

**VIA ELECTRONIC SUBMISSION AND CERTIFIED MAIL**

September 7, 16

Kimberley Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, DC 20426

Re: Comments on Draft EIS Docket CP15-558-000 – Proposed PennEast Pipeline Project

Dear Ms. Bose:

In 2016, the City of Lambertville formed a new committee called the PennEast Pipeline Committee (the Committee). This Committee reports to the City Council on matters of the proposed project, and is empowered to speak on the City's intervention on the FERC docket in this matter. We, the members of the Committee, are writing to express our concern over a number of issues with the project and Draft Environmental Impact Statement (DEIS) that impact our city. We are also writing to request that FERC extends the comment period.

There are numerous, critical impacts to our city that have not been addressed in the DEIS. This includes the (1) disruption and (2) potential contamination of our city's water supply, (3) threats to the Swan Creek Reservoir dam, and (4) the unexamined impact on our wetlands. In addition, we are concerned about the effects of clear cutting the landscape, including (5) the possibility of increased runoff in the vicinity of Swan Creek Reservoir and Route 179 into Lambertville. We also have concerns about the (6) unstated new traffic impacts during construction and (7) how pipeline construction may hurt our city's thriving businesses and tourism. PennEast has failed to provide complete data about these issues in its application. We urge FERC to require PennEast to address these potential impacts to the City of Lambertville in their Environmental Impact Statement. These impacts are even more egregious to the City given the lack of any clear and accurate public benefit for this project.

**COMMENT PERIOD INSUFFICIENT**

We object to the length of the 52-day comment period on the DEIS. Given the thousands of pages in the DEIS, 52 days is not sufficient for the Committee to properly review the entire document for potential impacts or deficiencies in or around Lambertville. We ask that FERC reconsider its decision on the length of the comment period, and that it extends the comment period to at least 120 days so that it is commensurate with the size of the project and its DEIS.

**DEIS MISSING CRITICAL IMPACTS**

There are numerous crucial impacts to our city that are not addressed in DEIS. We urge FERC to require PennEast to address these issues.

PennEast has failed to provide complete environmental data that would directly affect the City of Lambertville in its application.

### UNDOCUMENTED IMPACT TO RESERVOIR AND WATER SUPPLY

First, based on the current route of the pipeline, it would disrupt Lambertville's main water supply pipe in the vicinity of Mile Marker 102.8, the site of Swan Creek and the Reservoir owned by the Suez Corporation. The indicated trenching cuts directly through our city's main water transfer pipe. From discussions with representatives of Suez it appears that PennEast was unaware or unconcerned with the location of this pipe. See Figure 1 for an annotated version of PennEast's application maps and impact

