

December 1, 2016

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

Re: Docket CP15-558-000 – Proposed PennEast Pipeline Project, West Amwell Township, NJ.

Dear Ms. Bose,

We are Zachary Rich, Mayor, John Dale, Deputy Mayor, Steven Bergenfeld, Committeeman, Robert E. Tomenchok, Jr., Chair of the Planning Board, and Cathy Urbanski, Chair of the Environmental Commission, all of West Amwell Township. We are Intervenors in the matter of the PennEast Pipeline Project (CP15-558-000). We are commenting on the route changes filed by PennEast on or about September 23, 2016 within the 30 day comment period FERC has opened from November 4th, 2016 to December 5th, 2016. We are also commenting on our continued concerns regarding the deficient DEIS and its impacts on the residents of West Amwell.

The Category One Alexauken Creek:

The latest filing shows the details of a proposed Horizontal Directional Drilling (HDD) site under Alexauken Creek and Route 202. This HDD proposal has a horizontal length of 6,300', with a drill length of 6,361', and will be up to 283' under the ground. This is an area that is well documented to have bedrock within a few feet of the surface.

The drilling depth will bring the pipeline down to the depth of our resident's wells. It is documented that nearly all residents in this area use private well water. The HDD attempt could easily contaminate our residents wells directly, pierce aquifers, reroute water flows and change flow rates for existing wells, and otherwise render resident's drinking water unusable. **This is totally unacceptable and has not been addressed in the DEIS. How can you mitigate for well disruption/contamination?**

There is a very large construction impact at the entry/exit points where the HDD enters/exits the ground. **The buffers of the Category One Alexauken Creek will be seriously compromised/compacted by heavy machinery and cannot be mitigated. The DEIS provides no construction plans for crossing the streams and does not provide plans for HDD or for minimizing impacts to riparian buffers.**

Given the high likelihood of HDD failure, FERC must look at the extensive environmental impacts in West Amwell Township and the relation to the Federal/State Protected Alexauken Creek. This Category One waterway is protected under NJDEP's Surface Water Quality Standards in conformance with the Federal Clean Water Act.

According to N.J.A.C. 14:7-1.25, it is required for a pipeline operator to develop guidelines for horizontal directional drilling (HDD) operations, including establishing minimum clearances when drilling in proximity to existing subsurface facilities, requirements for test hole excavations, verification of drilling/reaming head location during HDD operations, ensuring the integrity of plastic pipe installed by HDD, supporting pipe during HDD operations, and on-site inspection for HDD installations. These requirements are not found in the Federal regulations but the **NJ Board of Public Utilities' experience with HDD indicates that they are necessary for safety in New Jersey. This has not been addressed by PennEast in their DEIS or otherwise.**

Pipeline construction activities result in impacts affecting water resources, including: erosion and sedimentation, loss of riparian vegetation, forest and habitat loss and fragmentation, and cumulative impacts. In addition, these negative impacts are irreparable. The Alexauxen Creek and its tributaries are protected from degradation. It appears that PennEast has continued ignore these protections for the water supply for millions of residents.

The DEIS has also not examined the Alexauken Creek and the streams which feed into the federally protected Delaware River as to whether increased sedimentation and nutrient-loading would have a negative impact on water quality.

Route Changes on Old Route 518 West:

The September 2016 route change shifted the route in two ways in this vicinity. On the northern end, the pipeline was routed approximately 50' to the West. This put the center line a bare 60' from a residence, and its closest approach the construction zone is 10' from the house. Construction will bracket the house on three sides and be almost on top of their driveway.

The new route changes 140' in the opposite direction, heading almost straight for another residence on Old Route 518 West. The center line is only 100' from the residence, and closest construction area is 12 feet from the house.

In addition, the construction maps show that PennEast has chosen not to bore under Old Route 518 West, but instead will be open trenching across it.

The re-routes that PennEast announced in September, 2016 really do not reduce the environmental impacts since they simply move the hazardous impacts from one property to another.

This shows a complete disregard by PennEast to seriously avoid impacting the environment and West Amwell residents. There has been no reason given why PennEast needs to come so perilously close to two residences and put other residences in the blast and excavation zone.

Stymiest Road as a PennEast Access Road:

The proposed access road will run from the vicinity of the Suez Water Company reservoir and drinking water treatment area to the west directly down a very steep slope, and connecting to Stymiest Road near its terminus. Stymiest Road (which turns into Quarry Street in Lambertville) would then presumably be used as a heavy construction access road.

This proposed access road and its connection to Stymiest Road is unacceptable for a number of reasons:

Stymiest Road is a tiny one-lane dirt road that winds up a very steep slope to connect to the Rockhopper Trail in West Amwell. The drop-off on the side of the road is significant.

There are several houses on Stymiest Road, with Stymiest Road being their sole egress from their properties, and Stymiest terminates in a dead end to the East.

The connection from Stymiest Road/Rock Road to the town of Lambertville is in the form of a single very small, one lane stone bridge.

