIS reflects consideration of this alternative.

11-4 Public notice, including mail and flyers throughout town, was issued prior to all open houses and public meetings regarding the Project. The FERC comment meeting was advertised in the local newspaper and all parties on our Environmental Mailing List were notified. The Environmental Mailing List is composed of 130 government agencies, elected officials, public interest groups, local libraries and newspapers, and interested parties and landowners who responded to our Notice of Intent, provided comments during the scoping period, or were located within 0.5 mile of the Project site.

11-1

I am a resident of Martin County and I live near the proposed Williams Energy (Floridan Nat. Gas & Storage) LNG or liquefied natural gas plant to be located along CSX railline and near Indiantown, Florida. My home, family and real estate values would be negatively affected if this explosive plant were to be placed near my property. The potential for an explosion at such a facility would make property values plummet, once the word got out about the safety issues at an LNG plant. Either accidental or by terrorist attack (please see FERC analysis in Draft Environmental Impact Statement or DEIS) the explosion would decimate an area of nearly 5-6 miles in radius. The site has several flaws not taken into account by FERC or the consultants to Williams Energy of Houston, Texas nor in the DEIS. The DEIS has several fatal flaws and should be shelved and a supplemental EIS should be redrafted and hearings along with communities like mine included in the discussions.

11-2

First, the risk of an explosion was not completed in the DEIS; risk from derailment on the worst section of CSX track in South Florida was not assessed, nor was the risk from terror attack analyzed as required by Homeland Security and recent changes in federal laws regarding LNG facilities.

11-3

Second, there are several areas to the east and north of Indiantown that would be more suitable, since these areas are not inhabited currently nor are homes planned in the general vicinity. Several large housing developments, including Quinlen DRX are proposed for this area (within 1-2 miles of LNG plant). Cattle country and orange groves, areas along CoRd 609, Alaphata Rd. would be much more appropriate for smaller and more numerous LNG tanks. Nearly 12,000 people live within the blast zone within 5-6 miles of the proposed site. No notification was given to residents in this area, either by mail or formal notice, or neighborhood organizations as to the potential risk for an explosion. The EGS recently told people that LNG is not flammable, if kept at -260 degrees F; a minor point left out of their presentation, in which only 10 people showed up, most from the Indiantown

11-4

11-5

I had. I was never notified by FERC, Williams Energy or their subsidiary Floridian Gas & Storage (FGS) prior to the DEIS hearing in Indiantown last week. FERC has a responsibility to contact landowners who may be impacted by land value or for safety reasons for such a dangerous facility. We understand that the LNG plant, if a catastrophic fire were to occur, especially if LNG contacted water in the surrounding wetlands and canals, were to ignite that our home would probably be obliterated. Don't you think that information should have been provided months ago or last year during scoping sessions and that a mailing list of landowners in my area would have been contacted?

Finally, several other fatal flaws in the DEIS should have been corrected, but were not. For instance the model used to estimate volatility of LNG if it makes contact with water was flawed. Williams Energy intentionally is thwarting the law. They used a wind speed in excess of 100 mph to disperse the LNG if a leak developed, while ignoring real time temperature and humidity levels common to southern Florida. Even FERC has cited this as a fatal flaw, yet not one new model run was included in the DEIS. These requirements were purposely left out of Draft EIS, and if included in the Final EIS in June of this year, upon which its release I will have no opportunity to comment. I formally request that FERC shelve this document, a DEIS that violates the basic tenants of NEPA with regards to public outreach and input and begin with a new Supplemental DEIS with local input from landowners directly affected from this plant. If a supplemental EIS is not forthcoming, I and others in Martin County will pursue this matter in Federal Court, under provision for citizen lawsuits under FERC and NEPA.

I appreciate the time for your review of my concerns and I look forward to a response by certified mail to my home within the next few weeks. If no response is provided, I will assume that FERC will proceed with the current DEIS and litigation will be our only recourse.

Signed *Shirley Jane Gourd Carter*

Dated *DEIS* (must be postmarked by May 5, 2008 !!) *1/2008*

Cc: Governor Charlie Crist
 Senators
 Congressman Tim Mahoney
 Commissioners DeTefizzi, Doug Smith and Mr. Weberman
 Council on Environmental Quality, The White House with oversight of NEPA

11-5 Public notice, including mail and flyers throughout town, was advertised prior to all open houses and public meetings regarding the Project. The FERC comment meeting was advertised in the local newspaper. All interested parties and property owners affected by the Project received notices about the Project.

11-6

11-6 A wind speed of 4.5 mph was used to perform the vapor dispersion analysis, refer to Section 4.12.3 of the draft EIS. For clarification, the wind speed used to design the LNG facilities has no relation to the wind speed utilized in vapor dispersion modeling.

MODEL RUNS USED 183 mph WINDS > DISPENSED GAS 11-7 NO EXPLOSION

11-7 A wind speed of 4.5 mph was used to perform the vapor dispersion analysis, refer to Section 4.12.3 of the draft EIS. For clarification, the wind speed used to design the LNG facilities has no relation to the wind speed utilized in vapor dispersion modeling.

by the combustion air fan. An explosion developed inside the boiler fire box which subsequently triggered a larger explosion of the hydrocarbon vapors in the immediate vicinity. The resulting fire damaged the adjacent liquefaction process and liquid petroleum gas separation equipment of Train 40, and spread to Trains 20 and 30. Although Trains 10, 20, and 30 had been modernized in 1998 to 1999, Train 40 had been operating with its original equipment since start-up in 1981.

Although there are major differences between the equipment involved in the accident to Skikda and that of the proposal by FGS (i.e., high-pressure steam boilers that power refrigerant compressors would not be used here nor are they used at any LNG facility under FERC jurisdiction), the sequence of cascading events identifies potential failure modes that warrant further evaluation. To ensure that all potential hazards are addressed, we have provided a recommendation Section 4.12.2, Front-End-Engineering Design Review, to address this issue.

A discussion of the principal properties and hazards associated with LNG is presented in Section 4.12.1. A summary of our preliminary design and technical review of the front-end engineering design (FEED) and cryogenic aspects of the LNG facility is presented in Section 4.12.2. An analysis of the thermal radiation and flammable vapor cloud hazards used as siting criteria is presented in Section 4.12.3. LNG and NGL truck safety issues are examined in Section 4.12.4. Emergency response and evacuation planning is discussed in Section 4.12.5. A discussion on security awareness related to terrorism is presented in Section 4.12.6. The reliability and safety issues related to natural gas pipelines are discussed in Section 4.12.7.

4.12.1 LNG Hazards

LNG's principal hazards result from its cryogenic temperature (-260°F), flammability, and vapor dispersion characteristics. As a liquid, LNG will neither burn nor explode. Although it can cause freeze burns and, depending on the length of exposure, more serious injury or death, its extremely cold state does not present a significant hazard to the public, which rarely, if ever, comes in contact with it as a liquid. As a cryogenic liquid, LNG will quickly cool materials it contacts, causing extreme thermal stress in materials not specifically designed for ultra-cold conditions. Such thermal stresses could subsequently subject the material to brittleness, fracture, or other loss of tensile strength. These hazards, however, are not substantially different from the hazards associated with the storage and transportation of liquid oxygen (-296°F) or several other cryogenic gases that have been routinely produced and transported in the United States.

LNG vaporizes rapidly when exposed to ambient heat sources such as water or soil. When released from its containment vessel and/or transfer system, LNG will generally produce 620 to 630 standard cubic feet of natural gas for each cubic foot of liquid. A large quantity of LNG spilled without ignition would form a vapor cloud that would travel with the prevailing wind until it either dispersed below the flammable limits or encountered an ignition source. If a large quantity of LNG is spilled in the presence of an ignition source, the resulting pool fire would produce high levels of radiant heat in the area surrounding the LNG pool.

→ FERC ASKED FGS TO REDO RUNS PRIOR TO DEIS RELEASE BUT THIS WAS NOT DONE - PRIOR TO 4/16

HEARING DEIS !! WILLIAMS OIL & GAS MODEL RUNS

DEIS LNG FLORIDIAN GAS STORAGE WILLIAMS OIL & GAS MODEL RUNS

Under Section 550 of the Homeland Security Appropriations Act of 2007, the U.S. Department of Homeland Security (DHS) was provided with the authority to regulate the security of certain chemical facilities in the United States. Accordingly on April 9, 2007, DHS created the "Chemical Facility Anti-Terrorism Standards" under Title 6, CFR, Part 27 to establish risk-based performance standards related to facility security. On November 20, 2007, DHS issued the list of threshold quantities of chemicals of interest which trigger Part 27 review. The quantities of methane typically stored on site at LNG peakshaving facilities under FERC jurisdiction exceed the screening threshold quantities specified in Appendix A to Part 27. As a result, the proposed FGS project would be required to comply with the regulations under 6 CFR 27 within 60 calendar days of receiving natural gas.

All facilities regulated under Part 27 must participate in an initial screening process, termed "Top-Screen," to establish the risk level associated with the facility. Facilities for which the Top-Screen process indicates the potential that a terrorist attack could result in significant adverse consequences for human life or health, national security or critical economic assets are designated by the DHS as "covered facilities". If the DHS determines that the FGS project would be considered a covered facility, the LNG plant would be preliminarily assigned to one of four risk-based tiers, ranging from highest risk in Tier 1 to lowest risk in Tier 4.

In accordance with 6 CFR 27.215, covered facilities must complete a Security Vulnerability Assessment (SVA) which identifies:

- hazards and consequences of concern for the facility and its surroundings;
- existing layers of protection;
- possible internal threats, external threats, and internally-assisted threats;
- potential security vulnerabilities and existing countermeasures; and
- strategies that reduce the probability of a successful attack or reduce the probable degree of success.

