



August 17, 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 sections 4.1-4.4 Environmental Analysis. First, I will state section number; this will be followed by my comments and questions.

#### **4.1.4**

Paragraphs 7 and 8 uses a limit of 2 inches per second in calculating the safe distance between quarry blasting and the pipeline. It concludes that 32 feet separation is all that is required. In making this claim, PennEast implies that its pipeline can safely withstand regular blasts of 2 ips. What data supports this claim? PennEast notes that NJ allows up to ½ ips blast impact on historic structures; does PennEast assert that a pipeline would have 4 times greater tolerance for blasts than a house? The 2ps standard is laid out in NJ statute as the most blast impact allowed to ANY structure; why should a gas pipeline not be subject to a much, much stricter standard?

#### **4.1.5**

The Geohazard Risk Evaluation Report has not been completed. We reserve the right of further comment when this important part of the EIS has been completed. Additional public hearings should be scheduled at that time.

#### **4.1.5.3**

PennEast writes “The pipeline itself would be buried below scour depth and for larger stream crossings, HDD beneath the waterbody is proposed.” We note that this is what Transco told FERC about its recent expansion in Montgomery Township, NJ, but that it later asked for relief from this commitment due to increasing costs and project delays. We therefore request that the EIS include an analysis of the impacts of surface-level crossing of each stream impacted by the project. This pertains not just to 4.1.5.3 Flash Flooding but to many other sections.

#### **4.1.5.4 Ground Subsidence**

The Karst Mitigation Plan has not been completed. We reserve the right of further comment when this important part of the EIS has been completed. Additional public hearings should be scheduled at that time.

PennEast says it will “conduct regular inspections” in areas of karst. We ask that PennEast define “regular” and elaborate on its process to assure that these inspections are scheduled as promised.

#### **4.1.7 Geotechnical Investigations for the Proposed HDDs**

Geotechnical investigations are mostly incomplete or not yet started. We reserve the right of further comment when this important part of the EIS has been completed. Additional public hearings should be scheduled at that time.

The same holds true for the design of each individual HDD crossing.

#### **4.1.8 Paleontological Resources**

The DEIS notes that “Paleontological resources (vertebrate and invertebrate fossils) are sometimes discovered at locations under excavation or in areas exposed by erosion”, but it does not state what PennEast will do should it discover such resources in the course of the project.

## **4.2**

### **4.2.2.1**

DEIS states. “Once revegetation is satisfactory, temporary erosion control measures would be removed.” How is satisfactory revegetation defined? Who makes the call, and what is the process for doing so?

### **4.2.2.2 Farmland Soils and Drain Tiles**

DEIS states “Restoration would be considered successful if the right-of-way surface condition is similar to adjacent undisturbed lands, construction debris is removed (unless otherwise approved by the land owner or land managing agency), revegetation is successful, and proper drainage has been restored.”

Again, “successful revegetation” is not defined except as being “similar to adjacent undisturbed lands.” Who and what determines adequate “similarity”?

### **4.2.2.4 Post-construction Revegetation**

The DEIS states “Soils disturbed by the Project in uplands would be revegetated using a seed mix composed primarily of grasses, herbaceous plants, and legumes.” We insist all seeds used be native to the specific impacted area, and we would like to know the specific plants proposed in the Sourlands.

This section makes no mention of the impact of deer on revegetation; given the tremendous overpopulation of white-tailed deer, particularly in Mercer and Hunterdon Counties, the plants described in the EIS would stand little chance of survival without deer exclusion fencing. This should be required.

## **4.3 WATER RESOURCES**

### **4.3.1.5**

DEIS notes that “PennEast has not conducted surveys for water supply wells along the entire Project”. No meaningful assessment of environmental impact can be done until this is complete.

### **4.4.4.1 WETLANDS**

The DEIS notes “PennEast has not been granted survey permission for the entire Project; hence, field wetland delineations are incomplete.”

#### **4.4.1.2 Vernal Pools**

The report notes that only 25.8% of survey work has been completed in New Jersey. Table 4.4.1-1 is entirely incomplete. It lists seven places where the pipeline might potentially cross vernal pools, but lists all zeros and dashes for acres and linear feet that would be crossed by the project.

The acreage affected for Pennsylvania is listed as less than 1/10 acre altogether – a ludicrously small estimate of the amount of habitat that would be affected by at least 130 linear feet of pipeline installation though confirmed vernal pools across several

sites. The report implies that the company will not observe time-of-year restrictions on construction activity in these areas, saying that such restrictions would be observed “should additional potential vernal habitats [be identified] during surveys prior to construction.”

PennEast must make clear that any wetlands that potentially include vernal pools must not be disturbed March through June.

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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