

Green Sergeant's Bridge
New Jersey's Only Remaining Covered Bridge

Via Overnight Mail

 ORIGINAL

Delaware Township

Hunterdon County, New Jersey

www.DelawareTwpNJ.org

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September 15, 2015

The Honorable Norman C. Bay, Chairman
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Re: Docket No. PF15-1-000 Proposed PennEast Pipeline Project
PennEast Pipeline Company LLC
Scoping Comments on the 7/22/15 Route Realignment
Delaware Township, Hunterdon County, NJ

FILED
SECRETARY OF THE
COMMISSION
2015 SEP 21 P 12:49
FEDERAL ENERGY
REGULATORY COMMISSION

Dear Chairman Bay:

The Delaware Township Committee submitted scoping comments on February 24, 2015 regarding the water resources in Delaware Township, Hunterdon County, New Jersey and the impact the proposed PennEast pipeline would have on these resources.

In part, the submission stated:

"Streams, small streams (such as headwater streams) and their associated wetlands, including streams and wetlands that do not have water year round, play a key role in providing critical habitat, food and shelter for waterfowl, fish, and other aquatic species. They also mitigate damage from floods, provide sources of drinking water, filter pollutants, and support economically important local and downstream recreational and commercial uses.

Delaware Township is focused on, and very protective of, its streams and wetlands because each and every resident depends upon wells for water use, and as previously stated, surface waters help to protect ground water quality. As a result, the streams in Delaware Township are of the highest water quality.....

While the New Jersey State Water Quality Standards (SWQS) protect water quality for all surface waters of the State, the degree of protection varies depending on the

antidegradation designation of the water resource. Antidegradation means that there shall be no measurable change in the water quality. Category One waters are protected from any measurable change in water quality, including their aesthetic value (color, clarity, scenic setting) and ecological integrity (habitat, water quality and biological “exceptional aquatic community” and qualify for C1 protection status. Under the definition of Exceptional Fisheries Resource(s), trout production waters classified as FW2-TP waters qualify for C1 status. Under the definition of Exceptional Water Supply Significance, waterbodies that are part of the water supply system that serves a population greater than 100,000, including any reservoirs and streams that directly flow into those reservoirs can qualify for C1. The majority of the water bodies in Delaware Township that would be affected by the PennEast pipeline—the Wickecheoke Creek, Lockatong Creek, Alexauken Creek and their tributaries functions) because of their exceptional ecological significance, exceptional recreational significance, exceptional water supply significance, or exceptional fisheries resources.

Category One (C1) designation provides additional protection to waterbodies to help prevent water quality degradation, and discourages development where it would impair or destroy natural resources and water quality. Under the definition of Exceptional Ecological Significance, the State considers waterbodies supporting certain aquatic-dependent threatened or endangered species (bog turtles and mussels) or an “exceptional aquatic community” as qualifying for C1 status. Waterbodies that support unimpaired benthic macroinvertebrates and indicate exceptional value for two of the four data sources: habitat, physical/chemical water quality data, fish assemblage, and low impervious surface meet the definition of an “exceptional aquatic community” and qualify for C1 protection status. Under the definition of Exceptional Fisheries Resource(s), trout production waters classified as FW2-TP waters qualify for C1 status. Under the definition of Exceptional Water Supply Significance, waterbodies that are part of the water supply system that serves a population greater than 100,000, including any reservoirs and streams that directly flow into those reservoirs can qualify for C1. The majority of the water bodies in Delaware Township that would be affected by the PennEast pipeline—the Wickecheoke Creek, Lockatong Creek, Alexauken Creek and their tributaries—are all designated as C1 waters.”

Even with these issues being pointed out to PennEast back in February, PennEast continues to cross additional C1 water bodies in its July 22, 2015 route re-alignment. Figure 1 shows the location of the July 22, 2015 proposed route re-alignment. This current route re-alignment not only crosses an additional C1 water body in Delaware Township between MP 98.9 and MP 99 but also runs parallel to it. And this C1 water body is a tributary to the Alexauken Creek.

Figure 2 shows the number of times the July 22, 2015 proposed route of the pipeline not only crosses the C1 tributaries to the Alexauken Creek but also runs parallel to these tributaries in just a short distance. The proposed pipeline has the potential to destabilize and erode these stream banks and cause additional runoff of sediments into the Alexauken Creek and eventually the Delaware River, especially given the steep gradient in this area.

Therefore, the Delaware Township Committee would like the Federal Energy Regulatory Commission (FERC) to ensure that PennEast fully addresses these concerns in the Final Resource Reports so that an accurate and complete Environmental Impact Statement can be developed.