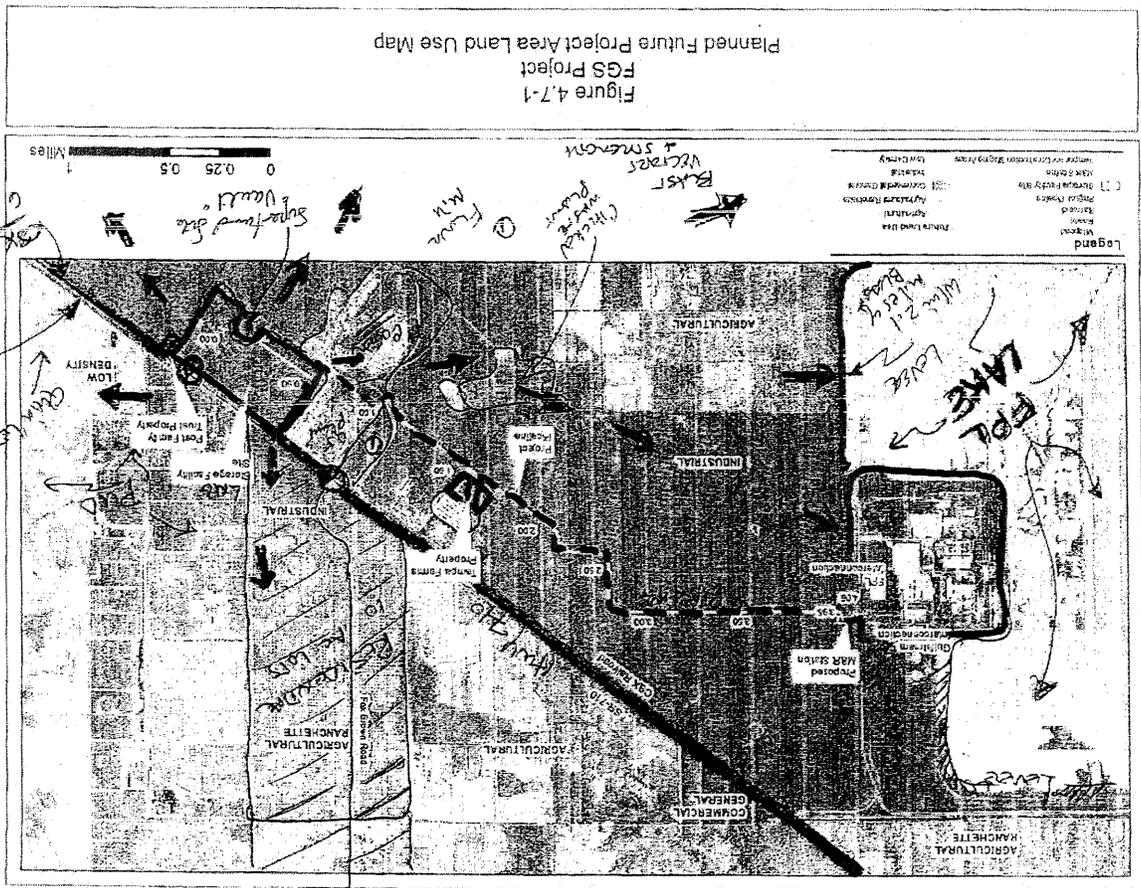
Following review of the SVA, the DHS would reassess the facility's preliminary ranking. If the FGS project still qualified as a covered facility, DHS would determine the facility's final placement within Tiers 1 through 4. After final placement, covered facilities are to provide the DHS with a plan which describes how on-site security measures would meet or exceed the performance standard associated with the facility's Tier ranking. This Site Security Plan, which must be approved by the DHS, would list the security measures to be used to address the vulnerabilities identified by the SVA and potential modes of terrorist attack.

4.12.7 Natural Gas Pipelines

The transportation of natural gas by pipeline involves some risk to the public in the event of an accident and subsequent release of gas. The greatest hazard is a fire or explosion following a major pipeline rupture.

HURSTBORNE, FEDEX/KIN

85/07/2009 01:20 5023596822



4-1

INDIVIDUALS AND ORGANIZATIONS

I2 Charles Sisco
Page 1 of 6

FEDERAL ENERGY REGULATORY COMMISSION
888 1ST ST. NE
WASHINGTON DC.
20042

Richard Mills
ATTENTION: CHARLE SISCO
GAS DIVISION
MAY 5-2008
TRANSMITTED VIA
FACSIMILE

RE: LNG DEIS FOR FLORIDA GAS STORAGE
PLANT AT INDIANTOWN, FL

Response to Draft EIS for Florida Gas Storage

We are unable to comment specifically to several
fatal flaws of violation of Federal Law within
the framework of NEPA or the Draft EIS

Final Plan I

No contract or oversight done for minority
Communities within 2-5 miles of LNG plant
NEPA & FEDERAL CODES require minority groups
or NEIGHBORHOODS be contacted. THIS WAS NOT
DONE AS EVIDENCED IN THE CONTRACT LIST OF
PERSONS IN DEIS. ONLY THOSE INDIVIDUALS OF
WEALTH OR FINANCIAL INTEREST WERE PART OF
THE INNER CIRCLE OF MARTIN CO. RESIDENTS TO
Profit from the LNG facility

Final Plan #2

FAILURE TO ADDRESS ALTERNATE SITES IN
RURAL CATTLE OR ORANGE GROVES FROM TO
SIMPSON, WILLIAMS OIL GAS AND WETLAND DELINEATIONS
COMPLETED 2 YEARS PRIOR TO DRAFT EIS & FINANCIAL
CONTRACTS SIGNED ON THE PERTINENT SITE. NEPA
AND PROHIBITS PERMITTING PLANT TO BE RE-EXAMINED

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12-2

990668

5/5/08

5/5/08

I2-1 Public notice, including mail and flyers throughout town, was issued prior to all open houses and public meetings regarding the Project. The FERC comment meeting was advertised in the local newspaper. All interested parties and property owners affected by the Project received notices about the Project.

I2-2 Industrial development within agricultural land, outside the Primary Urban Service Boundary (PUSB), is not consistent with the Martin County Growth Management Plan. Vacant land (the proposed Site) is currently available within the PUSB; therefore, expansion of the PUSB is not warranted. Additionally, development of these areas would increase the length of the pipeline and therefore disturbance from pipeline construction. The Allapattah Flatts areas north and east of Indiantown are part of the SFWMD Allapattah Flatts Management Area, which promotes the preservation and restoration of native land cover. The final EIS reflects consideration of this alternative.

PAGE 2
FERC DEIS COMMENTS
Evolutionary LNG Infrastructure, LLC
Page 12-3

MODEL RUNS FOR GAS DISPERSION USED WIND SPEEDS IN ACCESS OF 100 mph. DURING A City of St. Louis Conference in February of 2008, in which no public were invited (NORA violation), FERC & CONSULTANTS TOLD WILLIAMS COIL GAS TO USE HORIZONTAL WINDS (10-15 mph), ambient temp & humidity PRIOR TO DEIS PUBLICATION. THIS WAS NOT DONE IN DEIS, THEREFORE PUBLIC COMMENT WAS COMMENTED ON AND MODEL RUNS WITH NEW MODEL RUNS 2, 3 & 4 were given with PUBLIC COMMENT NOT BE SIGNED THAT WINDS IN PROXIMITY WOULD BE SLOWER, DUE TO OTHER REGULATORY RULES REGARDING TWO TANK SINKING CONDITIONS,

FERC PLAN #4
LNG TANKS ARE TOO CLOSELY SITED WITHIN 500' AND GAS DISPERSION OVERLAP BEING PROHIBITIVE GREAT CROSS DISTANCES.

FERC PLAN #5
LNG TANKS ARE LOCATED WITHIN 100' OF WETLANDS WITH STANDING WATER. LNG WETLANDS WILL IMMEDIATELY VAPORIZE ON CONTACT WITH WATER. THIS IS ILLEGAL PER FERC, USDOJ & OTHER FEDERAL RULES ON LNG STORAGE

FERC PLAN #6
LNG TANKS WERE SITED WITHIN 500' OF CSX TRACKS & RAIL CROSSINGS WITH NUMEROUS PLACARDING RISKS. PUBLIC COMMENT NOT DONE IN DEIS

12-3 The results of the trench modeling are discussed in Section 4.12.3 of the final EIS.

12-4 As discussed in Section 4.12.3, the proposed design complies with the tank spacing and exclusion zone requirements in 49 CFR 193 and NFPA 59A.

12-5 The location of the LNG storage tanks would be in compliance with Section 2.2.3.8 of NFPA 59A and with the requirements of the Clean Water Act.

12-6 The LNG storage tanks for the proposed Project would be located approximately 960 feet from the CSX railroad. The thermal radiation flux levels and flammable vapor dispersion distances stay within the FGS property and therefore would not impinge on the rail road tracks. The location of the LNG storage tanks would be in compliance with 49 CFR 193.

12-7 Industrial development within agricultural land, outside the Primary Urban Service Boundary (PUSB), is not consistent with the Martin County Growth Management Plan. Vacant land (the proposed Site) is currently available within the PUSB; therefore, expansion of the PUSB is not warranted. Additionally, development of these areas would increase the length of the pipeline and therefore disturbance from pipeline construction. The Allapattah Flats areas north and east of Indiantown are part of the SFWMD Allapattah Flats Management Area, which promotes the preservation and restoration of native land cover. The final EIS reflects consideration of this alternative.

12-8 The Commission is directed by the Energy Policy Act of 2005 to establish a schedule for the regulatory review by the Commission that ensures expeditious completion of proceedings. Compliance with the identified FERC Recommendations and Conditions would be required for the proposed Project, if approved by the Commission.

12-9 The LNG storage tanks for the proposed Project would be located approximately 960 ft from the CSX railroad and separated by a heavy earthen berm. The LNG storage tanks would have a primary nine percent nickel steel inner container and a secondary prestressed concrete outer container wall.

12-10 2. CSX loading of LNG at the FGS project site is not proposed as part of the project. 3. See response to comment CS-B-6.

4. As discussed in Section 4.12.4 of the final EIS, FGS proposes to use SR-710 for LNG and NGL trucks exiting the FGS facility. Trucking operations would be used only in emergency events, such as during the aftermath of a hurricane or other natural gas supply interruption.

5. I. Section 4.12, Reliability and Safety, of the draft EIS describes a detailed analysis of internal and external risks to the facility and surrounding communities and determined the proposed facility is consistent with all applicable regulatory policies. The Vapor Dispersion and Thermal Radiation Exclusion zones for the Project are contained on-site.

12-11 The thermal radiation flux levels and flammable vapor dispersion distances stay within the FGS property. The location of the LNG storage tanks would be in compliance with 49 CFR 193.

12-12 Terrorism and security issues are discussed in Section 4.12.6 of the EIS.

12-13 The fire protection systems at the proposed storage facility are discussed in Section 2.8.1.3 of the final EIS.

12-14 The location of the LNG storage tanks would be in compliance with Section 2.2.3.8 of NFPA 59A and with the requirements of the Clean Water Act.

From Future #8
A DANGER ZONE IN NOW POPULATED URBAN WERE NOT QUANTIFIED AT SELECTED SITE & ALTERNATIVES WERE PRESENTED 2 YEARS PRIOR

From Future #8
NUMEROUS BULLET POINTS OVER 3 PAGES IN CURRENT FINDER TO USE CONTEXT IN DEFS, PUBLIC REVIEW BY SPECIALIST & UNCL. EFFORTS SHOULD NOT BE COMPLETELY WITHIN THIS INFORMATION

From Future #9

FERC FINDER TO ADDRESS RISK ANALYSIS (R)

- 1) CSX FAIL DETAILMENT ON TRACKS
- 2) CSX LOCATIONS WITHIN A PLANT
- 3) CSX TYPE CROSSINGS AT INCREASING RISK
- 4) FAILURE TO INCLUDE THY THE RAILROUTE ALTERNATIVES & OVERPASSES TO REDUCE RISK
- 5) FAILURE TO LOOK AT BLAST RISK TO:
 - I. FGL PLANT - 10 POUND SOURCE MATERIALS
 - II. FGL LOUVEY LOSS OF WATER / COOLANT
 - III. RISK OF TERRORISM TO LATE & FGL

IV. RISK OF TERROR AT THE PLANT ON LING, APL & COOLANT PLANT SIMULTANEOUSLY

V. RISK OF WILD FIRE ON PLANT

VI. RISK OF FLOODING CANAL ON SITE

PAGE 3
FERC FINDER
FOR DEFS

12-7

12-8

12-9

12-10

12-11

12-12

12-13

12-14

APPENDIX A
Distribution List

Organizations and Individuals (continued)

- * Florida Power & Light Company
- * R. Wade Litchfield
- * Sarah E. Tomaly
- * Heather Strubbe-Field
- * Harris Wall Estate & Bob Post, Jr.
- * LLC O.B., Inc.
- * Indiantown Chamber of Commerce
- * Indiantown Cogeneration L.P. pro
- * Indiantown Company
- * Indiantown Gas Company
- * Indiantown Holdings LLC
- * Indiantown Homeowners Association
- * Iris Wall & Bob Post, Jr. Trustee
- * James Crosby
- * James & Pearl Slay
- * Lana Tran
- * Louis Dreyfus Citrus, Inc.
- * McNicholas & Associates
- * Palm Beach County Environmental Coalition
- * Palm City Chamber of Commerce
- * Porto Properties
- * Prism Investors L.L.C.
- * Resic Indiantown Invest L.L.C.
- * Robert & Wilda Wright
- * Tesoro Groves Ltd Partnership
- * Timothy & Phyllis Roberts
- * UBS
- * Viretta Priest
- * Workforce Development Board

Investors by Williams Oil & Gas on LNG to fuel power

Profit of Williams included are

\$ profit with LNG GAS

↑ The BASS \$ 20-30 million

Quinten Pro New Lava Power 71.5 miles away COST RETN ESSENCE VALUE

A-10

INDIVIDUALS AND ORGANIZATIONS

I3 Matthew and Patrice Manning
Page 1 of 1

FILED
OFFICE OF THE
SECRETARY

MAY -9 P 2:15

REGULATORY COMMISSION

CP08-13-000

ORIGINAL May 5, 2008

FERC:

We are aware that the County Commissioners will be voting May 6 on whether to let the natural gas storage come to Indiantown. We also heard that hearings were held on April 16. No notices were given to residents so we could voice our opinions. Apparently only those who favored the project were there to show their support.