Stymiest Road/Rock Road thereafter connects to Quarry Street in Lambertville, an exceptionally narrow thoroughfare zoned at 25 mph with numerous speed bumps.

Stymiest Road is documented as historical road of extreme significance. It was historically known as Bungtown Road/ the Road to Monmouth, and Stymiest Road is of unique historical significance, and local historical experts deem it “likely the most historical road in the nation”. It has been largely untouched going back hundreds of years.

According to local West Amwell and Lambertville historian, John Hencheck, “The Road along the Rocks” is now threatened by the construction of a new natural gas pipeline, the PennEast project. Once destroyed, this sacred ground of the American Revolution will exist as only on the pages of a book.

Suez Water Company

The September 2016 route changes include changes at the site, but they are very superficial in nature, and very serious concerns still remain. PennEast has moved the route approximately

70' from the dam, and is proposing to bore an undetermined number of feet below the water transfer pipe.

But the changes are very minor and do not alter the primary issues of concern. The right of way is still less than 400' from the reservoir dam, which has been designated a "high hazard dam" by the State of NJ. PennEast has still indicated that it is probable that they will be blasting in this zone, very close to the high-hazard dam. The entire area has bedrock at the surface, and it is questionable how successful a bore will be in this environment, and what the impact of bore drilling will have on the existing water transfer pipe. There are serious concerns of contamination of the reservoir both during construction, and later through on-going operation of the pipeline from arsenic, radon, and other serious contaminants. The new route increases the width of the existing power-line cut to the west, cutting through additional old growth forest. The new cut is also on a steep side-slope, which goes down into Swan Creek. Swan Creek is prone to flooding and has flooded southern Lambertville on multiple occasions with serious repercussions to the City of Lambertville and its residents.

Finally, in the event of a pipeline breach in this area, Lambertville's primary water supply would be in jeopardy, as would the high hazard dam. The probability of loss of life would approach absolute certainty, and this is exacerbated by the fact that PennEast has designated the site as a "Class 1" location. As a class 1 location with bedrock at the surface, PennEast is required to bury the pipeline only 18" below the surface. This increases the risk of accidental breach significantly.

The Suez site is simply unacceptable for all of the reasons cited.

PennEast's decision to NOT bore under, but instead, open cut on Goat Hill Road, Hewitt Road, and Old Route 518 W.

Original indications were that PennEast would bore or HDD under every asphalt road in NJ. While PennEast has done traffic studies on Hewitt Road, they failed to do so during heavy traffic times. Hewitt Park is in close proximity to the proposed pipeline and the proposed open cut would be disastrous during heavily trafficked sports events at the Park.

PennEast also proposes a class 3 pipeline for these road crossings. According to NJ Board of Public Utilities Natural Gas Pipeline Rules - N.J.A.C. 14:7: The State system for designing pipelines based on the class location in relation to population density, found at N.J.A.C. 14:7-1.3, requires all pipelines installed after the effective date of this readoption (2009) to be designed to class 4 pipeline location standards, the highest standard for similar pipelines designed under the Federal classification system at 49 CFR. §192.5. This may result in some costs for pipeline operators, although most have voluntarily chosen to meet higher standards

than federally required. **To the extent that costs are incurred, the Board has determined that these costs are justified in order to ensure safety.**

NJ State and Federal law conflict on the matter of class locations, but given that PennEast is owned by the four sole LDCs in the State of New Jersey, they should ethically and morally adhere to the higher State standards and not fall back on the much lower Federal standards.

In addition:

West Amwell Township has repeated and continuing concerns about the proposed PennEast pipeline which were not adequately, if at all, addressed in the DEIS:

The Sourland Mountain

The Sourland Mountain region may be the last refuge of some complex plant communities that once flourished in central New Jersey. Sixteen plant species that are either endangered or of special concern in New Jersey have been documented in the region to date.

Removal of the forest, even in small patches, can have impacts extending up to 1,000 feet in all directions and creates an “edge effect,” where the deep woods habitat of the interior forest is fragmented and breeding bird habitat is threatened by increased nest predation. Many Sourland region species rely on both the quantity and the quality of the forest and understory, and will disappear as the forest becomes fragmented and degraded.

The DEIS does not propose mitigation for this last contiguous forested area in the Piedmont of central New Jersey. Mitigation would be inadequate, if not impossible.

Diabase Rock Formation, Water Supply, Wells, and Blasting

Blasting through the hard, dense diabase rock formations of West Amwell during pipeline construction will seriously cause these fractures to shift and/or be blocked. Our wells and our water supply will be seriously impacted. An explosion of the pipeline would destroy the wells and water supply of the residents of the Township both nearby and at a distance, as these fractures containing groundwater can travel for a great distance. We are dependent on water from these fractures.

Since the primary source of drinking water for Township residents is groundwater, the Township of West Amwell has protected its valuable groundwater resources for current and future residents and businesses. Township officials understand that the protection of water quality and quantity is critical to supporting public health and quality of life. They also

understand that protection of these resources is not only critical for their own citizens but also for other citizens of New Jersey and Pennsylvania located downstream from West Amwell.