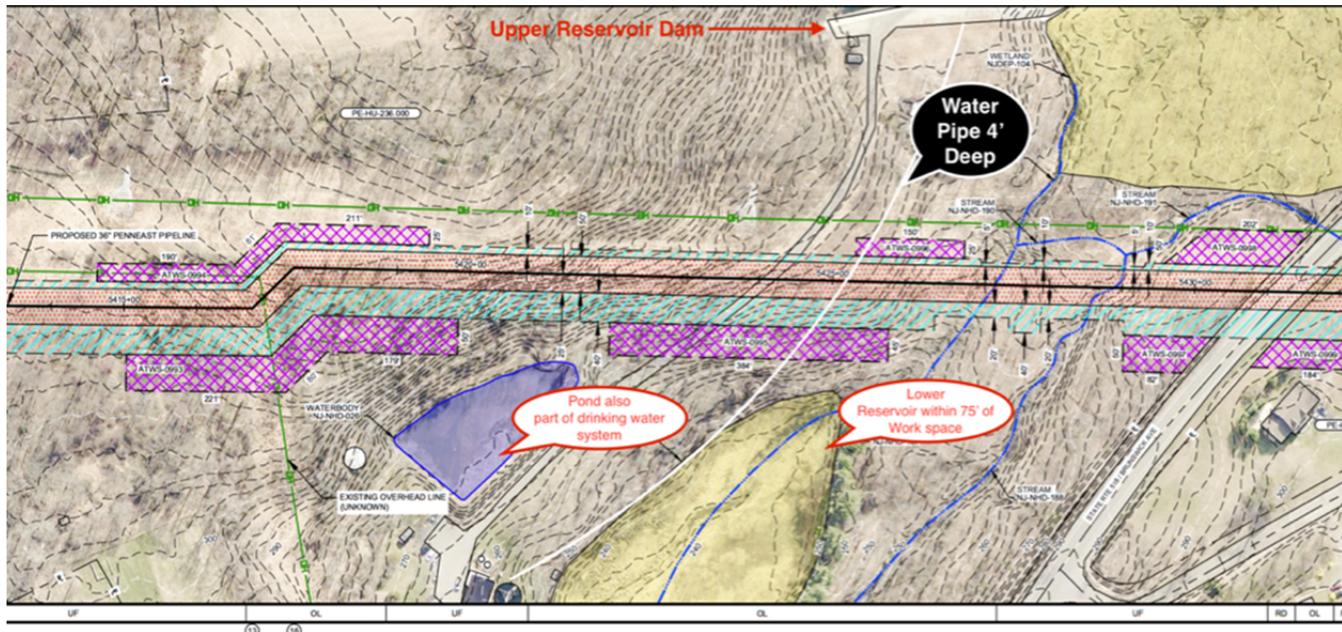


Figure 1 - Annotated PennEast plan at Suez site. PennEast construction plans would sever the transfer pipe to the treatment facility

on the site.

### UNDOCUMENTED IMPACTS TO HIGH HAZARD DAM AND VICINITY FROM BLASTING

Swan Creek Reservoir's dam is also labeled a "High Hazard Dam" by the State of New Jersey, defined as "the failure of which may cause probable loss of life or extensive property damage. (N.J.A.C. 7:20-1.8). We have concerns that the dam may be compromised in construction or operation of this pipeline. Suez representatives stated to the Committee that PennEast indicated to them that no blasting would take place along the route. However, the DEIS indicates that the vicinity of the dam is a probable location for blasting by PennEast. It appears such blasting could put the dam in jeopardy. See figure 2<sup>1</sup>. From discussions with Suez it does not appear that PennEast or the DEIS has taken this potential harm to this dam into account.

<sup>1</sup> PennEast Draft Environmental Impact Statement , Table G-3

Facility	Pipe Diameter (in)	Begin MP	End MP	Depth to Bedrock (ft)	Shallow Bedrock with Potential to Require Blasting	Map Symbol	Geologic Unit Name	Primary Lithology	Secondary Lithology	Additional Description
MAINLINE	36	102.46	102.51	4.66	Yes	JTrp	Passaic Formation	Siltstone	Shale	siltstone and shale
MAINLINE	36	102.51	102.59	4.66	Yes	Trpg	Passaic Formation Gray bed	Sandstone	Siltstone	sandstone, siltstone and shale
MAINLINE	36	102.59	103.06	4.17	Yes	JTrp	Passaic Formation	Siltstone	Shale	siltstone and shale
MAINLINE	36	103.06	103.22	4.66	Yes	Jd	Jurassic Diabase	Diabase	(N/A)	diabase, medium- to coarse-grained

Figure 2 - Probable blasting sites including Swan Creek Dam Vicinity

**ARSENIC AND BORON CONTAMINATION HAZARDS NOT PROPERLY ADDRESSED IN DEIS**

The potential effects of arsenic and boron contamination have not been included in the DEIS. Professor T.C. Onstott has indicated in his comments on the application and DEIS that on-going operation of the pipeline would dissolve and mobilize these substances into the nearby areas, potentially contaminating the water supply and beyond. The DEIS erroneously concludes that *construction* of the pipeline would not result in arsenic contamination, and misses the point of Dr. Onstott’s research that it is *on-going operation* that is the source of concern. The Committee is concerned that our Reservoir, Swan Creek, and the Alexuaken Creek could carry arsenic and other contaminants into the City.

**UNDOCUMENTED WATER QUALITY IMPACTS**

The clear-cutting, excavation, and construction of the pipeline route will have significant water quality impacts. Erosion and sediment will impact the Swan Creek Watershed and particularly the lower reservoir. The nutrients from the the runoff will cause increased algae and bacterial blooms that will lower dissolved oxygen levels. This itself has a direct impact on drinking water quality. Cutting of the forests and stream buffers will also increase water temperature, further adding to algae and bacteria growth which impacts water quality. Siltation can also cause cryptosporidium outbreaks which cannot be killed by chlorine. Outbreaks of this have sickened and even killed people. The Lambertville Water System has problems with trihalomethane (THM) and additional alga and bacteria growth could cause increased levels of THM since it comes from the killing of algae and bacteria with chlorine. THM is carcinogenic and can cause birth defects. Lambertville levels are already fairly high in the summertime and could lead to the building of a new treatment plant, which would cost ratepayers a significant amount of money. This pipeline cutting through the Alexauken Creek and Swan Creek could also affect water quality in the Delaware & Raritan Canal, which is a backup source of water for Lambertville and a drinking water source for many other communities. None of these impacts are captured in the DEIS.

