

 ORIGINAL



The New Jersey
NATURAL LANDS TRUST

March 3, 2016

FILED
SECRETARY OF THE
COMMISSION
2016 MAR 11 P 2:39
FEDERAL ENERGY
REGULATORY COMMISSION

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

RE: Docket# CP15-558

Dear Secretary Bose:

Please accept this comment on behalf of the New Jersey Natural Lands Trust (NJNLT), an independent New Jersey state agency that is in but not of the New Jersey Department of Environmental Protection (NJDEP). This comment concerns PennEast's February 22, 2016 Response to FERC's February 10, 2016 Environmental Data Request.

In Request #29, under Resource Report 10 – Alternatives, FERC required that PennEast “[p]rovide an engineering and environmental analysis of the county roadway route alternative identified by the NJNLT in its December 17, 2015 letter to FERC as a potential means to avoid impacts on the Gravel Hill Preserve near MP 80.5.”

The NJNLT respectfully submits that PennEast failed to provide an adequate engineering analysis for the alternative in question (referred to by PennEast as Route Deviation No. 1817). While PennEast describes numerous impacts from Route Deviation No. 1817 to preserved farmland, additional acreage, structures, wetlands, waterbodies/streams, historic districts(s), and roadways, it does not conclude that this alternative route is not feasible from an engineering perspective.

PennEast's concern about a potential effect to historic districts is interesting in that the proposed route through the Gravel Hill Preserve goes through known archaeological sites of significance to the Delaware Tribe. Therefore, for either their proposed route or Route Deviation No. 1817, FERC and PennEast will need to go through the Section 106 process which involves consultation among all consulting and interested parties to identify historic resources within the area of potential effect (APE), evaluate their significance, and assess the impacts of the project on those historic resources. Section 106 is a consultative process where the views of consulting parties and the interested public are taken into account in the decision-making process. If there will be adverse effects to historic resources, FERC and PennEast, in consultation with consulting and interested parties, must identify ways to avoid, minimize, and/or mitigate the impacts.

Many of the impacts from Route Deviation No 1817 identified by PennEast could be eliminated or reduced if the pipeline was located completely within the roadway. However, PennEast states that “due to land uses located along these roadways, the route deviation is anticipated to be located adjacent to the paved portions of the roadways through certain areas.” Without specific information regarding these land uses, such as location and extent, it is not possible to evaluate the basis for this conclusion.

In its February 22, 2016 submission, PennEast acknowledges that “there are detour options available to enable pipeline construction to be completed without potentially significant traffic impacts.” They then state that the “Holland Township municipal building, which includes the local police station, is located on a portion of Church road within Deviation No. 1817.” But there is nothing that follows that statement to indicate whether or not Holland Township finds that problematic, or whether detours can be scheduled to ensure access from one direction at all times.

The NJNLT requests that FERC not accept the general findings submitted by PennEast concerning Route Deviation No. 1817. Instead PennEast should be required to perform a comprehensive alternatives analysis of the feasibility of Route Deviation No. 1817 from an engineering perspective. The NJNLT maintains that most, if not all, of the impacts identified by PennEast from Route Deviation No. 1817 would be avoided if the installation of the pipeline was limited to the roadway.

FERC has an obligation to ensure that reasonable and feasible alternatives are fully reviewed so that approved projects do not result in unnecessary environmental impacts. The NJNLT continues to believe that pipeline installation is feasible within the county roads that surround the preserve boundary.

In addition, the USGS topographic maps submitted to FERC by PennEast depicting both Route Deviation No. 1817 and No. 1705 inaccurately indicate that Block 22, Lot 56 in Holland Township is not part of the Gravel Hill Preserve (indicated as a Green Acre parcel only). As the attached map reflects, this parcel is part of the NJNLT’s Gravel Hill Preserve.

Based on the above, we respectfully request that FERC require a more robust and rigorous analysis by PennEast as to the engineering feasibility of Route Deviation No. 1817.

Thank you for the opportunity to provide this comment.

