

Comments regarding Sunoco Logistics' Mariner East 2 Ch. 105 permit applications

August 24, 2016

To whom it may concern at the Pennsylvania Department of Environmental Protection:

My name is Elise Gerhart and I am a Pennsylvania resident residing in Huntingdon County. I live with my parents, Ellen and Stephen Gerhart on the same property where my sister and I were raised. It is a 27.8-acre plot situated in the Trough Creek Valley, just east of Raystown Lake. The majority of the property is forested. We use well water. We have a large garden where we grow produce. I own no part of the property. Surrounding property was formerly owned by my parents. A 10-acre plot was given to my older sister approximately two years ago and remains undeveloped. Another 10-acre plot was sold to our neighbors, Mearl and Jokasta Steele in the mid-90s. They raised their two children, who are now grown, in the same house my sister and I spent our early years. I spent my childhood and young adulthood here, isolated from much of the world, but free to roam the undeveloped countryside. I love and care for this place, and for my family.

I first heard about Sunoco Logistics' plan to build the Mariner pipelines through my family's home in May of 2015. My mother has submitted a detailed timeline to you of the progression of events thenceforth, so I will not reiterate them all. I will simply say that the past year has been a traumatic one for my family. We have never felt so helpless or forgotten. We have done everything in our power to try to retain our property rights, protect our environment, and say "no" to this project. No state or federal agency has come to our aid during this time of need, although we have received an outpouring of support from fellow Pennsylvanians and others from as far as the U.K.

Our agenda is to keep Sunoco from building these two 20-inch pipelines through a property we vowed to conserve, and to carry on living in peace. We are fighting this project legally, based on the fact that this project serves no public need, but is rather for the private profit of a few billion-dollar corporations. I am humbly asking the department to deny the Chapter 105 permits based on your knowledge that there is no necessity behind the project and that it will cause irreparable harm to our Pennsylvania forests, wetlands, waterways and air.

Wetlands on my family's property would be destroyed by this project. This not due to lack of an alternative route, but because creating an extended route through our property is cheaper. As the proposed route enters our property, it does so following alongside an existing pipeline route (not owned by Sunoco) that borders us. At a certain point, Sunoco's proposed route takes a sharp turn into the heart of our property and continues in a diagonal fashion, making an additional stream crossing and traversing wetlands. Just over the top of the ridge, not even a mile from our property, the route makes a sharp diagonal turn back in the other direction. The only explanation for these wild diagonal cuts is that if Sunoco were to continue straight they would need to cross a cluster of private properties. It is my belief that Sunoco chose to cut through our wetlands and stream in order to avoid having to engage in additional easement agreements and subsequent payouts. I would like to note that many of these properties in question are hunting cabins, not occupied year-round, and that I do not believe that Sunoco avoided these properties in order to reduce human impact (they have shown that they will put these pipelines through very populated residential areas).

The wetlands in question would be trenched out and back filled, and would be gone forever. The area contains vernal pools and important habitat for amphibians. The mislabeling of these forested wetlands as “emergent wetlands” was most likely intentional in order to avoid necessary mitigation. The forest canopy that existed there could clearly be seen from satellite imagery, and Sunoco initially surveyed on foot in early 2015. That time of year it would also be difficult to miss the size and extent of wetlands. However, Sunoco underreported this size and extent.

Sunoco also omitted a stream crossing on our property in their application to the department. This convenient omission makes the stream system look as if it is disconnected from the rest of the Juniata Watershed. This is completely inaccurate. Again, the stream that was omitted can clearly be seen from satellite imagery on Google maps and should be clearly visible with professional programs. You can't miss it if you are out on foot. This stream lies below a steep hillside that was, until March 29 of this year, a flourishing white-pine and mixed hardwood forest with trees over 100 years old. I have since seen the stream cloud up after even a light rain. Sunoco made no attempt to control sedimentation during clearcutting and the area has been left for five months in this condition.

Attached below is a link to photos of the second stream crossing created by Sunoco's diagonal cut through the property. This is part of the same stream system but further upstream. Sunoco made no attempts to prevent the filling of this stream with debris during clearcutting. They are making no plans to horizontally drill under any stream on the property or the wetlands on the eastern side.

These already impacted streams fill a pond on the western side of the property. Sunoco says that they plan to horizontally drill underneath this pond. However, the property owners have never seen a diagram of the geology, have never had HDD explained to them, and have never been told how deep Sunoco plans to drill underneath. Regardless of attempts at HDD, this pond would be severely impacted by the damage upstream. The pond is an important habitat for migratory aquatic birds. This spring, we noted a spotted salamander nest in the pond and a mallard duck nest adjacent to the pond. It is frequented by Canadian geese and blue herons. It is filled with turtles and frogs. No studies of wildlife have ever been conducted on the property by Sunoco, the department, or any other agency, so impacts cannot be fully understood. Moving forward with this project with so little information would be a reckless endeavor.

Little Trough Creek is the first named creek that our small streams contribute to. This creek is just to the west of our property and rests in a hundred-year flood plain. It continues to the Juniata River, the Susquehanna and ultimately to the Chesapeake Bay. This creek supports fish and thousands upon thousands of amphibians. We do not wish to see the creek impacted by loss of our connecting streams. I do not believe that these impacts have been properly assessed because the loss has not been admitted. Sunoco simply claims that our streams will suffer no impacts although we have already seen them impacted.

In addition to above-ground water, we are deeply concerned about our groundwater which is our drinking water supply. No baseline testing has been done. Sunoco has agreed to do some baseline testing in places where property owners signed agreements. Are we not afforded the same simply because we oppose Sunoco's pipeline? Who will take on this responsibility? Will DEP help us to set a baseline if Sunoco will not? Having to do this testing ourselves has become impossible at this point due to our legal expenses regarding the question of eminent domain (this question has yet to be decided in the Pennsylvania courts). The burden should not fall on us; it should fall on the developer. They have

billions of dollars and would make many more by putting our drinking water at risk. This baseline water testing should be a requirement across the board. It is the least they can do.