The Delaware Township Committee would like FERC's commitment that all the concerns raised by the Township, as well as other stakeholders, are acknowledged and fully addressed by PennEast. We make this request because despite numerous letters and scoping comments, most of the major concerns that were raised at the beginning of the pre-filing process appear to remain ignored and unmentioned in subsequent documents submitted by PennEast.

Sincerely,



Joseph Vocke
Deputy Mayor, Delaware Township

Enclosures: Figures 1 and 2

cc: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, via Overnight Mail
Glenn Weitknecht, US Army Corps of Engineers
Ruth Foster, NJDEP Office of Permit Coordination
Pam Bush, Delaware River Basin Commission
Anthony C. Cox, PennEast Pipeline LLC
Congressman Leonard Lance
Senator Cory Booker
Senator Robert Menendez
Assemblyman Jack M. Ciattarelli
Assemblywoman Donna Simon
Senator Christopher "Kip" Bateman

98.7

98.6

98.9

99

99.1

99.2

Figure 1

C1 Water Bodies Delaware Township Hunterdon County, NJ

- 1/16/15 Proposed Route
- 7/22/15 Proposed Route

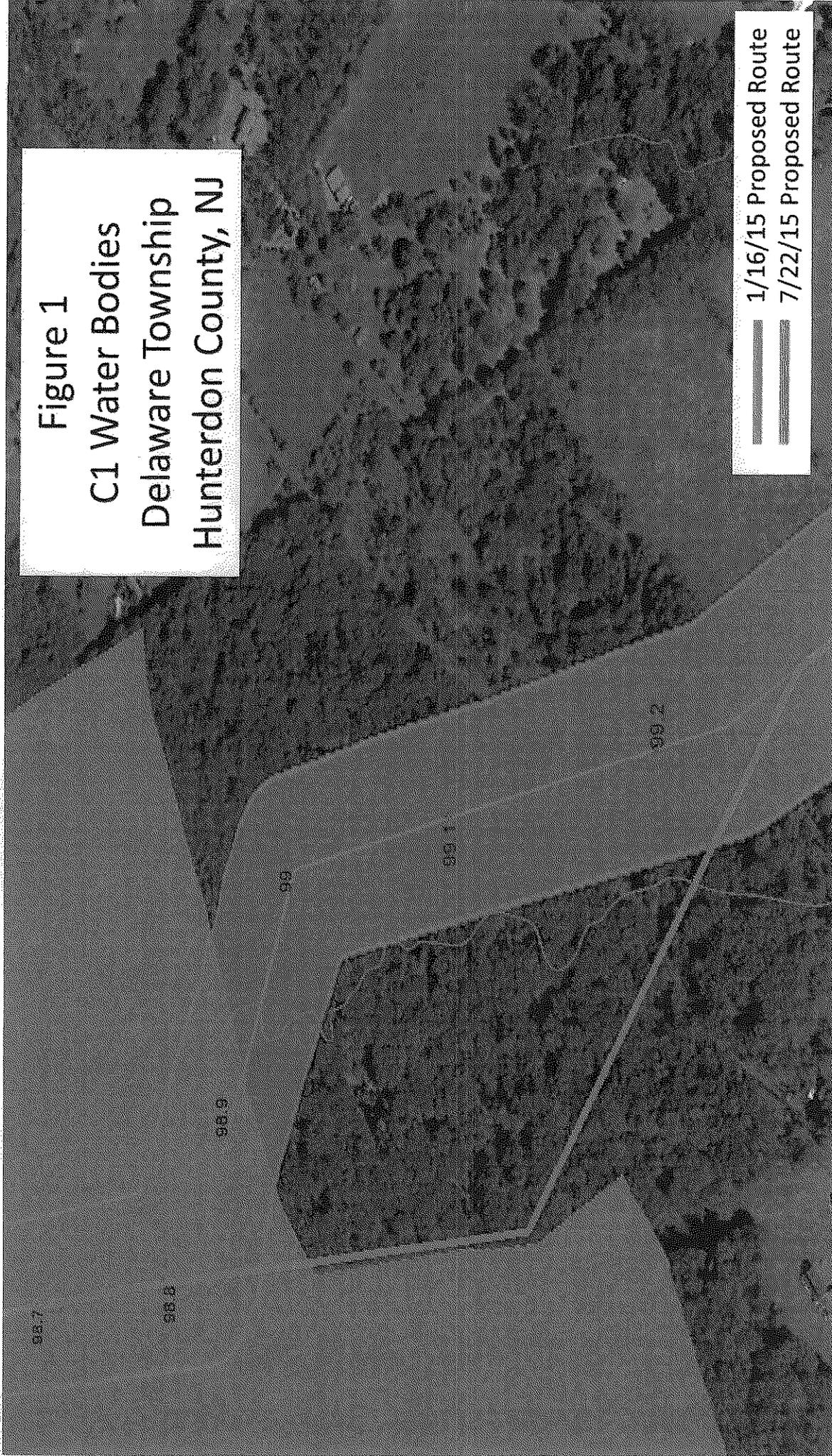
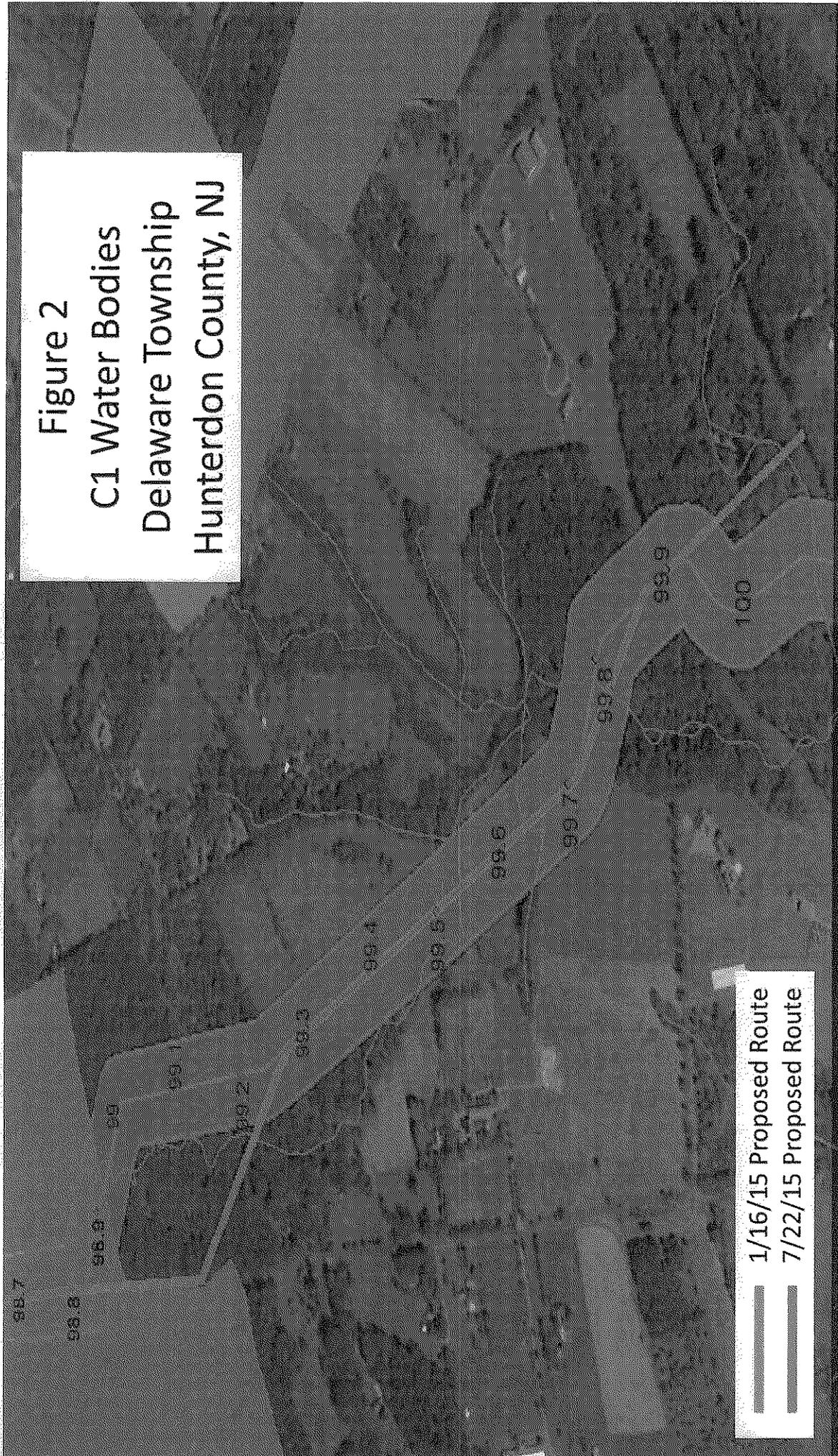


Figure 2
C1 Water Bodies
Delaware Township
Hunterdon County, NJ



1/16/15 Proposed Route
7/22/15 Proposed Route