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NEW JERSEY GENERAL ASSEMBLY

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August 15, 2016

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

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SECRETARY OF THE
COMMISSION
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FEDERAL ENERGY
REGULATORY COMMISSION

SUBJ: Proposed PennEast Pipeline Project
FERC Docket No. CP15-558-000

Dear Secretary Bose:

I am writing to express my objection to the Draft Environmental Impact Statement (DEIS) released by the Federal Energy Regulatory Commission (FERC) on July 22, 2016. The DEIS as written, acknowledges a tremendous amount of missing data and information. Based on these admissions, it is obvious that FERC lacks sufficient information to draw any conclusions regarding the potential environmental impacts of the pipeline, let alone conclude that most impacts "would be reduced to less-than-significant levels with the implementation of PennEast's proposed mitigation and the additional recommendations in the draft EIS."

By extension, the DEIS does not provide stakeholders with enough information regarding the existing environment along the pipeline's route, nor PennEast's mitigation plans, to formulate an informed and timely response.

In a letter dated April 8, 2016, my 15th Legislative District colleagues and I urged FERC to suspend the review of the above project until Penn East "provided the data and analysis required to properly evaluate the significant environmental and economic impacts of the proposed pipeline." Our concerns in April have been validated by a DEIS release. The Environmental Analysis (Section 4) portion of the DEIS *alone* includes the following language regarding information and/or data gaps:

4.1 Geology – Geohazard Risk – "PennEast identified the areas listed above as areas where it would conduct further field investigation and analysis."

4.1.5.4 Ground Subsidence – “PennEast continues to complete additional geophysical investigations . . . Once completed, these surveys in addition to geotechnical borings, would help determine the extent of karst features and if they occur beneath the proposed pipeline alignment.”

4.3.1.5 Water Supply Wells – “ Because PennEast has not conducted surveys for water supply wells along the entire Project, we recommend that: Prior to construction, PennEast should complete all necessary surveys for water supply wells and groundwater seeps and springs, identify public and private water supply wells within the construction workspace, and file with the Secretary a revised list of water wells and groundwater seeps and springs within 150 feet of any construction workspace (500 feet in areas characterized by karst terrain).

4.3.2.2 Sensitive Waterbodies - Waterbodies with Steep and Actively Eroding Banks and Riparian Areas – “PennEast also states it would assess bank conditions of waterbodies on a case-by-case basis. Because surveys have not been completed . . .”

4.3.2.4 Waterbody Construction Procedures- Hydrostatic Test Water “Because PennEast has not identified the final hydrostatic test water sources and discharge locations . . .”

4.4.1 Existing Wetland Resources – “PennEast has not been granted survey permission for the entire Project; hence, field wetland delineations are incomplete.”

4.5.1.2 General Impacts and Mitigation “An Invasive Species Management Plan has yet to be developed by PennEast.”

5.1.6 Threatened, Endangered, and Special Status Species – “all areas of potential suitable habitats have not been surveyed to date (indicating that additional occurrences of these species is possible along the Project). Therefore, our preliminary threat determination for the Indiana bat, northern long-eared bat, bog turtle, dwarf wedge mussel, and northeastern bulrush is that the Project “*may affect and is likely to adversely affect*” these species.”

Considering the substantial data and mitigation plans outstanding from the applicant, the released DEIS does not conform to the National Environmental Policy Act (NEPA) which mandates transparency and public involvement in the decision making process. The DEIS should be withdrawn and the public comment period extended until at least 45 days after a revised and complete DEIS is re-issued.

Sincerely,



Elizabeth Maher Muoio, Assemblywoman
LD 15 (Mercer – Hunterdon)