



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 the following sections in the Executive Summary: Introduction and Environmental Impacts and Mitigation-Geology. First, I will state the text of concern in the DEIS; this will be followed by my comments and questions *in italics*.

### **Executive Summary:Introduction**

“The purpose of this environmental impact statement (EIS) is to inform FERC decision-makers, the public, and the permitting agencies about the potential adverse and beneficial environmental impacts of the Project and its alternatives and recommend mitigation measures that would reduce adverse impacts, **to the extent practicable.**”

*Comment/question:*

*The “practicable” means “within the realm of possibility. Do the words in the EIS, “to the extent practicable” indicate that if it is not possible to “recommend mitigation measures that would reduce adverse impacts,” that PennEast would be allowed to go ahead with its plans anyway? Or do those words indicate that PennEast would not be allowed to proceed, if it were not possible to reduce adverse impacts? This is an important distinction and needs to be clarified. Many scientists have testified to FERC and PennEast about the impossibility of mitigating the negative impacts of the Project on the environment. These are not addressed in the EIS. One of these impacts is related to the arsenic in the rocks of the Newark Basin. More about that later in this comment.*

## **Executive Summary:Environmental Impacts and Mitigation**

“The remaining 829.5 acres of land disturbed during construction would be **restored and allowed to revert to its former use.**”

*Comment/question:*

*How will these 829.5 acres of land be restored? What kind of land is it? Where is it? Are there native species of plants present and, if so, will they be replanted and fenced off or will deer have access to the area (they will eat the native plants and invasive species will proliferate). Will the land be able to “revert to its former use?” How do we know this if you have not identified exactly where it is, what type of land is being impacted and how it is being impacted? Will gas-pipeline-identification poles be planted in the ground here? What if the area impacted by these poles was an area utilized by artists, photographers, hikers, etc. for its scenic qualities? How will that revert to its former use if it is now scarred by the yellow pipeline posts. This is just an example. Your sentence means nothing without more details (not unlike much of this EIS).*

## **Executive Summary:Environmental Impacts and Mitigation-Geology**

‘Seismic hazards with potential to affect the pipeline include earthquakes, surface faults, and soil liquefaction. The pipeline would be designed in accordance with all applicable federal and state safety codes which would govern pipeline thickness, welding standards for joints, and pipeline strength. We conclude that this would allow the pipeline to withstand **nearly all** ground shaking that could be anticipated to occur from an earthquake.’

*Comment/question:*

*Is “nearly all” good enough for the Federal Energy Regulatory Commission? Because is it not good enough for those of us who work, live and recreate in the Project area (in other words, those who us who might be injured, killed, experience loss of property, land, possessions, etc., in case of an explosion.) Are you so committed to the approval of this Project that you would accept safety measures that you admit might not hold up in every situation that could be “anticipated to occur from an earthquake?” This is proof of the outrageous reality that you, FERC, are more interested in helping PennEast*

*companies receive approval for this project than you are interested in ensuring that the public's rights and safety are protected, that laws are complied with and that you are making a sound decision. I expect you to provide data describing exactly what the pipeline can withstand and what it cannot.*

“Naturally occurring arsenic is present in trace amounts in the rocks for the Newark Basin of southeastern Pennsylvania and New Jersey. PennEast conducted a leachability evaluation of rock samples collected along the proposed pipeline route. **Based on the results of this study, we conclude that no mitigation measures related to arsenic mobilization are necessary during Project construction and operation.**”

*Comment/question:*

*For such a critical water and air quality (human health and safety) issue, why are you trusting one evaluation by the company that is building the pipeline and basing your conclusions on that one study? I request that additional studies be made and that local experts (and there are many) partake in the studies.*

“PennEast has prepared a well testing plan and proposes to conduct groundwater quality testing of potential affected wells prior to construction that would provide a baseline to determine whether any arsenic increases in groundwater occur after the pipeline is installed and operational. **In the unlikely event that construction results in any impacts on a water-supply well, PennEast would provide a treatment system to remove arsenic from the drinking water at individual properties or find an alternative water source.**”

*Comment/question:*

*Again, for such a critical issue why are you trusting a plan and testing by the company that is seeking approval for its project? What if wells that weren't baseline tested but are in the project area exhibit arsenic increases in groundwater after the pipeline is installed and operational? Isn't it possible that PennEast may not identify all of the potentially affected wells? If, post-construction, arsenic impacts are identified, what is the treatment system that will be provided? An “alternative water source” is unacceptable to those of us who will experience the impacts of arsenic poisoning. What will PennEast do – provide a lifetime supply of bottled water?! Now, there's an environmentally sound*

*solution! (That is sarcasm.) Dr. Tullis Onstott, a Professor of Geosciences at Princeton University has spoken about arsenic and arsenite, the most dangerous form of arsenic, aside from arsenic gas, which exists in the bedrock along the proposed PennEast pipeline route in Hunterdon and Mercer Counties and would likely end up in groundwater, streams and rivers and, ultimately, drinking water. He has submitted comments to FERC and others have submitted comments about this topic based on his studies. We implore you, FERC, to do your job and provide a more thorough review of this subject. I expect you to identify what you mean by “treatment system” and “alternative water source.”*

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

Sourland Conservancy

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