



Delaware River Basin Commission

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Steven J. Tambini, P.E.
Executive Director

September 12, 2016

Via eFile

Ms. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

Re: **PennEast Pipeline Project, FERC Docket No. CP15-558-000**
Comments on Draft Environmental Impact Statement

Dear Ms. Bose:

Thank you for accepting these comments of the Delaware River Basin Commission (DRBC) on the Draft Environmental Impact Statement (Draft EIS) for the PennEast Pipeline Project, FERC Docket No. CP15-558-000. Our comments seek in part to correct errors in and improve the accuracy of the document's characterization of the DRBC and the purposes of its review, as set forth in sections 1.3 Permits, Approvals and Regulatory Requirements; 1.3.1 Federal Permits; and 1.3.1.7 Delaware River Basin Commission. An additional comment addresses multiple sections and/or tables addressing watershed impacts. Our comments are organized by DEIS section.

Section 1.3 Permits, Approvals and Regulatory Requirements: In Table 1.3-1, the DEIS identifies DRBC and its sister agency the Susquehanna River Basin Commission (SRBC) as "Watershed-Specific Regulatory Authorities" (Table 1.3-1, p. 1-10). To more closely align the DEIS terminology with that used in federal and state water resources legislation, this classification should be changed to "River Basin Commissions" (RBCs).

In the Permit/Approval column of Table 1.3-1, DRBC's actions are described as "Water Withdrawal Approval and Project Review." DRBC's review is actually a comprehensive review to ensure the project does not impair or conflict with DRBC's comprehensive plan (CP) for the immediate and long range development and use of the basin's water resources. For accuracy, the description should read, "Project Review, including Water Withdrawal Approval".

Sections 1.3.1 Federal Permits and 1.3.1.7 Delaware River Basin Commission: Permits issued by the DRBC and SRBC are not federal actions for purposes of the National Environmental Policy Act (NEPA), and it is important to avoid implying that they are. Accordingly, narrative sections 1.3.1.7 and 1.3.1.8, devoted to DRBC and SRBC respectively, are incorrectly placed within a section titled "Federal Permits." To avoid the suggestion that approvals issued by the two agencies constitute

crossings, by river basin. Unfortunately, the DEIS does not include basin boundaries for purposes of assessing watershed impacts. PennEast has separately supplied DRBC with affected area acreages within the basin for land use categories identified in DEIS Table 4.7.1-1. In combination, the data provided in the DEIS and furnished separately by PennEast substantively satisfy DRBC's requests made in our letter dated April 23, 2015, signed by William J. Muszynski, commenting on the scope of the EIS. Considering the wide interest in this project from Delaware River Basin stakeholders, however, we recommend that the DEIS identify basin boundaries and basin names wherever possible.

Very truly yours,

A handwritten signature in black ink, appearing to read 'K. F. Najjar', with a large, stylized flourish underneath.

Kenneth F. Najjar, Ph.D., P.E.
Director, Water Resource Management

c: DRBC Commissioners (*via email*)
Medha Kochhar, FERC (*via email*)
Alisa M. Lykens, FERC (*via email*)