The Township of West Amwell is officially informing FERC that nearly all of our drinking water is from groundwater-fed wells.

“Depending on the proximity to regional or local fault systems and the brittleness of the rocks, the spacing between these vertical to near vertical joints will range from fractions of an inch to several tens or hundreds of feet. In some areas, the joints serve to interconnect fractured beds and in others, the beds interconnect the joints”. (Evaluation of Groundwater Resources of West Amwell Township, Matthew Mulhall, PG, M2 Associates, 2003).

The DEIS has not addressed this at all and it is a major concern for West Amwell residents.

Lockatong, Passiac, and Stockton formations/Arsenic

To quote Professor Tullis Onstott: “Hunterdon County is uniquely vulnerable because the farms and rural homes all rely upon well water. They have no access to the public water utilities of their much more populated neighbors. The privately-owned wells are the source of drinking water for families and for their livestock. These wells tap a surficial, unconfined, fractured rock aquifer in the Lockatong, Passiac and Stockton formations. The proposed PennEast pipeline cuts right through the arsenic hot spot where it can do the most damage to the drinking water supplies of the inhabitants”.

Wells in West Amwell have been documented to contain arsenic. Our drinking water supplies do not need to be further contaminated with arsenic.

This issue has not yet been resolved or adequately addressed, or has scientifically been documented/challenged by PennEast.

Surface Water

Delaware River

Most of the streams in West Amwell are tributaries of the Delaware River. The Delaware River is designated as a National Wild and Scenic River.

The Delaware River, as a National Treasure, should not be crossed by a very potentially contaminating pipeline, capable of leaks and explosions. Our clean water is at stake. Clean water for millions of the residents of New Jersey and Pennsylvania.

This issue has not been addressed in the DEIS.

Wetlands

NJDEP wetland mapping indicates that 1,146 acres of wetlands exist in West Amwell Township, with a large portion in the Sourland Mountain. Wetlands help with recharging aquifers. This is critical as recharge on the Mountain is extremely low.

Mitigation of wetland habitats would be difficult, if not impossible, and is not addressed.

Soils – Erosion

The soils in West Amwell have very few areas which are not highly erodible or potentially highly erodible.

The large amount of soil disturbance involved in laying pipelines poses erosion and sedimentation risks. This has not been adequately addressed in the DEIS.

Soils – Diabase and contaminated soils

Removal of massive amounts of diabase rock will necessitate importation of soil to cover the pipeline. **PennEast cannot guarantee the pristine nature of soils to be imported.**

All pipelines develop leaks over time with the potential to leach further industrial chemicals into surrounding soils and to contaminate groundwater.

And the use of chemical herbicides to maintain pipeline rights of way adds to a major source of repeated contamination.

Public Safety, Explosions

A 36 inch diameter natural gas transmission line under high pressure, if exploded, could cause radiant heat to ignite secondary fires within a 1,000 foot radius.

The pipeline centerline is less than 500' from the South Branch of the Hunterdon County Library on 179 and less than 900' from Hewitt Park, and the Elementary School is within the evacuation zone.

West Amwell will not be able to effectively respond to a pipeline explosion. Our residents should not be put in jeopardy.

Natural Heritage Priority Site (Goat Hill)

Through its Natural Heritage Database, the Office of Lands Management identifies critically important areas to conserve New Jersey's biological diversity. The database provides detailed, up-to-date information on rare species and natural communities to planners, developers and conservation agencies for use in resource management, environmental impact assessment and both public and private land protection efforts.

Goat Hill has been designated as a Natural Heritage Priority Site. Goat Hill is the westernmost boundary of the Sourlands. It is a steep, woody diabase hillside and the site contains three state endangered plant species. The PennEast route crosses this Natural Heritage Priority site.

This site was preserved in its entirety by the New Jersey Department of Environmental Protection, Green Acres in 2008. It is now known as Goat Hill Overlook.

Any altercation to this site, whether from pipeline construction, the noxious gasses emanating continuously from the pipeline, possible explosions, or herbicide use, would pose a serious problem to the endangered plants.

Purpose and Need

New Jersey is well-served by natural gas already. PennEast owners themselves have indicated in their most recent filings that PennEast gas will be used to displace existing supplies, not to supply new demand. PennEast can resell the gas they've committed to third parties, for export.

There is no benefit at all to the residents of New Jersey. See the New Jersey Rate Counsel submission.

PennEast application for NJDEP permits

Penn East is requesting the NJDEP to accept an incomplete application. PennEast has been able to obtain survey access permission for only 30.8% of their proposed route in New Jersey.

Without this survey access they are unable to provide the NJDEP with accurate and complete Resource Reports upon which to evaluate their applications. Permits are questionable without complete surveys. Eminent Domain for 70% of New Jersey properties is unheard of.

Thank you, from West Amwell:

Zachary Rich, Mayor

John Dale, Deputy Mayor

Steve Bergenfeld, Committeeman

Robert E. Tomenchok, Planning Board Chair

Cathy Urbanski, Environmental Commission Chair

We are speaking for and working for all of the residents of West Amwell Township.