It is not an isolated area when you are talking 104 million gallons of gas and if something goes wrong you have hundreds of people in Indian Wood, Bookers Park, Fox Brown that will be affected. We should be able to voice our opinion. We don't want it.

Thank You
Matthew + Patrice Manning
7051 SW Fox Road
Indiantown
FL 34956

I3-1

I3-2

I3-1 The FERC comment meeting was advertised in the local newspaper and notices were sent to all parties on our Environmental Mailing List. The Environmental Mailing List is composed of 130 government agencies, elected officials, public interest groups, local libraries and newspapers, and interested parties and landowners who responded to our Notice of Intent, provided comments during the scoping period, or were located within 0.5 mile of the Project site.

I3-2 The FERC comment meeting was advertised in the local newspaper and notices were sent to all parties on the Environmental Mailing List.

INDIVIDUALS AND ORGANIZATIONS

I4 The Palm Beach County Environmental Coalition (PBCEC) Page 1 of 8

MOTION TO INTERVENE

Panagiotti Tsolkas and The Palm Beach County Environmental Coalition
822 North C Street, Lake Worth, FL 33460
Phone: 561-588-9666
Email: PBCEnviroCoalition@gmail.com

Re: Docket No. CP08-13-000
Pre-File No. PF07-03-000

Pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR 385.214(b)(3)) the Palm Beach County Environmental Coalition ("PBCEC"), represented by Peter "Panagiotti" Tsolkas, also representing himself, pro se, moves that he and the group he represents be granted a timely intervention as a party in the above-mentioned proceeding.

I4-1

PBCEC and Mr. Tsolkas reserve the right to retain counsel if needed.

PBCEC is a group of active participants located in south Florida, spanning across Palm Beach, Martin Counties, and surrounding areas. The group is made of individuals who are ratepaying utility consumers; they meet regularly to address issues of public interest and the environment. The groups sees the long term and cumulative impacts of further dependence on fossil fuel-based energy source as dangerous, both economically and environmentally.

The PBCEC visits, recreates and enjoys public and private land areas that will be impacted, directly and indirectly, through the permitting of the proposed infrastructure project, including but not limited to the DuPuis Wildlife Environmental Area, the J.W. Corbett Wildlife Management Area, Hungryland Wildlife Management Area, Allapattah Flats Wildlife Management Area, the St. Lucie Canal, the L-8 canal, the L-65 canal, Lake Okeechobee, the Loxahatchee National Wildlife Refuge; also, the Everglades National Park, the Biscayne National Park, the Arctic National Wildlife Refuge and every other Federally-protected natural and wild area in the United States which will be effected by fossil fuel infrastructure, its direct impacts and the secondary impacts of anthropogenic climate change contributed to substantially from greenhouse gases, such as CO₂, now recognized as a pollutant by the Environmental Protection Agency (EPA). For these reason, and others, PBCEC, and Panagiotti Tsolkas are entitled to participate through intervention.

The PBCEC has been opposing the Floridian Natural Gas Storage Company, LLC ("FGS" or "Applicant") liquid natural gas (LNG) proposal in Indian town since the initiation of NEPA pre-filing process. The PBCEC also challenged a previous LNG proposal, the Seafarer, in Palm Beach County off the coast of Palm Beach island, which was defeated by public interest concerns—economic, safety, and ecological—of U.S. and Bahamian residents (the main terminal was slated for the Bahamas).

PBCEC feels the global gas supply is on a parallel course with the peak oil crisis, and this storage facility is only a short term solution, with many risks associated. Of urgent concern is also the reality that gas-fired power emissions are a primary source of global greenhouse gases, smog-creating ozone, and acid rain.

I4-1 Thank you for your comment.

- Gas-fired power plants also contain other harmful emissions that will damage our imperiled Everglades bioregion when burned in Palm Beach County, at the Everglades headwaters of the Loxahatchee National Wildlife Refuge, as they are doing through the proposed West County Energy Center ("WCEC").
- There is also potential risks of disaster to the adjacent Booker Park neighborhood; the local agricultural economy, and the regional ecosystem.
- The gas industry proponents have spent a lot of money to buy public favor for this project. But no company comes to town bragging of their pollution. Did the pre-existing facility where FGS is now proposed (formerly operated by Florida Steel, owned by Gerdau Ameristeel) inform the public that it would leave a poisoned Superfund site behind a decade later?
- Our group intends to fight this proposal, in favor of clean energy options which are available and must be pursued immediately in order to avert the potentially catastrophic results of climate change; the pollution to our environment; the increased potential for industrial disasters; and the pursuit of unsustainable economics.
- For these reasons, and others, the PBCEC finds the FGS in violation of The National Environmental Policy Act ("NEPA"), which requires federal agencies to integrate environmental values and public interest into their decision making processes by considering the cumulative impacts of their proposed actions and reasonable alternatives to those actions. To meet this requirement, federal agencies prepare a detailed statement known as an Environmental Impact Statement (EIS). EPA reviews and comments on EISs prepared by other federal agencies, maintains a national filing system for all EISs, and assures that its own actions comply with NEPA. PBCEC has reviewed the FGS Draft EIS and finds that its concerns have not been addressed sufficiently to avert impact to the public and the environment.
- The 'Public Outreach and Comments' section of the Executive Summary (ES-2 and ES-3), neglected to acknowledge PBCEC's input, as an independent entity present at meetings, was not acknowledged, nor was the input we provided regarding climate change and other issues. The PBCEC participated in the FGS open house, site visit and public hearing.
- Table 2.3-1 of Draft EIS shows that 60.95 acres of land will be directly affected by pipeline construction and 25.30 acres will be affected by operations, this reflects 100-foot-wide construction corridors in uplands, 65-foot-wide construction, leaving 50-foot permanent easment along pipeline. Additional affected acreage is listed under the 'Extra Work Areas' facility, but these details have not been provided, *indicating a failure of a complete EIS.*
- In Section 2.8.1.1 on Spill Containment, EIS admits that a spill would be "temporarily retained within on-site retention areas, with eventual discharge through existing outfalls." *No scenarios of potential impact to regional waters are presented for this risk, in order to assess needed mitigation efforts.*
- Section 3.1 which assesses 'No Action Alternatives' presumes that "potential customers could select other available energy alternatives, such as oil..." which would "result in higher emission rates of nitrogen oxide and sulfur dioxide", but does not address availability of clean,
- 14-2 Project emissions from the gas-fired plants would be generated in Martin County, not Palm Beach County. Both counties are in areas designated as attainment. The FGS Project emissions are not significant enough to warrant a cumulative or Class I impact analysis on the region because (1) air emissions from Project operations would be less than PSD major source applicability thresholds for all criteria pollutants and would, therefore, not trigger a PSD review (see Table 4.11-3 of the draft EIS); and (2) the FGS Project is located more than 62 miles from the Everglades National Park, which is the nearest Class I area to the facility (see 40 CFR 52.21 for PSD applicability).
- 14-3 The proposed design complies with the radiant heat and vapor dispersion exclusion zone requirements contained in 49 CFR 193, which were promulgated to ensure public safety.
- 14-4 The Project is designed to contain the required radiant heat and vapor dispersion exclusion zones on-site and the LNG storage tank containment systems would contain all spills within the bermed storage tank compound; therefore, no off-site impacts to agricultural land/operations would occur. The Project is primarily located in previously disturbed habitats and existing rights-of-way; complies with federal, state, and local natural resource regulations; proposes additional mitigation measures; and would comply with our recommendations to minimize impacts to the regional ecosystem.
- 14-5 The Public Outreach and Comments section of the Executive Summary is simply intended to identify key issues raised during scoping, not necessarily to identify all commenters. All public comments are included in the public record.
- 14-6 Table 4.4-4 of the EIS identifies the "Extra Work Areas," or temporary workspaces, that would be impacted by the proposed Project. The specific impacts to these areas, and mitigation measures for those impacts, are subsequently discussed in Section 4.4.2 of the draft EIS. The Project would minimize vegetative clearing wherever possible and adhere to the FERC Upland Erosion Control, Revegetation, and Maintenance Plan, as well as the Martin County PAMP, as identified in the draft EIS and FGS Application.
- 14-7 As described in Section 2.8.1.1 of the draft EIS, no spills would be discharged through existing outfalls. The on-site retention areas are intended solely for non-contact stormwater collected from outside the bermed (e.g., hazardous material storage) areas. The proposed Project also developed an independent Spill Prevention, Control, and Countermeasure (SPCC) Plan to minimize the spill potential.
- The berm surrounding the LNG storage area is designed to contain 110 percent of a full storage tank leak. A separate spill collection system for the area within the berm is designed in accordance with NFPA requirements. In the event of a spill, the proposed Project would comply with the FERC Procedures, as identified in Section 4.3.2 of the EIS.
- 14-8 The final EIS further discusses the feasibility of alternative renewable energy sources in Section 3.2.

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renewable, sustainable energy options, such as various solar technologies that have been proven comparable to fossil fuel, and far superior when considered in full spectrum cost, including coming massive carbon mitigation costs. The section also briefly refers to conservation, but does not explore the full potential for this option, as, we feel, it may limit their investment opportunities. Investment interests are not permitted to take higher priority over public interest. *This EIS does not give a sufficient assessment of alternatives.*

I4-8
cont.

In 4.1.4 on Geological Hazards, states that "plans for surcharging are under development...Detailed plans will be required prior to construction". When will these undergo public review? *The EIS is incomplete until this is done.*

I4-9

According to 4.3.2, Surface Water Resources, "FDEP and Martin County must approve the stormwater management plans for the site through its Environmental Resource Permit (ERP) and Major Development Master Site Plan." This section also reiterates that "FGS has not yet provided construction details for [MP 0.60] bore", indicating a *failure to provide a complete EIS, where complete and cumulative impacts can be reviewed by the necessary agencies and members the public.*

I4-10

Section 4.4.1 on Wetlands indicates that the Army Corps of Engineers (COE) is responsible for approving wetland delineation on site, which includes hydrological connection to "waters of the United States", subject to COE jurisdiction (Reusch, 2008) Formal determination by COE awaits reviews by Florida Department of Environmental Protection (FDEP) and EPA, again *indicating that the EIS does not yet provide a complete assessment of impacts.*

I4-11

4.4.2 Upland Habitat section notes a the Tampa Farms property has a possible temporary storage area of 10.50 acres and Post Family Trust property also has 5 acres of property "currently used for cattle grazing...dominated by pine flatwoods." It is suggested that "if either or both sites were used, existing vegetation would be cleared". This again displays an incomplete EIS. *This 15.50 acres requires full review, including Biological Assessments for listed species of plants and animals.*

I4-12

4.6.1.2 offers a Conclusion Regarding Federally Listed Threatened and Endangered Species which states that Applicant has "been informally consulting with the FWS, which is the cooperating agency in the preparation of this EIS, regarding Project effects on these listed species...requesting that the FWS consider this draft EIS as our Biological Assessment." This is entirely inadequate. As the PBCEC has experienced in other projects connected to this gas infrastructure (including the Gulfstream pipeline and the WCEC), both FWC and FWS have failed to locate listed species and failed to assess cumulative impacts on these imperiled species. PBCEC requests increasing oversight regarding wildlife, not minimizing it, and suggests independent review of site, due to the recent unreliability of State and Federal Biological Assessments in the region.