Sincerely,

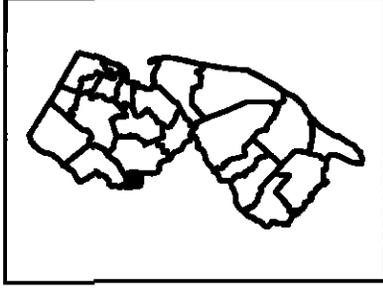
Michael Catania
Chair

Enclosure

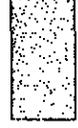
c: Medha Kochhar, FERC
Anthony Cox, PennEast
Jeff England, PennEast
Marilyn Lennon, PS&S
Ruth Foster, NJDEP, PCER
Rich Boornazian, NJDEP, NHRG
John Sacco, NJDEP, SFS
Robin Madden, NJDEP, NHRG
Dan Saunders, NJDEP, SHPO
Robert Cartica, NJNLT

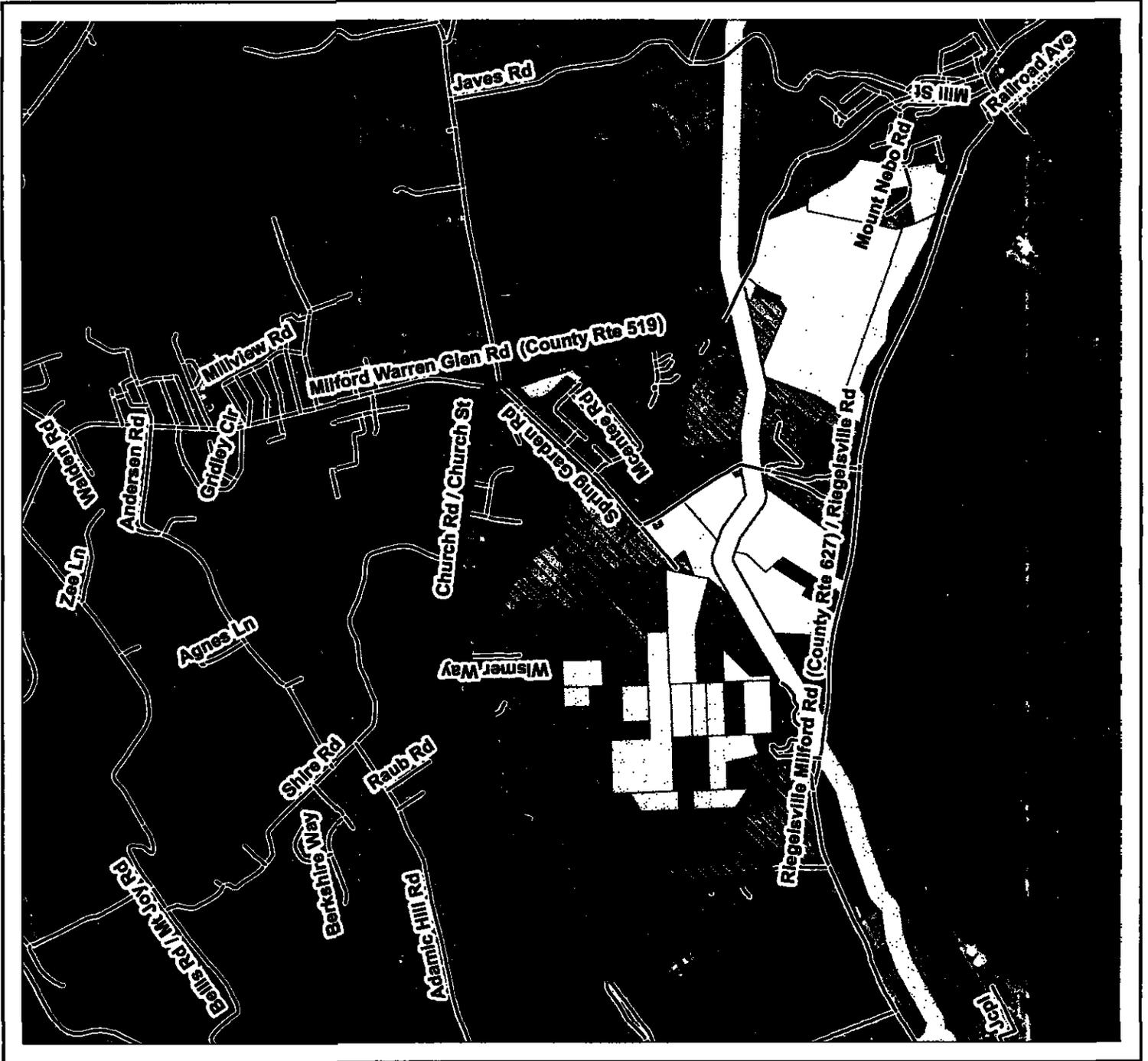
NJNLT Proposed Alternate Pipeline Route to Avoid Gravel Hill Preserve and NJNLT Project Areas

New Jersey



Legend

-  PennEast
-  Proposed Pipeline
-  NJNLT Preserve
-  NJNLT Project Area



Document Content(s)

14169274.tif.....1-3