August 12, 2016

Kimberly Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, NE

Washington, DC 20426

Re: Docket CP15-558-000 – Proposed PennEast Pipeline Project

Dear Ms. Bose:

I am writing this letter on behalf of the Sourland Conservancy, an intervenor in this proceeding. The Sourland Conservancy's mission is to protect, promote and preserve the unique character of the Sourland Mountain region, through which the proposed PennEast Pipeline will cut a devastating path. The Conservancy is located in Hopewell, NJ in Mercer County. The Sourland Mountain region lies, within Somerset, Hunterdon and Mercer Counties.

I urge FERC to reconsider your issuance of this DEIS at this time and **withdraw the DEIS.** FERC has a responsibility to receive all the necessary factual data to evaluate this project before reaching any conclusions about its viability or advisability. We have

extensively detailed the massive impacts this project will have in our communities, our water supply, our environment, our economy and our region, through testimony at FERC scoping hearings, FERC Open Houses and thousands of comments to FERC.

Currently, PennEast has failed to provide all the required environmental data for its application. Therefore, the DEIS is premature. In addition to withdrawing the DEIS, I urge you to **extend the public comment period** so the public has ample opportunity to review and comment on the data once it is provided by PennEast.

I am commenting on the PennEast Draft Environmental Impact Statement (DEIS). In this letter, in particular, I will focus on pipeline facilities; clearing and grading; trenching, pipe stringing, bending welding, and coating; lowering in and backfilling; hydrostatic testing; horizontal directional drilling; wetlands; and agricultural areas. First I will state the text of concern in the DEIS; this will be followed by my comments and questions *in italics*.

Pipeline Facilities :

Where feasible, the pipeline was collocated with existing easements and rights-of-way (e.g., roads and utility lines). About 44.3 miles (26.8 miles in Pennsylvania and 17.5 miles in New Jersey), or about 37 percent, of the 115.1-mile-long pipeline route would be constructed adjacent to existing rights-of-way.

Comment/question: How much of the pipeline would go through nominally 'preserved' land? How much of the pipeline would go through land against the wishes of the owners? 70% of New Jersey landowners along the proposed route have refused to grant access to their property. This DEIS cannot be considered complete at this time.

Clearing and Grading:

Clearing and grading crews would remove vegetation and obstacles from the construction right-of-way and temporary workspaces required for construction. This would include trees (as necessary), stumps, logs, brush, and large rocks. Unless necessary for construction purposes, timber would be limbed, cut, and removed from the workspace. **Stumps and brush would be chipped and spread in uplands areas (**chips would not be left in agricultural areas or within 50 feet of wetlands) or removed from the right-of-way, burned, hauled to offsite commercial facilities or an approved location in accordance with applicable regulations, stored along the right-of-way with landowner approval, or other approved methods. Burning would be conducted in accordance with local notification, ordinances, and requirements. Fences within the construction workspace would be cut and braced where necessary. Temporary fences

would be installed to control livestock, protect sensitive areas, and limit access by the public as necessary.

Comments/questions: What are the requirements for deciding where and how chips might be spread?

Prior to grading, PennEast would install erosion control devices. The upland portions of the construction right-of-way would be graded to create a safe and level work surface. **PennEast would preserve the natural drainage to the extent practicable.**

Comments; what are the regulations that set out the requirements for preserving natural drainage?

Trenching:

Trenching would be conducted by a rotary wheel ditching machine, backhoe, or ripper. Typically, the trench would be excavated to a depth sufficient to provide 3 feet of soil cover over the top of the pipe after backfilling. In areas of bedrock, a minimum of 18 inches of cover would be provided in Class I Areas and 24 inches in Class II and III Areas, in accordance with DOT requirements (discussed in more detail in section 2.6). PennEast would provide a minimum 4 feet of cover in active agricultural areas. **Additional cover would also be provided at road, railroad, and waterbody crossings**. At least 12 inches of clearance would be maintained when crossing foreign utility lines.

Comment/question: How much additional cover is required at road, railroad, and waterbody crossings?

Pipe Stringing, Bending, Welding, and Coating:

Pipe would be delivered to the cleared and graded right-of-way where it would be strung adjacent to the trench. Bends in the pipe may be needed for direction changes, as well as natural grade changes. Prior to welding, select joints would be bent in the field by track-mounted hydraulic bending machines. Following stringing and bending, the pipe would be placed on supports to weld segments of pipe together. The pipe would arrive on the Project site with a protective coating with the ends uncoated where they would be welded together. Once welded, these areas are coated by a coating crew. **The pipe would then be inspected for defects in the coating and welds and repaired as needed before installation in the trench.**

Comment/question: who would undertake the inspections for coating defects? If it is PennEast, what is the regulatory regime to ensure full and effective compliance?

Lowering In and Backfilling:

The trench would be dewatered, if needed, to perform an inspection of the trench and cleaned of debris. In rocky areas, sandbags or support pillows may be placed on the

bottom of the trench to protect the pipe. PennEast would lower the pipe into the trench and install trench breakers as required before backfilling at specified intervals to prevent water movement along the pipeline. In areas of saturated soil, set-on concrete weights, pipe sacks, soil anchors, and/or concrete coating may be used to keep the pipe from rising. After the pipe is in position, the trench would be backfilled with the previously excavated material. Clean fill or protective coating would be placed around the pipe prior to backfilling if the excavated material contains large rocks or other material that could damage the pipe or its coating. **Where topsoil is required to be stored separately from subsoil, the subsoil would be backfilled first, followed by replacement of the topsoil.** Topsoil would not be used to pad the pipe. In upland areas, a soil mound would be left over the trench to allow for soil settlement, unless otherwise requested by the landowner.