I4-13

This section utterly fails to address the cumulative and secondary impacts of the emissions gas-fired power resulting from this storage operation on, which is in violation of NEPA, Florida's Endangered Species Protection Act and the Native Flora of Florida Act.

I4-14

Table 4.7-2 shows Land Cover Potentially Affected by LNG Storage Facility Development which covers Permanent Operations impacts of 144 acres, including 11.33 acres of forest and 14.08 acres of wetlands. Table 4.7-3 shows Land Cover Potentially Affected by Pipeline and

I4-8 cont.

I4-9 The final EIS discusses plans for surcharging in Section 4.1.4.

I4-10 The FDEP issued the Environmental Resource Permit (ERP) on March 19, 2008. The Martin County Board of County Commissioners approved the Master Site Plan on May 6, 2008. The proposed Project will no longer require a bore at MP 0.60. This crossing will be open-cut according to the procedures identified in the EIS.

I4-11 The Commission is directed by the Energy Policy Act of 2005 to establish a schedule for the regulatory review by the Commission and relevant state and federal agencies that ensures expeditious completion of proceedings. Delaying our review and assessment of the proposed Project until all required permits have been issued would be inconsistent with that requirement. The FDEP issued the ERP permit for the Project on March 19, 2008. The COE has indicated it will make a permit decision for the proposed Project in the near future. The COE is a cooperating agency, participating in the Commission's development of the EIS for this Project.

I4-12 FGS no longer proposes to use the Post Family Trust Property; therefore, it has been eliminated from the final EIS. FGS consulted with the FWS regarding the Tampa Farms property on May 8, 2008 and the FWS concurred with the determination of effect on June 27, 2008.

I4-13 The FWS has reviewed the draft EIS and requested that FGS adopt the FWS Standard Protection Measures for the Eastern Indigo Snake. Following adoption of these measures, the FWS concurred that the Project will either have no effect, or not likely adversely affect any federally-listed species (June 2, 2008).

I4-14

The FGS Project emissions are not significant enough to warrant a cumulative or Class I impact analysis on the region because (1) air emissions from Project operations would be less than PSD major source applicability thresholds for all criteria pollutants and would therefore, not trigger a PSD review (see Table 4.11-3 of the draft EIS); and (2) the FGS Project is located more than 62 miles from the Everglades National Park, which is the nearest Class I area to the facility (see 40 CFR 52.21 for PSD applicability). FDEP issues the ERP for the Project on March 19, 2008, which indicates the Project's compliance with applicable Florida regulations. Cumulative effects are addressed in Section 4.13.

Aboveground Facilities, which covers Permanent Operations impacts of 25.30 acres: 7.64 acres of prairie, 8.27 acres forest and shrub land, 1.95 wetland acres.

As indicated by tables above 169.93 acres, some of which is currently in a Superfund site, will be taken away from any future restoration and integration into the rural character of the region, by the FGS proposal, which is another industrial operation with reasonable potential for further contamination. As Figure 4.7-1 of FGS Project Planned Future Project Area Land Use Map illustrates, the current state of the surrounding land is low-density, rural, wild, or agricultural. The map indicates a near-square mile of open land proposed for industrial zoning. The FGS proposal would likely encourage growth in the direction of industrial expansion in this area.

FGS is promoting this facility as an economic opportunity for lower-income Indiantown residents, but is a very short-term economic contributor. Very few permanent jobs—32 according to section 4.8.1—are created outside of the short construction period, and with the end of the fossil fuel era upon us, the facilities will be an outdated liability before they are likely to offer any significant contribution to the Martin County or Indiantown tax base. Where as employment in agriculture and/or land management offers longer term economic and environmental stability and sustainability.

Martin County is unique in all of southeastern Florida for its rural/wild open space. FGS would be a step in the opposite direction of protecting, preserving and even restoring that identity.

On page 4-43, Applicant threatens landowners with eminent domain: "if an easement cannot be negotiated with a landowner, and the Project has been certified by the FERC, FGS could use the right of eminent domain granted to it". Not a very neighborly attitude.

Section 4.10.2 and 4.10.3 On the Native American Consultation Compliance with NHPA. PBCEC acknowledges that it does represent any indigenous community in what is now called Florida, but it seeks to note for the record that it does not see any indication of site visits by the mentioned Tribal representatives, and it does notice any efforts at consultation with the Independent Traditional Seminole Nation of Florida. *We also observe that Applicant has not consulted with the SHPO or conducted cultural surveys of the Tampa Farms property or the Post Family Trust property, reflecting an incomplete EIS.*

4.11.1 Air Quality. The absence of sufficient air quality monitoring stations renders this EIS section insufficient for accuracy of assessing cumulative impacts to air quality and ongoing monitoring for compliance with permit. The Prevention of Significant Deterioration (PSD), should be triggered on NOx, CO and respirable particulate matter/ fugitive dust (PM/TSP), which exceed PSD levels, for at least the first 2 years of construction, so that a PSD review can take place for that time period. Project Operation may likely exceeds standards on NOx and CO if equipment engine emissions for maintenance work, onsite traffic, etc. were documented.

14-17 The PBCEC contends that the Loxahatchee National Wildlife Refuge, Lake Okeechobee, the J.W. Corbett WMA, the DuPuis WEA should be considered within the Class I area of the Everglades National Park (ENP) due to the hydro-connectivity of regional water bodies and the threat of air pollution travelling south as acid rain or concentrating in regional waters destined for ENP through the evapotranspiration of the rain-driven Everglades watershed.

I4-15 FGS no longer proposes to use the Post Family Trust Property; therefore, it has been eliminated from discussion in the final EIS. The Florida SHPO concurred with the draft EIS "no effect" determination relative to the Tampa Farms Property on June 2, 2008.

I4-16 The final EIS utilized the closest air monitoring stations to the Project. As these stations are not proximate to the Project site, the final IES also analyzed existing permitted emissions at the surrounding facilities when combined with the Project.

I4-17 Class I areas are defined by the EPA under the auspices of the Clean Air Act. The Loxahatchee National Wildlife Refuge, Lake Okeechobee, the J.W. Corbett WMA, and the DuPuis WEA are not considered part of the Everglades National Park, as defined by EPA.

The Title V program, as described in 40 CFR 70, should be required under the cumulative review of the FGS project in relation to the surrounding power plants (Barley Barber, Cogentrix) and agricultural operations which would exceed major source levels when combined (see EIS section 4.13.4, Resource-Specific Cumulative Effect Analysis).

14-18

The Title V program, as described in 40 CFR 70, requires major sources (i.e., sources with a "Potential to Emit" greater than major source thresholds) to obtain a Title V Operating Permit. The FGS Project is not a major source under Title V. In addition, the Title V operating permit only applies to project-specific emission sources, not cumulative sources.

While Greenhouse Gas (GHG) is not yet subject to regulation on a national or regional level, it may be done in the time period before this EIS is completed, so it should be taken into full consideration. The statement "project operation is likely to cause an overall net reduction of greenhouse gas emissions due to the increased availability of natural gas as a substitute for alternative fuels such as oil and coal that emit more CO2 per unit of energy" is irrelevant, as it is not based on any timeline for reduction to achieve the level set by the Governor's Executive Order on Climate Change or the Intergovernmental Panel on Climate Change (IPCC). It is simply empty rhetoric to win favor for the project.

14-19

Simple math of cumulative and secondary impacts tell an entirely different story. The FGS facility itself emits approximately 2 million tons per year for operations. The gas will in turn be burned in power plants, adding tens-of-millions of tons to the CO2 and CO2e. For example, the three FPL proposed or existing gas power plants most likely to use the FGS gas—Barley Barber, WCEC, and Riviera Re-Power project—will total over 30 million more tons of GHGs a year. There are no competing coal or oil facilities to compare with. What we have in front of us is the mandate from Governor Crist to reduce CO2 emissions 80% below 1990 levels. While current international climate science has been tightening down the reduction schedule, Florida and the U.S. has continued going the wrong direction at a rapid pace. FGS is the wrong way for GHG reduction. Any other position is *greenwashing* and if you follow the money to the source of the message, it will generally be apparent.

14-20

4.12.2 Front-End Engineering Design Review recommendations need to be followed and allowed for public review, especially, but not limited to those which are suggested, "Prior to the end of the draft EIS comment period". As is stated.

4.12.5 Emergency Response and Evacuation Planning, suggests emergency procedures manuals be prepared prior to commencing operations. They should be available for review prior to commencement.

In accordance with 6 CFR 27.215 'covered facilities', which FGS would qualify for under the DHS, must complete a Security Vulnerability Assessment (SVA) which identifies, among other criteria, "strategies that reduce the probability of a successful attack or reduce the probable degree of success."

14-21

4.12.6 Terrorism and Security Issues, EIS states that the likelihood of future acts of sabotage is unpredictable given the disparate motives and abilities, and then goes on to assert that "The need to construct facilities to support the future natural gas pipeline infrastructure is not diminished from the threat of any such unpredictable acts."

The PBCEC feels that this position of the EIS is contrary to public interest, and reflects only the monetary interests of the industry it speaks of. Centralized power infrastructure makes communities vulnerable to sabotage unnecessarily, considering that safe, distributed generation options exist and are available now.

14-19 Greenhouse Gases (GHGs) are not yet subject to regulation on a national or regional level. The Project will emit GHGs; however, natural gas emits less GHG than other common fuel sources in Florida (e.g., coal or oil).

14-20 Adherence to the Design and Emergency Response recommendations are a requirement of FERC's approval of the project and will be monitored as part of the Environmental Compliance monitoring program. Detailed engineering information for the Project is considered Critical Energy Infrastructure Information (CEII) and is non-public information.

14-21 As indicated in Section 4.12.6 of the draft EIS, the SVA must be completed "within 60 calendar days of receiving natural gas".

More over, the energy sector, with its legacy of monopoly and political influence, has made itself a target by flaunting its greed and arrogance in the face of those it exploits and disregards to extract the desired high-profit resources. The political, economic and environmental climate has created the context where sabotaging energy infrastructure is regarded as a heroic act of rebellion.

This may apply even more so in FGS's circumstances in south Florida, where 4 years ago, the wealthy, white community of Palm Beach Shores (on Palm Beach Island) successfully deflected an LNG proposal in their community (Seafarer Pipeline) and now a new similar proposal has re-surfaced neighboring one of the lowest-income, working-class rural communities of color in the region. The PBCEC has been inquiring about environmental racism at public hearings, of which nothing was included in the EIS.

