



September 12, 2016

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission (FERC)
888 First Street, NE
Washington, DC 20426

**Re: PennEast Pipeline Company, LLC, Docket No. CP15-558-000
Comments to the Draft Environmental Impact Statement**

Dear Secretary Bose,

On behalf of the National Parks Conservation Association (NPCA), I appreciate the opportunity to submit comments on the Draft Environmental Impact Statement (DEIS) for the PennEast Pipeline. Formed in 1919, NPCA's mission is to protect and enhance America's National Park system now and for future generations. We are joined by more than 1 million members and supporters nationwide, and more than 73,000 in Pennsylvania and New Jersey, who help us fulfill our mission of connecting our national parks with their surrounding landscapes.

NPCA looks carefully at any and all proposed crossings of National Park Service-administered lands. The PennEast pipeline is one of an increasing series of natural gas pipelines proposed to bisect national park landscapes in the East. At least eight proposed pipelines would cross the Appalachian National Scenic Trail (Appalachian NST), including the PennEast pipeline, which will also cross the Lower Delaware Wild & Scenic River (WSR) and the Captain John Smith Chesapeake National Historic Trail (NHT).

While the use of horizontal directional drilling (HDD) holds real promise for minimizing the impacts of construction and operation of PennEast on the Appalachian NST and the Lower Delaware WSR, this DEIS leaves many questions unanswered regarding the impacts to these national park sites. We request that additional information is gathered and incorporated into the DEIS, or included in a supplemental document.

We also request that the Federal Energy Regulatory Commission (FERC) undertake a regional Programmatic Environmental Statement (PEIS) to consider the impacts of gas pipeline development on the Appalachian NST and to determine less impactful or more efficient alternatives.

**1. Concerns with Impacts to the Appalachian NST, Lower Delaware WSR, and
Captain John Smith Chesapeake National Historic Trail**

The Appalachian NST is the world's most famous long-distance hiking trail. It is deeply ingrained in the world's imagination as a symbol of adventure and self-discovery. An estimated 2-3 million hikers visit some section of the trails 2,190 miles each year, with less than 1,000 people completing the entire through-hike between Georgia and Maine. Appalachian NST hikers value the serenity and wilderness isolation provided by the trail, values that exist only thanks to constant protection and vigilant management from the National Park Service (NPS), National Forest Service (NFS), numerous state agencies, the Appalachian Trail Conservancy (ATC) and 31 local hiking clubs. Any disruption of that isolation, for example by a new road or energy transmission corridor, threatens the fundamental values for which visitors enjoy the trail.

Similarly, thousands of annual visitors enjoy relative serenity in otherwise heavily-developed regions via the Lower Delaware WSR and Captain John Smith NHT. The Lower Delaware WSR recognizes a beautiful portion of the longest free-flowing river in the East, providing city residents a respite from their busy lives and providing habitat for threatened and endangered species. Similarly, the Captain John Smith NHT reminds thousands of annual paddlers of what the Susquehanna River and Chesapeake Bay looked like during our pre-Revolutionary history and preserves the history of our region's Native American tribes.

Unlike other proposed pipeline crossings which rely on trenching and clearing, PennEast's proposed use of HDD has the potential to significantly minimize impacts to hikers and boaters. By drilling underground from locations outside the 400-foot Appalachian Trail corridor and underneath both rivers, the pipeline's construction impacts will be lessened, especially important on the Appalachian NST, an area that FERC acknowledges "has not been previously disturbed or developed."¹

However, it is not clear in this DEIS whether HDD at these crossing locations are feasible. We were unable to locate the "site-specific crossing plan" for the Appalachian NST, Lower Delaware WSR, and Captain John Smith NHT crossings as mentioned by FERC in its DEIS. We were unable to scrutinize detailed construction schedules, access road delineations, traffic and vehicular management plans, and hiker, boater, and recreational user management plans. There is no discussion of visual and audible impacts from construction pads on either side of the trail and rivers, and similar details which are crucial for meaningfully considering proposed pipeline locations that would cross the park sites. Major impacts to the environmental value and visitor enjoyment of the Appalachian NST could still occur from HDD construction outside of the 400-foot corridor, including from the Weathering Knob overlook, but we are unable to assess those impacts due to a lack of detailed construction and mitigation information. We are equally unaware that any construction company has contracted to build the HDD sections underneath the Appalachian NST, or the Lower Delaware WSR or Captain John Smith NHT.

Without these details, or assurances that what PennEast has proposed to do to minimize impacts to these national park sites can actually be constructed, we are left with serious questions about the likelihood of minimization of impacts to these sites. This lack of information is compounded by a failure to conduct an extensive review of alternative crossing locations, including all eight alternatives proposed by the NPS for the Appalachian NST crossing. In order to ensure proper protection of our national parks, these deficiencies need to be corrected before a final EIS is released or any further permitting action is taken by FERC on the PennEast pipeline proposal.

¹ FERC PennEast Pipeline Project Draft Environmental Impact Statement: Volume 1, at 237.

2. FERC should undertake a Programmatic Environmental Impact Statement (PEIS) to consider the cumulative impacts of natural gas pipeline construction on the Appalachian NST

The PennEast pipeline is one of at least eight currently-proposed pipelines that would cross the Appalachian NST. Each pipeline is proposed to cross a different section of the trail, posing unique impacts in each case. Despite the large and growing number of proposed pipelines, each slated to bring natural gas from the Marcellus, Utica, and Upper Devonian formations to the east coast, FERC considers each proposal separately. The impacts of these pipelines could be minimized, and the process made more efficient for pipeline operators, if FERC were to undertake a systematic review of the impacts of natural gas pipeline construction on the entirety of the Appalachian NST.

Such a tool exists as part of the National Environmental Policy Act (NEPA), which states that “programmatic NEPA reviews may serve to influence the nature of subsequent decisions, thereby providing for an integrated and sustainable policy, planning framework, or program.” The NEPA guidance from the White House Council on Environmental Quality (CEQ) also states that a Programmatic EIS may be appropriate to adopt “an agency plan for a group of related projects” or to evaluate “Proposals to substantially redesign existing programs.”²

A programmatic EIS which considers the cumulative impacts of natural gas pipelines to the Appalachian NST could, for example, identify areas of possible co-location and best available technologies to help ensure that the Appalachian NST is protected. The identification of such areas could expedite the approval of pipelines by reducing controversy and promoting consensus, as it has for solar facilities through the western Solar PEIS. A PEIS is the right way to accomplish efficiency and impact minimization when considering multiple projects in a large region. The narrow focus of the approach currently used by FERC contributes to a “death by a thousand cuts” situation for the Appalachian NST. One of the nation’s most beloved national park sites deserves the respect offered by a programmatic analysis of a growing threat to its essence.

² Memorandum on “Effective Use of Programmatic NEPA Reviews,” from Michael Boots to Heads of Federal Departments and Agencies (Dec. 18, 2014), available at: https://www.whitehouse.gov/sites/default/files/docs/effective_use_of_programmatic_nepa_reviews_18dec2014.pdf.