As someone concerned about his project, I have taken time to voluntarily explore other areas of impact. For instance, I have seen the place where Sunoco plans to cross the Frankstown branch of the Juniata river. This branch is bordered by a CREP conservation area on private property to the west and the steep slopes of Locke Mountain to the east. The river is used for crop irrigation, and the small family farmers who use it will have their business and livelihoods put at risk. Again, no one seems to know how deep Sunoco plans to drill. Sunoco has also applied to SRBC for a water draw from the Frankstown branch for millions of gallons per day. Can this small branch of the Juniata handle these multiple impacts? Should it have to?

Recently, I took some time to explore Sunoco's Raystown lake crossing. This would again, like our property and the Frankstown branch crossing, be an entirely new footprint. Development has taken place on the lake since the installation of Mariner 1 eighty-five years ago. Again, Sunoco wanted to choose a cheaper alternative to going through developed areas. Putting these pipes underneath a recreation area like Raystown is an unacceptable risk. The route is extremely close to swimming areas where people take their children. Swaths of trees would be cut out. I was surprised to see that Sunoco had completed no clearcutting in this area, which is just over the next ridge from my parents' property. Why is this? Why did they need to clear-cut our property 5 months ago, but just a few miles away they have cut nothing?

Finally, I will tell you about my concerns for the Susquehanna river and Sunoco's planned crossing. This would prove to be an immense task. Is Sunoco up to it? They have shown themselves to be extremely careless and accident-prone. They are driven by profit and pressure from their investors, not the rules and regulations put in place to protect our Pennsylvania environment. Our Susquehanna needs help. It needs recovery efforts. It is a river filled with pollution. These problems need to be fixed before more development takes place and more cumulative effects add up.

There is no safe or sensitive way to build these pipelines. The work is inherently destructive and dangerous. It requires deforestation, destruction of small waterways and wetlands, encroachment on wildlife habitat and conversion of wild spaces to industrial zones. According to Sunoco's Aquatic Resource Avoidance, Minimization and Mitigation Plan, additional temporary workspaces are required for stream crossings. When riparian areas require greater care and protection, this seems counter-intuitive. Basically, in order to build major gas transmission lines, it is necessary to cause more environmental damage at more ecologically sensitive areas. Does allowing this fit in with DEP's mission?

Regarding concern for human impacts, construction and operation of gas lines puts drinking water at risk. Sunoco has admitted this risk by including in some easement agreements a plan for baseline water testing. They are, however, not offering to do baseline testing on my family's property. Additionally, of utmost concern, is the risk of accidents, spills and explosions. This is both a real and an unacceptable risk. These major transmission lines have no place near homes, schools, workplaces or recreation areas. However, Sunoco plans to cross thousands upon thousands of them. Since I began researching gas pipelines in the spring of 2015, I have read about dozens of accidents in the United States, all of them resulting in property damage and pollution, many of them causing injuries, and some of them causing death. These issues are not beyond the department's scope. In fact, they should be one of your primary

focal points. Your agency has a duty to protect the people and environment of Pennsylvania. Issuing permits for a project like Sunoco's Mariner East 2 would clearly be at odds with this duty.

DEP mission statement: "The Department of Environmental Protection's mission is to protect Pennsylvania's air, land and water from pollution and to provide for the health and safety of its citizens through a cleaner environment. We will work as partners with individuals, organizations, governments and businesses to prevent pollution and restore our natural resources."

I am aware that your agency risks being faced with a lawsuit if permits are withheld or refused. However, your agency has the resources to tackle such a lawsuit. My family has been embroiled in an eminent domain suit since August of 2015. We have since had to hire a criminal defense attorney as well, as a result of our desperate attempts to protect our property in March 2016. On a modest combined family income of approximately \$70,000, we have stood our ground in order to protect ourselves and the surrounding environment we made a promise to protect. We have incurred over \$15,000 in legal expenses and have received little aid to mitigate the cost. We would like to remind the department that any legal fees your agency would incur would be paid for out of our pockets as well. We ask you to accept this risk on behalf of the people of Pennsylvania, in order to avoid a much greater catastrophe. Please work with us, not against us.

I am attaching this link https://www.flickr.com/photos/backwards_dog/albums/72157666647316095 which will connect you to a flickr account created by Coryn Wolk, a Philadelphia resident who works with Clean Air Council. Ms. Wolk was present at my family's property on March 29 and 30 when Sunoco crews were clearcutting. Although you should take the time to look at all of these photos and videos, I will direct your attention specifically to two items here: https://www.flickr.com/photos/backwards_dog/25566470984/in/album-72157666647316095/ (shows trees fallen over wetlands delineation tape into wetlands) and https://www.flickr.com/photos/backwards_dog/25566470984/in/album-72157666647316095/ (which shows a small stream completely filled with debris). I am verifying that these photos were indeed taken at 15357 Trough Creek Valley Pike, Huntingdon, PA between March 29 and 30, 2016.

I am also attaching a letter written by my father, Stephen Gerhart, 85, who has resided in the Commonwealth since the late 50s. He and my mother, Ellen, bought their property in Huntingdon County in the early 80s. They have maintained all forested areas on the property, and worked to preserve waterways and wetlands. They have enrolled the property in the Clean and Green program and ask that the department help to support their right to engage in conservation as private citizens.

Thank you,

Elise A. Gerhart

15357 Trough Creek Valley Pike
Huntingdon, PA 16652
elisealcyone@gmail.com