The report "Environmental Racism and Biased Methods of Risk Assessment" by Daniel C. Wigley & Kristin S. Shrader-Frechette, notes that: "Because there is growing national concern that disparities in environmental and health risks are related to race and socioeconomic status, preventing environmental racism and promoting environmental justice is now a top priority on the public health agenda of the U.S. Environmental justice is the attempt to accord all people -- regardless of their race, ethnicity, class, age or gender -- equal protection and equal opportunity in matters of environmental degradation and resource consumption... On February 11, 1994, [President Clinton] signed Executive Order 12898 that directs each federal agency to develop an environmental justice strategy for "identifying and addressing... disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations... environmental injustice and racism occur not only when policymakers violate minorities' rights to free informed consent or equal treatment in siting decisions but also when risk assessors use biased scientific methods whose policy consequences de facto result in unjustified discrimination against people of color and socioeconomically disadvantaged groups... [R]isk assessors are neither innocent nor ignorant of the fact that the [flawed EIS encourages imposing inequitable risk on socioeconomically disadvantaged communities. As a result, using the methodologically biased EIS appears to encourage unjustified discrimination against people of color."

I4-22

I4-22 Information about the proposed Project has been readily available to the public and no disproportionately high and adverse human health or environmental effects on minority and/or low-income communities or Native American tribes would occur. There are no residences within 0.5 mile of the Project site or 0.6 mile of the pipeline and the aboveground facilities. The potential health risk from Project operations would be extremely small, while potential economic benefits would be substantial. See response to PBCEC-2 for a discussion of reliability and safety.

PBCEC feels the FGS EIS fails to recognize this Executive Order, and while we do not claim to represent the Booker Park neighborhood in Indiantown, we have observed that the EIS is failing to accurately assess the safety risks and the cumulative impacts to health, safety and quality of life to that neighborhood, in violation of NEPA.

4.13 Cumulative Impacts, this section represents the most important assessments of an EIS from the environmental perspective. CEQ defines cumulative impacts in the EIS as the "impacts on the environment which result from the incremental impact of the action when added to other past, present and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions."

Water Resources:
It is stated that the Project would have a long term affect on water resources, but from earlier in the EIS it is clear that this impact is not known, neither for quality nor quantity issues. No reference to SFWMD Consumptive use permit was found in the EIS. The total amount of

water consumed is unclear. No reference to contaminants in the wastewater were found, let alone the cumulative impacts of contributing industrial effluent into existing pollution levels. For example, will this facility use a chromium of some sort for washing equipment, as most gas facilities do? How much? How will it be disposed of?

Vegetation and Wildlife:

The Project would permanently affect 78.40 acres of vegetation that provides habitat for a variety of wildlife. The EIS comments on "the proliferation of invasive and exotic species" as "a major issue in Florida." The EIS suggests a removal of Australian pine and Brazilian pepper, but does not ensure commitment of native re-vegetation. The EIS notes three significant development plans, one of which is larger than Indiantown's entire populated land mass. No acreage is listed for these combined developments. It appears to be in the thousand of acres of land taken from the current pool of open space, which is dominated by large areas of open prairie and pine flatwoods. The EIS contends that "these habitat types are common throughout the region and likely would not provide significant wildlife habitat. The majority of wildlife species displaced by these projections would likely be able to relocate and would not suffer long-term, population-level impacts to biodiversity within the region. Therefore, there would be no significant cumulative impact to wildlife resources."

WHO WROTE THIS GARBAGE?! This is an embarrassment to the tax-paying public who expects professional oversight to protect the quality of life, natural resources and wildlife habitat that is left on this planet.

The EIS has already admitted, noted above, that no FWS input has been received, so who is it that is expressing this utter idiocy regarding "vegetation and wildlife"?

Where to begin... The PBCEC feels that pine flatwoods and open prairie are far from worthless habitat. This contradicts the EIS, which in fact states that "These habitats provide cover and forage for avian and wildlife species including loggerhead shrike, ground dove, common nighthawk, American robin, feral hog, raccoon, armadillo, coyote, white-tailed deer, and black racer... The transmission line right-of-way...provides quality habitat for typical pine flatwoods such as the gopher tortoise."

"Unlike most other grasslands in the southeastern United States, Florida dry prairie harbors numerous endemic vertebrates (FWS, 1991). Several rare avian taxa are near endemic to the dry prairie region of south-central Florida. Both breeding and seasonal migrants use dry prairies extensively."

Along with habitat loss, the development excused by the EIS in section 4.13.4 completely ignores wildlife loss from roadkill and even the value of agricultural land to many species. If the EIS favoring public interest and the environment, it could have touted the coming restoration of the Everglades (which is a multi billion tax dollar endeavor) and an improving land ethic that could one day, perhaps, invite back the Florida Panther to the east side of the lake. The FGS proposal, the future traffic and industrialization coming behind it, and the cumulative air and water pollution that comes with it, robs the public of expected and deserved protections.

PBCEC also feels that the reality of climate change is a violation of the Endangered Species Act seriously threatening several federally-listed species in Florida, including, but not limited to: Florida Panther and the Staghorn Coral.

I4-23 The only wastewater generated by Project operations would be domestic. Domestic wastewater would be treated at a publicly-owned wastewater treatment plant.

I4-24 The Project would comply with the FERC Upland Erosion Control, Revegetation, and Maintenance Plan and the Martin County PAMP, which include revegetation requirements, FERC inspections, and monitoring requirements for cleared land and provisions for exotic and invasive species management. Revegetation would be with native species.

I4-25 The FWS is a cooperating agency for the development of the Commission's EIS for this Project. The FWS has concurred with the findings of the EIS relative to federally-listed threatened and endangered species.

Socioeconomics:
 PBCEC disagrees with the statement that "The current and potential future actions in the Project area would similarly provide economic benefits through increased employment opportunities and payment of taxes." We found no back-up information to qualify this statement from an expert source. Again, it appears to be another position intended to promote the Project under EIS review, rather than provide an objective analysis. The PBCEC would like to see where this position on the economic benefits originated, and review any assessment to ensure that it takes the financial costs of coming carbon constraints into consideration.

I4-26

I4-26 The current and additional potential future actions would build industrial and commercial capacity in Indiantown. Similar to the FGS Project, this would create temporary construction jobs, permanent, full-time positions for the operation of the facilities, and increase the local economic base through corporate income taxes and property taxes throughout the life of the projects.

- PBCEC final summary:
- The project is not needed.
 - The EIS is lacking important information for adequate oversight
 - EIS Approval is enabling risks, rather than abating them
 - Clean, renewable, low-risk, low-impact energy alternatives exist and have not been explored.
 - Full impact to waters of the U.S. have not been addressed.
 - Thorough review of threatened/endangered species, and their habitats, has not occurred.

For these reasons, and more, we request to be intervenors in order to stop the EIS from being issued. Many communities across the U.S. have fought LNG proposals and won. Please look closely at this project. Future generations depend on your decisions today.

If you have questions, please feel free to contact me: 561-588-9666

Panagioti Tsolkas,
 co-chair, PBC Environmental Coalition

Via Electronic Filing

May 5, 2008

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

Re: Comments on DEIS and Responses to DEIS Recommendations,
Floridian Natural Gas Storage Company, LLC
Docket No. CP08-13-000

Dear Ms. Bose:

In connection with the Application of Floridian Natural Gas Storage Company, LLC ("FGS") for a certificate of public convenience and necessity to construct, own and operate a new natural gas storage facility filed on October 31, 2007 in the above-referenced docket, FGS hereby files its Comments on the Draft Environmental Impact Statement (DEIS) prepared by the Staff of the Federal Energy Regulatory Commission (FERC) and made available on March 21, 2008. FGS's filing is comprised of the following.

- (1) Responses to DEIS Recommendations Requiring Information Prior to the End of the Comment Period.
- (2) A copy of the DEIS text with
 - (a) track changes showing FGS's suggested edits to the text; and
 - (b) bracketed insertions in the text *[in italicized bold font]* showing FGS's comments, explanations and suggestions.
- (3) Copies of two of the DEIS figures on which suggested corrections are shown.

For the convenience of FERC Staff in reviewing FGS's comments, FGS inserted its specific comments, as indicated in (2)(b) above, in bracketed insertions *[in italicized bold font]* at the points in the DEIS text at which they are relevant.

FGS commends and thanks the FERC Staff for the diligent efforts made, and the excellent work done, to produce the DEIS. FGS's edits for the most part are focused on limited, specific areas; other edits are self-explanatory and in the nature of updates or technical and typographical error corrections. The specific areas focused on by FGS's comments are set forth below; the detailed reasons for FGS's comments are set forth in the text of the DEIS.

- (1) FGS will not be using the 5-acre Post Family Trust property and therefore the numerous references to the property and the inclusion of the 5 acres is corrected throughout the DEIS.
- (2) In addition to the removal of the 5-acre Post property, certain adjustments were made to the acreage figures related to accounting for the 2.48-acre expansion of the stormwater pond; while these appear throughout the DEIS, the notes explaining the changes appear at Table 4.4-4.
- (3) Subsequent to the December 6, 2007 interagency meeting, FGS determined that it will not use a bore in the vicinity of MP 0.60 due to certain constraints. References to this bore throughout the DEIS are deleted.
- (4) The proposed deadline of "prior to initial site preparation" is not practical for FGS for several of the Recommendations in the DEIS, including 33 (fire water systems drawings), 34 (hazard design review), 35 (piping support drawings) and 36 (procedures for offsite contractors).
- (5) With regard to Recommendation 51, FGS believes that the optimal solution for cooling is the proposed dedicated circulation line and that it is not necessary that the sendout pump suction header be equipped with a recycle line back to the storage tank.
- (6) With regard to Recommendations 52, 55 and 56, FGS believes that its proposed use of flanged valves is consistent with industry practice and that it is not optimal to use weld end valves.
- (7) With regard to Recommendation 53, FGS believes that it is not necessary to require that the last portion of the recycle line from the last shutoff valve to the storage tanks be class 900.
- (8) With regard to Recommendation 64, FGS believes that a blanket requirement that both branch piping and piping

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Ms. Kimberly D. Bose
May 5, 2008
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nipples less than 2" diameter be no less than schedule 160 is not necessary.

- (9) With regard to Recommendation 65, FGS believes that a blanket requirement that all piping designed for MRL refrigerants and LNG service be no less than schedule 40 is not necessary.
- (10) With regard to Recommendation 71, FGS believes that areas containing liquefaction exchangers, LNG pumps, LNG vessels and inlets and outlets of LNG vaporizers should be classified as Class 1 Group D, division 2, rather than division 1.

FGS's filing consists of two parts. The first part is Public material and consists of this cover letter, the Responses, the DEIS text and corrected DEIS figures. The second part is comprised of certain Attachments to the Responses to DEIS Recommendations Requiring Information Prior to the End of the Comment Period, which Attachments constitute Privileged Information and are marked "Privileged Information -- Do Not Release." Attachment B, May 1, 2008 Letter to SHPO, is a document that contains information showing archeological and historical sites in the vicinity of the Project and provides other sensitive information about cultural resources location and character. Also included are Attachment D, CB&I Report entitled NGL and MRL Constituent Storage Blimp Mounding, and three related NGL Blimp Mounding Drawings and Attachment E, Quest Report entitled Vapor Generation and Flammable Dispersion Modeling of LNG Releases in the Floridian Natural Gas Storage Facility -- Supplemental Information. These latter Attachments are designated as Privileged because these documents were prepared for FGS by CB&I, or under the supervision of CB&I, and contain confidential and proprietary information, which is commercially sensitive. Release of this information could cause substantial competitive harm to CB&I and its contractor, as well as FGS, and this information would be exempt from disclosure under FOIA. In accordance with the Commission's regulations, 18 C.F.R. §388.112, FGS requests that the Response be placed in a non-public file and treated as privileged.