Comment: Why is this not standard procedure throughout the length of the pipeline, rather than just where the topsoil is 'required to be stored separately'?

Hydrostatic Testing:

Prior to hydrostatic testing, the pipe would be cleaned using a cleaning pig. After backfilling, the pipeline would be hydrostatically tested in accordance with the requirements in 49 CFR 192, PennEast's E&SCP, and any requirements of individual state permits. PennEast would use water from municipal supplies for the hydrostatic testing. No chemicals would be added to the test water. The water in the pipe segments would be pressurized and held for a minimum of eight hours (or four hours for prefabricated units and for short, visible sections). **If leaks are found, the defect would be repaired and the pipe section would be re-tested until all required specifications are met.** Upon completion of hydrostatic testing, the water would be discharged in accordance with all applicable federal and state water requirements. Refer to section 4.3.2.5 of this EIS for additional information on hydrostatic testing, including proposed sources for hydrostatic test water withdrawal and discharge.

Comment/question: If PennEast are responsible for the hydrostatic testing and repairs, what is the regulatory regime to ensure full and effective compliance?

Incidents due to seismic events such as minor earthquakes are not adequately consider in this DEIS. PennEast does not propose to meet New Jersey's higher safety standards (Class IV) and instead is proposing to build to the state's lower Cass II standards. Why is this the case. PennEast must take safety seriously, especially along this proposed route which is heavily populated and environmentally sensitive.

Horizontal Directional Drill:

PennEast proposes to utilize the HDD method at 11 locations along the pipeline route. The locations where PennEast proposes to utilize the HDD method are presented in table 2.3.1-1. HDD installation involves a pipe segment installed beneath the ground

surface by pulling the pipe through a borehole. At a HDD crossing, a drill rig would be placed on the entry side of the HDD and a small pilot hole would be drilled along a pre-determined path beneath the crossing. The pilot hole would be progressively enlarged through a process called reaming. Several passes with progressively larger reaming tools would be needed to enlarge the hole to a sufficient diameter to accommodate the pipeline. **During this process, bentonite drilling fluid would be circulated through the hole to remove drill cuttings and maintain the integrity of the hole**. Once the reaming process is complete, a prefabricated segment of pipe would be attached to the drill string on the exit side of the crossing, and pulled back through the hole toward the drill rig.

Comment/question: How is the bentonite drilling fluid to be disposed of? What are the environmental impacts should there be leakage?

Wetland:;

Construction of the Project would result in 210 wetland crossings consisting of 38.8 acres, including 106 crossings in Pennsylvania and 104 crossings in New Jersey. Wetland crossings would be done in accordance with our Procedures as well as applicable Best Management Practices (BMPs) required by PADEP, NJDEP, and County Conservation Districts, as well as adherence to the Project SPCC Plan and E&SCP. Wetlands would be crossed utilizing a reduced 75-foot construction right-of-way and PennEast would maintain a 10-foot corridor centered on the pipeline during operation.

PennEast would clearly mark wetland boundaries in the field with signs and/or highly visible flagging prior to the start of construction. Vegetation would be cut off just above ground level. **Tree stump removal and grading would be limited to the area directly over the trench unless safety-related construction constraints require otherwise.**

Comment/question: Who would authorize whether or not safety-related construction constraints did not require limiting tree stump removal and grading to the area directly over the trench? If it is PennEast, who has oversight to ensure correct adherence to these regulations?

BMPs would be installed at the entry and exit points, if necessary, to maintain wetland hydrology and to minimize the flow of water to and from the trench. **In unsaturated areas, topsoil over the trenchline would be segregated from the subsoil.**

Comment/question: Why is this not done in saturated areas?

Specific wetland crossing procedures would depend on the level of soil stability and saturation encountered during construction. **Original topographic conditions and contours would be restored as nearly as practicable following construction.**

Comment/question: Who will judge whether original topographic conditions and contours are restored as nearly as practicable following construction.

The pipeline will cross 32 of NJ's most pristine "c-1" protected streams and cross the buffers to these streams a total of 77 times. The DEIS provides no detailed construction plans for crossing these streams without negatively impacting them, nor plans for minimizing impacts to riparian buffers, despite requests from NJDEP and FERC.

Total number of impacted streams is not known since site-specific surveys have not been completed. The DEIS has not examined whether increased sedimentation and nurtrient loading would negatively impact the quality of the water in the streams crossed by PennEast that feed into the D & R Canal, which supplies drinking water to more than 1.5 million people in central NJ.

The impacts to ground water of dewatering wetlands is not considered in this DEIS. This is particularly important in the Sourland Mountain region where residents depend on ground water for their drinking water and where the recharge of groundwater is very slow.

The DEIS claims that the soil, hydrology, and vegetation of areas disturbed from construction can be restored to preconstruction conditions, but PennEast has yet to finalize its required Wetland Restoration Plan in consultation with the US Army Corps of Engineers and state agencies.

Agricultural Areas:

PennEast has developed an acceptable Agricultural Impact Minimization Plan that outlines protective measures that PennEast would implement to minimize impacts in agricultural areas (see appendix E). Prior to construction, PennEast would provide landowners and tenant farmers of active agricultural lands with advanced notice of construction activities. **The advanced notice would not be less than 24 hours.**

Comment/question: Why is the minimum time allowed for advance notice only 24hrs? What happens if PennEast are unable to contact the landowners before work is due to begin?

On behalf of the Sourland Conservancy, I respectfully and vehemently ask that FERC withdraw its Draft EIS, demand the actual field survey data in all required areas and

actually listen to the many diverse yet unified voices impacted by this destructive project.

Finally, It is clear from the DEIS that thousands of pages of comments already submitted are being ignored. I am expecting a written response to my comments.

Sincerely,

Caroline Katmann

Executive Director

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