


Township Government's Role in Energy Development





Dale Arnold,
 Director, Energy Development
 Ohio Farm Bureau Federation
 darnold@ofbf.org

FERC Regulatory Authority

Federal Energy Regulatory Commission (FERC): An independent regulatory agency within the United States Department of Energy (US DOE).

Regulates Transmission facility siting (pipelines) sale of natural gas, oil, wholesale electricity in interstate commerce, utility reliability and energy marketing standards.

FERC decisions are reviewable by federal courts.






Public Comment Meetings

Public Comment Meetings are sponsored by the Federal Energy Regulatory Commission (FERC).

Part of the process of defining and refining the scope of an Environmental Impact Statement (EIS).



Explore potential construction route and program alternatives.

Public Comment Meetings

Public Comment Meetings focus on gathering local input on:



- Geology and Soils (Erosion Control, Conservation Practices, Drainage Systems, Topography)
- Water Resources and Wetlands
- Vegetation, Wildlife, Migratory Birds, Endangered or Threatened Species

Public Comment Meetings

Public Comment Meetings focus on gathering local input on:

- Socioeconomic Impacts
- Cultural Resources
- Air Quality and Noise
- Public Safety



Meeting Process

Public Comment Meetings enable citizens, interest groups, and governmental entities to present information.

Presiding Officer – Member of FERC Technical Staff .

All presented information is given under oath or affirmation.

Exhibits are marked and a court reporter records all proceedings and testimony.

Meeting Process

Public Comment Meetings enable citizens, interest groups, and governmental entities to present information.

FERC Staff reviews and discusses the information presented as it works with the Commission to make its ruling.

Additional opportunities to submit written comments are available.



Diversified Rules...

- Environmental, Economic and Quality of Life Issues; Need for Innovation
- Rules and Regulations – Shift from Black and White to Grey; Local Decision Making
- Agreements – Everything and Anything is Negotiable
- Local "Toolbox" Strategies
- Creating a "Balance"



Diversified Rules...

- Creating Agreements and Stipulations with Energy Service Providers Through FERC, PUCO, OPSB Proceedings, or Doing it On Your Own...
- Establish a RUMA, as well as Pipeline Repair and Remediation Standards
- Security/ Emergency Response Procedures and Training
- Dispute Resolution Process and Addressing Quality of Life Issues
- Annual Reporting Guidelines



RUMAs – A Place to Start

- Identify Standards, Rules and Regulations
 - Comply with ODOT Engineering Standards, All Traffic Laws
 - Oversize/Overweight Permits and Escort Provisions for All Company, Vendor and Subcontractor Vehicles
 - Signage – Ohio Manual of Uniform Control Devices
 - Governing Law - State of Ohio



RUMAs – A Place to Start

- Identify Standards, Rules and Regulations
 - Create Road Condition Baselines
 - Identify Modifications/Improvements Both Permanent and Temporary
 - Damage and Immediate Repair Considerations
 - Performance Bond and Agreement Renewal Provisions



Construction Standards

- If Township is identified as jurisdictional authority...
- United States Department of Transportation – Pipelines and Hazardous Materials Safety Administration (PHMSA) Guidelines
 - *Recognized Authority*
 - *Continual Evaluation*
 - *Updated Regularly*



Repair/Remediation Standards

- ODA guidelines provide standards for repair and remediation after construction. Additional resources are available.
- ODA – Division of Soil & Water Conservation *Pipeline Standard & Construction Specifications*
 - *Planning Phases*
 - *Construction Specs*
 - *Long Term Monitoring and Remediation*



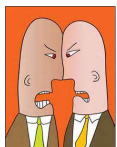
Emergency Response/Security

- Create Provisions to Address Training and Security, Short and Annual/Long Term Basis
 - Training Program for Fire for EMS Personnel Prior to any Construction Activity
 - Police – Vehicle Escorts, Ingress/Egress Routes, Facility Security
 - Providing Funding for Resources and Equipment
 - Annual Review



Dispute Resolution Process

- Energy Developer Responsible for Providing *Dispute Resolution Plan* to be Approved by Township Government
 - Addressing Short and Long Term Issues Surfaced by Local Residents and Business
 - Look at FERC Dispute Resolution Division (DRD) Services and Training Programs as a Resource



Community Annual Report

- Energy Developer Responsible for Providing Community Annual Report to Township Government
 - RUMA, Repair/Remediation and Emergency Response Training Activities
 - Complaint Resolution Results
 - Company Efforts on Helping to Address Quality of Life Issues in the Community



Farm Bureau Policy

Resident and Community Concerns

- Short notice and response time to get involved in the evaluation process and pipeline case proceedings.
- Exploring community impacts.
- Access to legal counsel and consultants.



Farm Bureau Policy

Resident and Community Concerns

- Value pastureland as the same as cropland; recognition of conservation practices and easements.
- Consideration for timber, orchards, Christmas tree nursery and vineyard operations.



Farm Bureau Policy

Resident and Community Concerns

- Address drainage impact beyond the right of way.
- Establish Long Term Maintenance Trusts.



FERC – Meeting Schedule

August 16, 2016	Elyria High School 601 Middle Avenue Elyria, OH 44035
August 17, 2016	Wadsworth High School 625 Broad Street Wadsworth, OH 44281
August 18, 2016	Green High School 1474 Boettler Road Uniontown, OH 44685



FERC – Additional Info

FERC offers a free service called eSubscription that allows you to keep track of all formal issuances and submittals in specific dockets.

Go to www.ferc.gov/docs-filing/esubscription.asp to subscribe.

Use FERC Docket Number: CP16-22-000.



Planning and Involvement

Discussion and Outreach

Coordinated efforts involving project developers, government and regulatory agencies at the township, county, state and in some cases, federal level, economic development and regional development authorities and community groups.



Township Government's Role in Energy Development



Dale Arnold,
Director, Energy Development
Ohio Farm Bureau Federation
darnold@ofbf.org