All Parties to this proceeding, as well as the persons identified below, are being served by email with a copy of the Public part of this filing. In addition, FGS is providing the complete filing to Charles Brown, FERC OEP Environmental Project Manager, Terry Turpin, Chief, LNG Engineering Branch, and David Blaha, the Project Manager at ERM, the third party environmental contractor for this Project. ***Complete copies of the Response are being provided to the Staff and ERM with the specific request and understanding that the Privileged Information will be kept in a non-public file and treated as Privileged Information at all times.***

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If you have any questions about any of these submissions, please do not hesitate to contact me at (202) 420-2745 or Beth Webb at (202) 420-4782.

Sincerely,

/s/Joan M. Darby
Joan M. Darby

Enclosures

- cc: All Parties
- Charles Brown and Terry Turpin, FERC
- David Blaha, ERM
- Tim Gray, Florida Department of Environmental Protection
- John Wrublik, US Fish and Wildlife Service
- Ted Walden, US Environmental Protection Agency, Region 4
- Eric Reusch, U.S. Army Corps of Engineers
- Tom Colios, South Florida Water Management District
- Joseph Walsh, Florida Fish and Wildlife Conservation Commission

DSMDB-2434631

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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In the matter of :

FLORIDIAN GAS STORAGE :

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The above-entitled matter came on for Public
Hearing before CHARLES BROWN, Environmental Project Manager,
at the Indiantown Civic Center, 15675 S.W. Osceola Street,
Indiantown, Florida 34956 on Wednesday, April 16, 2008 at
7:00 o'clock p.m.

A P P E A R A N C E S :

On Behalf of the Agency:

CHARLES BROWN, Environmental Project Manager
Federal Energy Regulatory Commission
Washington, D.C.

DAVID W. BLAHA, AICP

PHIL LONDON

BILL SADLON

Environmental Resources Management

200 Harry S. Truman Parkway

Suite 400

Annapolis, Maryland 21401

(410) 266-0006

S P E A K E R S

P R O C E E D I N G S

(7:00 p.m.)

1		1	
2		2	
3	SPEAKERS	3	MR. BROWN: Good evening. I'm Charles Brown
4		4	from the Federal Energy Regulatory Commission. I'm the
5	Art Matson	5	environmental project manager for the Floridian Gas Storage
6		6	Project.
7	Scott Watson	7	With me here tonight is Dave Blaha. I have Phil
8		8	London at the back table and Bill Sadlon. They work for
9	Kevin Powers	9	FERC's third-party contractor who helped me develop this
10		10	Environmental Impact Statement. All three are environmental
11	Shawn Kyle	11	scientists, very talented young people.
12		12	The purpose of tonight's meeting is to take your
13	Guy Parker	13	comments on the Draft Environmental Impact Statement that
14		14	the Commission issued on February 21st for the Florida and
15	Brian Powers	15	Gas Pipeline Project. Right now we're in the comment period
16		16	and the comment period ends May 5th.
17	Alan Fish	17	The DEIS is an extensive environmental review to
18		18	comply with the National Environmental Policy Act. Over the
19	Charles Sisco	19	past year, we've been compiling and analyzing data,
20		20	comments, concerns from a variety of sources, including from
21	Thelma Waters	21	the applicant, the public, other resource agencies, and our
22		22	own independent analysis and field work.
23		23	This Draft was developed in cooperation with the
24		24	Fish and Wildlife Service, the Army Corps of Engineers, and
25		25	the Environmental Protection Agency. All had assisted in

1 providing input and review of the Draft Environmental Impact
2 Statement.

3 The format for tonight's meeting is as follows.
4 We'll take all verbal comments first for the record. The
5 Court Reporter will transcribe your comments to be placed in
6 the record and I will take questions of me and
7 representatives from Floridian.

8 I will ask that you hold all questions until all
9 the speakers have spoken.

10 If you have comments, but don't wish to speak
11 tonight, you may provide written comments on the forms at
12 the back table. You may drop those off with us or you can
13 mail them in at a later date. It's very important that any
14 comments that you send, make sure that you have the Docket
15 Number, CP08-13, CP08-13.

16 In addition to verbal comments tonight, we will
17 also accept your written comments.

18 If you opt to mail us your written comments in
19 the form of a letter, I ask again include the Docket Number
20 so we can make sure that it gets on the Docket.

21 You also can file your comments electronically.
22 The instructions are in the Notice that we issued, or can be
23 located on our website, which is www.ferc.gov under the e
24 filing link. We also have a handout here that has the
25 instructions for that.

1 All the comments that we receive, either verbally
2 or in the form of written comments, will be addressed in a
3 separate section of the Final EIS. We dedicate a section of
4 the document specifically listing the comments that we
5 received and providing our response to those comments.

6 If you got a copy of the DEIS, you
7 will automatically receive a copy of the Final. If you
8 didn't get a copy, we have a mailing list back there. Fill
9 it out, put your address on it and you'll get a Final.

10 Once all the comments are received, we will
11 produce a Final EIS. An NOA, a Notice of Availability for
12 that should be coming out sometime in July.

13 The Commissioners at FERC, and for all of you who
14 don't know who the Federal Energy Regulatory Commission is,
15 it's an independent regulatory agency comprised of five
16 Commissioners appointed by the President of the United
17 States.

18 The Commissioners at FERC will consider all the
19 environmental information from the EIS, along with
20 other information such as engineering, markets and rates
21 in making their decision to approve or deny the project.

22 The FEIS will not be the decision making
23 document. If the Commission does vote to approve the
24 project, FERC environmental staff will monitor the project
25 through construction and restoration, performing on site

1 inspections to ensure environmental compliance with the
 2 conditions of the FERC certificate are met.
 3 We will now be taking oral comments. Who's the
 4 first speaker?
 5 Could you bring that up?
 6 Charles Sisco, or is it Chuck Sisco?
 7 MR. SISCO: I'd like to wait, if you don't mind,
 8 --
 9 MR. BROWN: Okay.
 10 MR. SISCO: -- toward the end.
 11 MR. BROWN: Art Matson. Art?
 12 MR. MATSON: All I have to say is we have seen
 13 this --
 14 (Whereupon, there was feedback from the
 15 microphone.)
 16 MR. MATSON: Okay, my magnetic personality.
 17 That's what it is. I'll tell you what. I don't even think
 18 I need it, if you want to know the truth.
 19 MR. BROWN: Probably not.
 20 MR. MATSON: We've been involved in this project
 21 since they first brought it into Indiantown, or first the
 22 concept of it. We've looked at it from every angle, from
 23 the safety standpoint, from the environmental standpoint,
 24 and from a benefit to the community.
 25 The benefit to the community far outweighs

8
 9 anything else that could possibly be affected with this
 10 project. It doesn't add to the traffic. It doesn't add to
 11 the school problems.
 12 It doesn't add to congestion, but it does provide
 13 jobs and it kicks off tax income, which the community very
 14 sorely needs. Everything has been explained to everybody in
 15 the community many times.
 16 Dave and Brad have been here. Whenever anybody
 17 has a question, they answer it and they answer it fully. I
 18 mean there's not beat around the bush, hide this, hide that.
 19 All facts are always on the line.
 20 And I for one am a hundred percent in favor of
 21 this project even though I've read this propaganda piece --
 22 leaflet. This is as much hogwash as I've ever seen.
 23 For instance, we're going to have a 40-foot wall
 24 of water coming down here from a lake that's ten-foot above
 25 sea level, and we're 36-foot above sea level. Now, that is
 a great bit of physics if you can handle that.
 So any way, I'm in favor of it and our Advisory
 Committee has voted on it and they're in favor of it. The
 Chamber of Commerce is in favor of it. And I have met very
 few people who have any negative comments whatsoever.
 So I, as you might guess, I'm in favor.
 (Laughter.)
 MR. BROWN: Scott Watson.

1 MR. WATSON: Well, it's always hard to follow
2 Art in anything, but as the Chairman of the
3 Indiantown/Western Martin County Chamber of Commerce, and as
4 a business owner here in town, I can tell you that this is
5 probably the best project that could ever come along.
6 It's great for Florida. Florida needs natural
7 gas storage capacity. We need it for several reasons. This
8 town needs it for the increased tax base and the jobs it
9 will create. It's just a wonderful project.
10 David and Brad have been wonderful neighbors and
11 they're going to be wonderful neighbors. We really need to
12 support this. We desperately need the jobs that this
13 project is going to create, both construct and once it's
14 done, the jobs that will continue on to operate this plant.
15 It's a good project for Florida. It's a good
16 project for Indiantown, and we really hope that FERC will
17 find its way to support it. Thank you very much.
18 MR. BROWN: Thank you.
19 Kevin Powers.
20 MR. K. POWERS: A couple of things real quick.
21 A lot of the good points have been covered, but first of
22 all, sir, when you get back to Washington, when the
23 President's finished visiting with the Pope, maybe if you
24 could mention that we'd like to see this thing move along --
25 (Laughter.)

1 MR. K. POWERS: -- that would be ideal.
2 MR. BROWN: I'll be sure to do that.
3 (Laughter.)
4 MR. K. POWERS: Because we really would like to
5 see it fast tracked for all the reasons that were mentioned.
6 From the time these guys came to town, they've been very
7 open and approachable with what they're doing, who they are,
8 and the impacts, and they've made all the information
9 available.
10 And so, you know, I join my fellow business
11 leaders in saying that we want to see this happen. Thank
12 you.
13 MR. BROWN: Thank you.
14 Is it Paul Dote?
15 MR. DOTE: Yeah. I'm going to pass because most
16 of the comments I was going to make have already been said.
17 Thank you.
18 MR. BROWN: Okay.
19 Shawn Neal?
20 MR. KYLE: Kyle.
21 MR. BROWN: Kyle. Sorry.
22 MR. KYLE: In favor of Florida natural gas. I
23 consider Brad and David friends. I've known them going on
24 two years now and I'd like to see this project move forward.
25 They are a true part of the community and we need

1 them and our families of Indiantown need them. So I look
2 forward to them being part of Indiantown.

3 MR. BROWN: Thank you.
4 Guy Parker.

5 MR. PARKER: Already?
6 (Laughter.)

7 MR. PARKER: Like Art, I'm on the NAC Committee.
8 My name is Guy Parker.

9 But personally, just a quick note was literally,
10 this thing is in my backyard. I've got no problem with it
11 at all. It's going to furnish taxes, jobs, all good items.

12 A safety issue. There was a gentleman from the
13 Fire Department here about a year ago. He gave it thumbs
14 up. And he did all the research. There is at least 90 to
15 100 of these around the country. They've had no problem.

16 Art's mentioning 40 feet of water coming from the
17 lake. I don't know. But as far as Dave and Brad, they seem
18 to be part of the community now. If this wasn't something
19 good and legit, I don't think they would have been as honest
20 as they have been.

21 I'm in favor.

22 MR. BROWN: Thank you.

23 Is it Brian Powers?

24 MR. B. POWERS: Yes, thank you. Brian Powers,
25 for the record, brother of Kevin. Obviously, I'm in favor

1 as well.

2 A couple of things to remember from our
3 standpoint. This things been a Superfund site, so even if
4 these guys didn't have the best of intentions, it would be
5 hard for them to impact it worse than it has been.