**ISSUES WITH HYDROSTATIC TESTING WATER SOURCE**

The DEIS cites Swan Creek Reservoir and Suez as a potential source of water for hydrostatic testing by PennEast (note: United Water Company of Lambertville was acquired by Suez several years ago). See table 1 below:

Company	Location	Source	Notes
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Table 1 - DEIS Notes on United Water/Suez as water source for hvdrostatic testing

United Water Company of Lambertville	West Amwell Township, Hunterdon County, NJ	Hydrants and private reservoir	PennEast contacted the Company who is willing to sell water to PennEast for the project. Quantity of water available is being confirmed.
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However, Suez representatives have reported to the Committee that no discussions have taken place between PennEast and Suez on this matter. We ask FERC to require PennEast to explain this discrepancy, and also to fully describe any potential impacts from such a water taking to the reservoir and the City.

**DOWNSTREAM IMPACTS, EROSION, FLOODING NOT DOCUMENTED**

The Committee is concerned that downstream impacts from clear cutting have not been adequately addressed by the DEIS. In the vicinity of the Swan Creek Reservoir, the proposed route is adjacent to (but not within) an existing cut for a power line easement. This cut is a source of erosion and flooding into Lambertville, including historic floods into Lambertville less than a decade ago. During Hurricane Irene in 2011, residents reported seeing a “wall of water” coming down the Swan Creek and to the eastern part of the city and next to the proposed route of the pipeline. PennEast’s proposed construction will involve running the pipeline sideways across the hill in the vicinity of Swan Creek. This side-running location next to the existing downhill cut will significantly increase runoff into the City, which the DEIS does not address.

There are additional issues of run off issues from Route 179 down into Lambertville. There are no indications in the DEIS how construction or on-going operation of the pipeline could contribute to that.

**TRAFFIC IMPACTS UNDEFINED**

PennEast has indicated that no traffic management plans will be filed until 2017. This means the City will be unable to gauge the impact to traffic into and out of the City during construction of the pipeline. This robs us of the ability to comment on those impacts during the comment periods of both the DEIS and FEIS. Given the limited number of roads into the City, these impacts could be significant. Route 518 and 179, both impacted by PennEast construction, are two of the four main arteries into Lambertville.

**TOURISM IMPACTS UNDERESTIMATED**

Further, the DEIS indicates that tourism impacts from the pipeline will be minimal. We disagree. Lambertville and its local businesses derives significant revenues from tourism of many varieties, including hikers, bikers, eco-tourists, horseback riders, and the many antique and boutique stores in town. The proposed pipeline construction would seriously impact tourism into the city during that time. Further, the mandated cuts in the hillsides along the route will provide a visible scar that will damage our pristine landscapes surrounding the City. This includes impacts to preserved areas just outside of the City including the Goat Hill Natural Heritage Site, Baldpate Mountain, and the Howell Living History Farm. We hereby ask FERC to work to quantify the impact to tourism dollars in the City of Lambertville during construction and due to diminished scenic views after construction.

**DEIS INCOMPLETE ON WETLANDS IMPACTS AND OTHER AREAS**

We further note that the DEIS appears to be incomplete in many areas. On the issue of wetlands, including wet lands ultimately involving waterways that feeding into Lambertville (Mile Markers 100.2, 102.7-103.0, 103.8-103.9, the DEIS states:

*PennEast has not been granted survey permission for the entire Project; hence, field wetland delineations are incomplete. Therefore, we recommend that: Prior to construction, PennEast should file with the Secretary a complete wetland delineation report for the entire Project that includes all wetlands delineated in accordance with the USACE and the applicable state agency requirements.<sup>2</sup>*

This is not acceptable to the Committee. According to the National Environmental Policy Act, agencies such as FERC are required to take a *hard look*<sup>3</sup> at potential environmental impacts of federal projects *before* granting approval to such projects.

**CONCLUSION**

We urge FERC to require PennEast to address these potential impacts to the City of Lambertville in their Environmental Impact Statement.

We look forward to FERC's thoughtful consideration of our comments.

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<sup>2</sup> *ibid* Section 4-4 - Wetlands, Page 4-66

<sup>3</sup> See, e.g., *Utah Shared Access Alliance v. United States Forest Service*, 288 F.3d 1205, 1213 (10th Cir. 2002)