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More venting about gas pipeline

By ANNE PICKERING, Staff Writer

WEST GOSHEN — Landowners facing property condemnation proceedings confronted Federal Energy Regulatory Commission representatives during Friday's meeting of the Chester County Pipeline Task Force.

Lynda Farrell of Norwood Road in East Caln said there must be something wrong when 71 out of 167 landowners would rather go through eminent domain proceedings than sign easement agreements for the project.

"Nobody is talking about money; it's environmental concerns and the taking of unnecessary land," said Farrell.

She said a land agent with natural gas company Williams had advised her that the company would be filing condemnation proceedings against her on April 1.

Through its subsidiary Transco, Williams started eminent domain proceedings March 10 to seize additional rights of way from 36 landowners. No homes are subject to eminent domain or will be

seized, only strips of land along an existing right of way.

Williams officials said they have been negotiating for more than a year and have reached agreements with about half of the affected landowners. But with a construction schedule tightening, they said their company must go to court to get the rest of the easements.

Transco wants to replace a 30-inch-diameter pipeline in the ground with a 42-inch pipeline to increase capacity and meet the natural gas needs of its Northeast customers. The company needs additional rights of way to do this, but some residents say the company already has enough land to do the work.

Known as the Downingtown Replacement Project, the work has been mired in talks with homeowners, who years ago gave Williams a 75-foot-wide right of way but are now balking at granting easements for more land.

U.S. Rep. Jim Gerlach, R-6th, of West Pikeland, formed the Chester County Pipeline Task Force last year after hearing from constituents who have complained about several pipeline projects in the county.

The mission of the task force is "to facilitate a fair, accurate, comprehensive and timely technical review of all pipeline projects proposed in or impacting Chester County" and to act as a liaison between the federal agency and pipeline companies and the affected county residents, municipalities and organizations on such projects."

The task force has met several times and is comprised of community organizers, environmental groups, and county and state officials.

On Friday, Gerlach invited two members of the regulatory commission to educate the taskforce members, but the discussion quickly focused on shortcomings with the process.

Louis Ottaviano of South Woodmont Drive in East Caln is in the first wave of condemnation actions. He criticized the commission for being too cozy with the pipeline companies.

"Somehow you are perceived, by the general public, as a partner to Williams. You have to understand there is a tremendous disconnect between what FERC is doing and what Williams is doing that you don't see," Ottaviano said.

Gerlach said this is why he would support new legislation to set up an office of public advocate inside the commission to ensure the public's voice is heard.

Lauren O'Donnell is the division of gas environment and engineering director at the commission. O'Donnell said the federal agency is responsible for ensuring that approved projects are environmentally sensitive and comply with all conditions imposed by the work order.

Several people complained about tactics used by company land agents. They said some land agents said the company could start construction without receiving permits from the state. But state Department of Environmental Protection General Manager Jim Newbold said that was false. Construction of the Downingtown Replacement project cannot start until all necessary state permits are issued, he said.

O'Donnell said the commission is not involved in negotiations over easements.

And while the federal agency has heard complaints about the strong-arm tactics of land agents, they have no control over them. O'Donnell said the commission has discussed this with Williams but lacks any power to enforce penalties.

"What kind of authority would you like to have to better protect the public?" asked Gerlach.

O'Donnell said that was more of a policy question.

The best way to ensure specifics about the size of an easement is during the pre-filing phase of the process, said O'Donnell.

But at many pre-filing meetings, landowners did not even know if the company was interested in their land, let alone how much of their land.

O'Donnell said that usually during the pre-filing phase, planners address the big environmental questions, such as, in Williams case, whether the company would add a fourth pipeline or expand an existing pipeline.

John Goodall, western area manager for the Brandywine Conservancy, is on the task force and is concerned about the AES pipeline project. The conservancy has seven miles of land with easements currently affected by the proposed AES Sparrows Point pipeline. That project would bring natural gas from a new terminal in Sparrows Point, Md., through a new pipeline to an area around Eagle.

Goodall said maps provided by AES were so poor and outdated that it was difficult to visualize where the proposed pipeline would be on people's property. The conservancy spent its own money to create new maps with geographic information system data. Where there is such data, the company should be forced to use it, Goodall said.

Farrell asked if Williams had submitted an emergency response plan in the event of an accident.

O'Donnell said that issue was handled by the state Department of Transportation but because Williams has existing pipelines it should have an emergency response plan in place.

"I was told by my land agent that the emergency response plan is to run like hell," said Farrell.