6 For us as a community, we worry about, frankly,
7 what's the worst that could happen. And for us, this takes
8 the worst that could ever happen off the table.

9 This is one of the best things that could
10 possibly happen at this site in terms from a remediation
11 standpoint and from a totally taking back and taking
12 something that was foul and negative for our community and
13 making it positive.

14 So I wish to speak in favor tonight as well.
15 Thank you.

16 MR. BROWN: Thank you.

17 Alan Fish.

18 MR. FISH: I guess we need to talk to you, don't
19 we?

20 MR. BROWN: That's fine.

21 MR. FISH: I have been involved as a
22 professional economic developer and Chamber of Commerce
23 executive in Florida for over 35 years. And in that time, I
24 have worked with and seen I can't tell you how many
25 projects, how many thousands of jobs and capital commitment

1 for land, buildings, equipment, increased property tax base,
2 all of that in a number of different communities.

3 I've seen projects that were very good,
4 unquestionable from all points of view. I've seen some that
5 were questionable and been in a position where we had to say
6 I'm sorry, we can't support that. That's not something
7 that's easy for economic development people to do, but when
8 it's not right that's what you have to do.

9 This project, in my view, is the cleanest that I
10 have ever seen from an economic development point of view.
11 It is clean environmentally. It is -- the impact that it
12 will have, and I consider the environment more than just our
13 earth and our air and whatever's in between.

14 The environment is, you know, the community that
15 we live in. That's part of it. And this project is one
16 that this community needs very, very much.

17 The people that are managing the project are
18 community sensitive. They have gone out of their way, as
19 comments have been received, to make changes that they could
20 make, to answer people's questions, or to allay people's
21 fears.

22 They have done everything that -- I can't imagine
23 that they could do any more at this point to present a clean
24 project worthy of approval.

25 Now, I'm the President and CEO of the Indiantown

1 Chamber of Commerce at this point and I have submitted a
2 letter, although I don't know if they've received it yet,
3 and I would like to read that into the record, if I may.

4 MR. BROWN: Go ahead.

5 MR. FISH: The letter was sent to Marlene Bruno,
6 ICR Coordinator at the Treasure Coast Regional Planning
7 Council with regard to this project.

8 "On behalf of the Board of Directors of the
9 Indiantown/ Western Martin County Chamber of Commerce, I
10 write in support of the proposed project identified above as
11 one that will be extremely important to our community and to
12 its long-term economic well being.

13 "While we at the Chamber are not specialists in
14 environmental impact issues, the Chamber has a strong
15 interest in this project. And from what we have been shown
16 and told, we are of the opinion that the only environmental
17 impact this project will have on our community is a positive
18 one.

19 "The plan adapted reuse of the former Superfund
20 site is environmentally sound, economically necessary,
21 socially acceptable, and bears no resemblance to any other
22 project planned or underway in the Indiantown area.

23 "We urge your favorable review and support for
24 this project. It is so essential to a growing and healthy
25 Indiantown community. The principals of the company have

1 become as one with this community and keep us advised of
 2 progress as this project is reviewed by nearly everyone in
 3 officialdom."

4 I don't think the railroad people have passed on
 5 it yet, but if they did not, they're about the only ones.
 6 "We trust that the day will soon come when all
 7 the talking and reviewing will be complete and the
 8 construction may begin. We see no negatives, only positives
 9 with this project. It enjoys our full support. We
 10 encourage you in that direction also." Thank you.

11 MR. BROWN: Thank you.

12 Well, we're back to Chuck Sisco.

13 MR. SISCO: My name is Charles Sisco and I've
 14 spent about the last 30 years in my work experience in NEPA
 15 Environmental Impact Statements and I've spent about six
 16 years on capital working for entities up in -- mostly I
 17 worked, got involved at LNG facilities in the past and
 18 nuclear powerplants.

19 Let me state from the start that bringing natural
 20 gas to Florida is a good thing. Bringing jobs to Martin
 21 County is a good thing. The issues that I have are
 22 primarily with siteing.

23 There are many sites away from CSX rail lines and
 24 not above ground and not within a half mile of the Cogen
 25 plant and FP&L plant and the power grade system that make a

1 lot more sense.

2 Now, the people here from the Economic Council, I
 3 live in the Stuart/Palm City area. We've been going through
 4 the economic travesties for this last year. I know what
 5 you're going through out here. We do need the jobs. We do
 6 need clean air.

7 We've been burning bunker oil out here for the
 8 last couple of decades along with coal. It's not the best
 9 thing for the environment. Every once in a while the wind
 10 blows to the east and I can actually smell it.

11 Natural gas is a good thing. Liquified natural
 12 gas is dangerous, inherently dangerous. You're looking at
 13 52 million gallons of fuel in one tank. Times two, it's 104
 14 million gallons of liquid fuel.

15 In the brochures and the information I've seen,
 16 I've only seen this two days ago and I apologize because I
 17 haven't been aware of this project for quite some time. I
 18 saw an article in the newspaper. I went down to the Growth
 19 National Office and I finally picked up this document two
 20 days ago.

21 The problem is the siding along the rail tracks.
 22 CSX has some real problems with this railroad line. For the
 23 last 20, 30 years, this rail is based on a lot of marsh.
 24 The ballast needs to be constantly monitored and replaced.

25 You have a high speed Amtrack rail and you also

1 have a CSX rail. They haul liquified propane. They may or
 2 may not be hauling rocket fuel down to Pratt Whitney. I
 3 don't know the status of that.

4 But if you've ever seen some of the footage from
 5 Sandia Labs, it was done a few years ago in DOE's research,
 6 when liquified natural gas goes from 270 degrees below zero
 7 to 80 degrees fahrenheit, it is extremely explosive.

8 You know this. This isn't new information.
 9 These folks deal with it every day. And thank God for you
 10 guys. Not everybody steps up to the plate and puts a couple
 11 of billion dollars in the pipeline and then wants to build a
 12 facility on there.

13 We need the jobs. We need the gas. We need the
 14 clean combustion. What we don't need is a facility sited a
 15 few hundred feet of the railroad line and about a half a
 16 mile at the Cogen Plant and the FP&L plant.

17 God forbid Bin Laden would come along with a 747
 18 in the middle of the night and hit this plant. And you know
 19 as well as I do that the Boston Harbor Plant is on the top
 20 of his list. That's where an LNG tanker comes in about once
 21 a month and off loads. That entire harbor is shut down for
 22 two days.

23 Nothing moves, nothing flies. That's on the top
 24 of his hit list. Ask Homeland Security. This will be on
 25 the top of his hit list.

1 The only thing that I'm asking, and I'm here
 2 representing myself, I have no dog in the hunt, I'm not
 3 making any money off of this project, look out toward the
 4 east. We've got thousands of acres of orange groves and
 5 thousands of acres of pasture.

6 And I guarantee you it won't take two years to
 7 zone an industrial. I've seen a bunch of places in Palm
 8 City that got rezoned overnight. It happens all the time.

9 Mr. Deterrlizzi, Mr. Weberman, and Doug Smith
 10 decide it needs to go in out at the ranch, or an orange
 11 grove, it will happen. It won't take two you two years.
 12 These guys are already halfway down the track with the
 13 Environmental Impact Statement.

14 It's not going to take another two years for FERC
 15 to go back and do this again. You may spend a little more
 16 money for pipeline. There's a whole bunch of people here
 17 that aren't here tonight, that don't know about this
 18 project, just like I didn't know about it until a couple of
 19 days ago when I read it in the paper and somebody called me.

20 And the only reason they called me is because
 21 they knew that I had background in this, not so much LNG,
 22 but the NEPA process.

23 This thing needs a lot of work and I'd be more
 24 than happy to sit down with you guys any time if you want to
 25 put together a Citizens Committee and redo this. If you

1 want to take a look at some new locations, I'd be happy to
2 work with you.

3 I've got a map over here that basically looks at
4 the diameter, the blast zone. God forbid that ever happens.
5 You know. I can't tell you what the risk is. That's what
6 the statisticians do. I can't tell you when that train's
7 going to derail. I just know that it's happened in the
8 past.

9 Down in Palm Beach County, kids go across that
10 railroad track with big mother trucks. I know because I
11 used to arrest them on the natural areas when I worked for
12 Palm Beach County. They jerk that line by a quarter of an
13 inch and that rail shut down. Hopefully somebody can set
14 detection.

15 This is a very risky piece of railroad track and
16 you're only a few hundred feet away from it. They haul
17 propane. They haul propellant. Two or three of those tanks
18 come together at the wrong time, get a grapefruit truck
19 going across four of those crossings, the risk goes up and
20 up and up.

21 All I'm asking is that for FERC and you folks to
22 look at a potential alternative site away from the railroad
23 tracks and out in the farmland and away from ten or 20,000
24 people that are only two miles away.

25 It may never happen. It may be one in a million.

1 But you know what? One in a million happened in Chernoble.
2 One in a million happened at Three Mile Island because
3 somebody forgot to check the feed bumps. One in a million
4 happened at a little TVA Plant in Tennessee.

5 There have been 54 excursions. And when I say
6 excursions, near misses from the '60s to the '80s. And
7 after Three Mile Island, we lost an entire industry, an
8 entire industry.

9 I went to a Uranium conference in Wyoming last
10 year. The average age in there was about 78. Anybody that
11 was younger than that was from Canada. We haven't been
12 mining Uranium because there's been no demand for it.

13 And yet, we could have been completely off coal
14 and off oil and on nuclear just like the French are at 73
15 percent, but we came up with four different designs and we
16 had a whole bunch of messes.

17 And if you want to call these guys sometime, or
18 call the NRC up in DC and put in a FOIA request, they'll
19 provide you with all those near misses. And the problem is,
20 we lost an entire industry.

21 We spent \$80 billion on the upper mountain and
22 yet the French are taking the radioactive material and
23 putting them in glass logs and storing it. Been doing it
24 for 20 years. They've never had an excursion. You know
25 why? Because they use one design and one company. And

1 they've got 70 percent plus of their power coming from
2 nuclear.

3 Now, there are some problems with nuclear just
4 like there are with LNG, but you can solve them. So all I'm
5 asking tonight is you take a hard look at this. There are
6 several pages of bullet points here that should have been in
7 the scoping process.

8 This is not the place to put in a list of demands
9 of you guys in a Draft EIS.

10 MR. BROWN: That's exactly where it should be.

11 MR. SISCO: Well, it's -- I'm testifying, so I
12 just -- my opinion after going over 300 of these, when the
13 public comes in to look at it and you say things like, you
14 know, an engineering report on the safety valves, I'd like
15 to come in and have somebody look at that and say, okay,
16 this is the problem.

17 I can't see it after this thing is finalized,
18 it's done. Now, I mean talking NEPA for the last 20 years of
19 my experience there. That's NEPA regulations. I can quote
20 you verse and book.

21 MR. BROWN: And again, I'd like to point out to
22 you that this is a Draft Environmental Impact Statement.
23 And if you see weaknesses or problems in it, you need to
24 provide a scientific answer to me and my three scientists
25 here --

1 MR. SISCO: Charles, I --

2 MR. BROWN: -- and all the technical people that
3 we have at FERC working on this.

4 I want you to understand also that this thing was
5 developed with three Federal agencies. The Environmental
6 Protection Agency is one, the Corps of Engineers and Fish
7 and Wildlife. This was not done in a void.

8 We also had Florida DEP well involved in this.
9 So everyone was involved in this.

10 MR. SISCO: Charles, I understand.

11 MR. BROWN: It was not developed in a vacuum.

12 MR. SISCO: Reclaiming my time a little bit, I'm
13 just here to tell you that I've worked on over 300 of these
14 and I --

15 MR. BROWN: And I would appreciate you're going
16 through on that and pointing some things out to us that we
17 can make a better document --

18 MR. SISCO: Unfortunately, two days ago is when
19 I first saw this.

20 MR. BROWN: Okay.

21 MR. SISCO: So I will try and give you as much
22 input and help as I can.

23 MR. BROWN: Okay.

24 MR. SISCO: And, like I said, I don't have a dog
25 in the hunt. I agree with these guys, we need jobs. We

1 need the tax base increase. The last two meetings that
 2 you've held here, only about ten people showed up you told
 3 me earlier. So this amounts responded here.

4 When I have walked around and talked to people
 5 the last couple of days, they didn't have a clue. They
 6 couldn't tell you what FERC was, and LNG, EIS, anything.
 7 Because they go out and they pick oranges and lettuce and
 8 they work hard. When they come home, they don't have time
 9 to sit here.

10 First of all, they don't know what the hell's
 11 going on because nobody set up a training seminar to walk
 12 them through what an LNG Plant is, what FERC does, what this
 13 is all about. One reason I know about it, because I spent
 14 the last 20 years of my life working on these things.

15 And like I said, I'm not making any money here.
 16 I'm not an Intervenor. I don't work for, you know, some
 17 other gas transmission company that wants to put you guys
 18 out of business, or something. I'm just here to try and
 19 help.

20 The best solution is go out here to Allapattah
 21 Flats, orange groves, rezone it, pipelines, whatever you
 22 need to do. I think there are some other alternatives and I
 23 think it could be done quickly to assign it to your project
 24 to get industrial zoning. Believe me, I've seen Martin
 25 County move in mysterious ways.

1 So any way, I'd just like to give an input. I'll
 2 be providing a written input with some maps.

3 MR. BROWN: Okay.

4 MR. SISCO: I guess I better quit. Any way,
 5 I'll give you some more input. I'll be more than happy to
 6 take you out to take a look at some of those places out in
 7 Allapattah Flats.

8 MR. BROWN: If you provide that information and
 9 we'll look at the alternative sites and we'll --

10 MR. SISCO: And like I said, I agree with the
 11 rest of the people. We do need the jobs. We do need the
 12 tax base. It just could be better located.

13 MR. BROWN: Okay.

14 MR. SISCO: Thanks.

15 MR. BROWN: Okay. At this point, that's all the
 16 speakers.

17 MS. WATERS: I didn't sign my name, sir.

18 MR. BROWN: Do you want to speak?

19 MS. WATERS: I got to say something.
 20 (Laughter.)

21 MR. BROWN: All right. I was getting ready to
 22 say that. If anyone else wants to speak, please come up.

23 MS. WATERS: I don't need a mike, sir.

24 MR. BROWN: Would you state your name for the
 25 record, please?

1 MS. WATERS: My name is Thelma Waters.

2 MR. BROWN: Say that again?

3 MS. WATERS: Thelma Waters. The kind you drink,

4 H2O.

5 MR. BROWN: Okay.

6 MS. WATERS: I put my name up when I signed in.

7 MR. BROWN: That's okay.

8 MS. WATERS: Any way, just listening to this

9 young man that just finished, we've had six or seven

10 meetings right here. It's been in the newspapers. We've

11 talked about it and passed out flyers.

12 Now, it's been in the County and I think this is

13 the only group of people that's been trying to get something

14 done that didn't do a PUB, because Martin County loves those

15 PUB's and you've got to have them for everything.

16 Now, when I first heard the word gas, I didn't

17 hear the natural and all I heard was gas. I thought no, we

18 can't have that, but I came, I listened, and I read, and I

19 educated myself with listening to the people as they were

20 talking.

21 And I read what it was like, what it does, how it

22 works. It's the much safer thing to have than we had at

23 that steel mill, but we didn't know it.

24 Now, that site -- you know what a Superfund site

25 is, it's contaminated. But now you've got somebody coming

1 in. But the only thing, they're going to come in and clean
2 it up and put in a good, safe system out there. And that's
3 a good thing.

4 And I'm saying it's good for the community and I
5 mean the community. I mean them tax dollars for the
6 community. We don't want them going to Stuart. We know
7 they're going to grab them, but we need them for ourself.

8 They want all the good stuff that we've got going
9 out here, but everybody in the State of Florida, in South
10 Florida, I know, have heard about it. Well, if you haven't
11 heard it, you must have been out of the country for a while
12 because we've been talking about it.

13 Now, it's a good thing for this community. All
14 our kids, my six are somewhere else. You want to have
15 things in your community so when they go off and get
16 educated, they can come back and bring that back home.

17 But when our kids go off to school, they've got
18 to go somewhere else to get jobs. They don't have jobs
19 here. Most of our young people are somewhere else. Now,
20 the Powers boys, I always tell them that, they went off, got
21 educated and came back with their stuff because they had
22 stuff waiting on them when they got back.

23 (Laughter.)

24 MS. WATERS: But, see, everybody is not as
25 blessed as those boys are. Now, when our kids graduate from

1 college, they've got to go somewhere else to find a job.
 2 But through jobs like this, plants like this, some of our
 3 kids can return home.
 4 When you lose all your education and your youth
 5 to somewhere else, that builds up those places and yours
 6 goes down. We need our educated people to come back and
 7 help us to go up.
 8 Now, this is one of the processes and it's just the start.
 9 Now, with your agency and all the other agencies
 10 that have been here, we all see as safe, and I don't know
 11 about Bin Laden. I hope he don't come here. I hope he's
 12 dead somewhere.
 13 (Laughter.)
 14 MS. WATERS: But anyway, I don't think we're
 15 going to have to worry about him. He's probably down in Key
 16 West or Miami sitting at one of the motels. We don't know
 17 where he's at.
 18 But I think this is safe and we want it. And
 19 these guys have proven that they want to be a part of this
 20 community. Now, if you want to be a part of Indiantown, now
 21 you've got me. I'm on your team.
 22 These guys want to be a part of Indiantown. So I
 23 told them to come on. And it looks like they're getting
 24 ready to come on. So you all just do what you all got to
 25 do.

1 MR. BROWN: Thank you.
 2 (Applause.)
 3 MR. BROWN: Okay. At this point, we'll open the
 4 floor up to any questions of myself or the company.
 5 Do you have any questions at all?
 6 Yes, Chuck?
 7 MR. SISCO: Charles, could you go through those
 8 pages of the whole list that, you know, have those issues
 9 that would be in the EIS. Could you go through them?
 10 MR. BROWN: Chuck, I'm going to need you to come
 11 up here and --
 12 MR. SISCO: Okay.
 13 MR. BROWN: Because this is going on the record.
 14 MR. SISCO: Charles, I'm referring to -- this is
 15 on Page 4-74.
 16 MR. BROWN: Okay.
 17 MR. SISCO: We have a request for a complete
 18 plan drawing and a list of hazard and technical equipment
 19 prior to initial site preparation.
 20 Would that be included in the Final EIS?
 21 MR. BROWN: Yes, it will.
 22 MR. SISCO: Okay. And --
 23 MR. BROWN: Everything is outstanding in there
 24 that we have in there. Everything has to be completed
 25 before any ground disturbance.

1 MR. SISCO: If that's in the Final EIS, would
 2 the public be allowed to comment on that Final EIS?
 3 MR. BROWN: Well, yeah, you can. There's a
 4 30-day period afterwards, but --
 5 MR. SISCO: But the record decision's in the
 6 Final EIS.
 7 MR. BROWN: No.
 8 MR. SISCO: So basically --
 9 MR. BROWN: No, the record of decision is 30 days
 10 after the comment period.
 11 MR. SISCO: But that's on the Final EIS.
 12 MR. BROWN: Right.
 13 MR. SISCO: Okay. Could you do an addendum to
 14 the EIS that would include this material before the Final
 15 comes out?
 16 MR. BROWN: If it's needed, yeah, we can do
 17 that.
 18 MR. SISCO: Okay. That's commonly done
 19 sometimes when you get into revisions?
 20 MR. BROWN: If it's needed. If we find out that
 21 it's needed, yeah, we can.
 22 MR. SISCO: That's fine. I'm just requesting
 23 that if you can provide an addendum before the Final EIS
 24 comes out to this document so that we can actually look at
 25 some of the -- you've got some fairly intensive requirements

1 in here about engineering designs and valve check offs, and
 2 safety systems that would be nice to have an engineer,
 3 someone who's familiar with the LNG Plants, basically
 4 looking at it and make sure that it's -- and I trust you
 5 guys. I mean you guys are --
 6 MR. BROWN: Well, our LNG engineers are the ones
 7 that look at that.
 8 MR. SISCO: And he's probably the one that put
 9 this list together.
 10 MR. BROWN: Actually, they're the ones that put
 11 those conditions in there.
 12 MR. SISCO: Well, it's a fairly lengthy list of,
 13 you know, bullet points and that's why I thought it --
 14 MR. BROWN: And it's there for a reason.
 15 MR. SISCO: Great. That's just the only request
 16 I'd have that we look at them before the final comes out so
 17 we can actually have public comment before the Final comes
 18 out.
 19 MR. BROWN: Now, here's what's going to happen.
 20 We're going to go back. We're going to take all
 21 the comments we received today. We're going to produce a
 22 final EIS. That final EIS will go in The Federal Register.
 23 Once it goes in The Federal Register, there's a
 24 30-day cooling period. Okay?
 25 MR. BLAHA: Comment period.

1 MR. BROWN: No, it's not a comment period. It's
 2 called a cooling period. They can comment during the 30
 3 days. Then it goes before the Commission and either 30 days
 4 or 60 days after that.

5 So any comments that we receive during that 30-
 6 day cool off period will go in the certificate order. We'll
 7 go in and we'll write a response to any comment we get.

8 MR. SISCO: Well, commonly on EIS', several that
 9 I've worked on, especially the Forest Service, when they
 10 need to go back and amend the document, for example, a
 11 Regional Plan, a lot of times they'll come out with a
 12 Supplemental EIS, or they'll go --

13 MR. BROWN: If we determine that a Supplemental

14 --

15 MR. SISCO: Okay.

16 MR. BROWN: -- EIS is needed --

17 MR. SISCO: Reclaiming my time again, I just
 18 would like to make a request that with this list so lengthy
 19 that you should come out -- I'm requesting that you come out
 20 with a Supplemental EIS that addresses a lot of these issues
 21 and gives us time to make comments before it goes into the
 22 Final EIS stage.

23 Thank you.

24 MR. BROWN: I'm going to need you to put that in
 25 writing.

1 MR. SISCO: I will.

2 MR. BROWN: Okay. Thank you.
 3 Anybody else have any questions?
 4 (No response.)

5 MR. BROWN: Now, the Final EIS should come out
 6 sometime in July. Again, we'll have that 30-day, what we
 7 call cool off period, where we have no communication with
 8 the company. The company can't communicate with FERC.

9 And during that 30-day period if some comments
 10 come in, they will be incorporated in the certificate order.
 11 Do you want to say something, ma'am?

12 Anything else?
 13 (No response.)

14 MR. BROWN: Okay. If anybody can think of
 15 anything, I'll be here ten, 15 more minutes. We'll kind of
 16 hang around a little bit.

17 If not, then I'll adjourn this meeting at this
 18 time. Thank you for coming. I appreciate it.

19 (Whereupon, at 7:40 p.m., the meeting was
 20 adjourned.)