

City of Lambertville  
PennEast Pipeline Committee of the City of Lambertville  
Lambertville, NJ

**VIA ELECTRONIC SUBMISSION AND CERTIFIED MAIL**

December 3, 2016

Kimberly Bose, Secretary

Federal Energy Regulatory Commission

888 First Street, NE

Washington, DC 20426

Re: Comments on REVISED Draft EIS Docket CP15-558-000 – Proposed PennEast Pipeline Project

Dear Ms. Bose:

The PennEast Pipeline Committee of the City of Lambertville respectfully submits herewith additional comments on the new information provided by PennEast. This letter sets forth our concerns about the route's continued potential threats to our public safety and the construction's adverse effects on residents, businesses, and the environment. Additionally, based on the New Jersey Rate Counsel's latest comments from November 14, 2016 there is no actual need for the proposed PennEast project as, "there has been no showing that the local gas distribution companies that would be served by the Project lack adequate existing capacity." PennEast still has yet to provide the actual need for this project which creates serious, potential threats to public safety, business, and other environmental impacts with absolutely no benefit to our city.

**THREATS TO PUBLIC SAFETY**

The number one concern of the Pipeline Committee, on behalf of the City of Lambertville, continues to be the adverse impact of the proposed route to our public safety. The clear-cutting, excavating, and constructing of the pipeline route will have significant water quality impacts. We are concerned about potential threats to the water quality of our local waterways; to both the City's drinking water sources - the Swan Creek reservoir and the Delaware Canal, and also to our pristine waterways - such as Swan Creek and Alexauken Creek. These waterways also feed the Delaware River – a source of drinking water and recreation for numerous communities and 17 million people. In addition the pipeline is proposed to be constructed along existing power lines that lie within 400 feet of our high hazard dam and forest clearing at the Swan Creek Reservoir. This construction will exacerbate flooding hazards to our city from Swan Creek, posing a significant, potential threat to public safety with serious implications to the health and welfare of our residents.

A number of intervenors and other commenters have protested the placement of the route right through the middle of the Suez water facility. The updated September 2016 route modifications include changes at the Suez water facility site, but they are superficial in nature. 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. 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 New Jersey. PennEast still indicates 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. 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 and the stability of the dam wall. 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 extends down into Swan Creek. Swan Creek is prone to serious flooding and has flooded southern Lambertville on multiple occasions with major repercussions to the City of Lambertville and its residents.

In response to concern expressed over the trenching directly through the City's main water transfer pipe between the drinking water reservoir and the treatment plant, PennEast has proposed to bore beneath the water transfer pipe instead. Neither the depth of boring nor a backup plan if boring proves to be impossible, as is likely given the shallow bedrock in this area is specified. Appropriate support and impact to the city's main drinking water pipe from the construction is also not addressed. The probability of loss of life in the event of a pipeline breach 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.

Not yet addressed are concerns of impact to the City's back up water supply – the Delaware Canal and Alexauken Creek. In the event of unavailability of water or unacceptability of water quality from the reservoir, Suez will use the canal and/or creek as a back-up drinking water source.

All of these concerns are compounded by the recently proposed open trenching across multiple roadways by PennEast during construction. Erosion and sediment will impact the Swan Creek Watershed, particularly the lower reservoir, as well as the canal. The nutrients from the runoff will cause increased algae and bacterial blooms that will lower dissolved oxygen levels. This itself has a direct impact on drinking water quality. Cutting of the forests and stream buffers will also increase water temperature, further adding to algae and bacteria growth which impacts water quality. Siltation can also cause cryptosporidium outbreaks which cannot be killed by chlorine, outbreaks of which have sickened and even killed people. The Lambertville Water System has problems with trihalomethane (THM) and additional alga and bacteria growth could cause increased levels of THM since it comes from the killing of algae and

bacteria with chlorine. THM is carcinogenic and can cause birth defects. Lambertville levels are already fairly high in the summertime and could lead to the building of a new treatment plant, which would cost a significant amount of money. The impacts to the main and subsidiary water sources are not captured in the DEIS or in subsequent responses.

### **ADVERSE EFFECTS FROM NEW TRAFFIC PATTERNS**

Last week, PennEast submitted heavy haul maps to FERC on November 23, 2016 in which it proposes using EVERY single major road into Lambertville. The recently released traffic plans create a violation of the 2001 truck ban. We also question whether the traffic plan follows the rules set forth by Department of Transportation regarding truck routes.

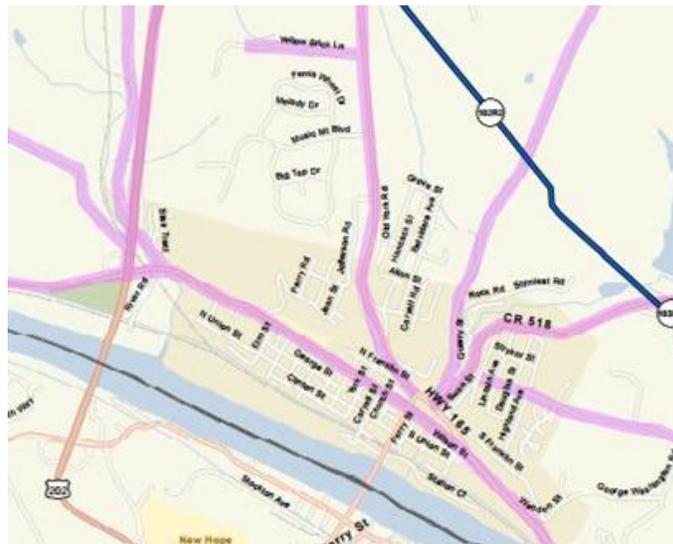


Figure: Heavy Haul Roadmap proposed by PennEast

Further, the PennEast's DEIS indicates that impacts on business will be minimal. We disagree. Historically, Lambertville began as weigh station on the Old York Road, halfway between New York and Philadelphia. In the 19th century, with the introduction of the canal and railroad, our city developed into a quintessential 19th century factory town attracting waves of immigrants, mirroring the type of industrialization happening across the country at the time. Lambertville experienced a decline of manufacturing in 1950's and 1970's followed by period of cleanup. We now derive significant revenues from a variety of sources that rely on our natural resources and roadways to access the city, including boaters, hikers, cyclists, motorcycle riders, eco-tourists, horseback riders, in addition to the many restaurants, art galleries, antique and boutique stores. We have been named by Forbes Magazine as one of the 15 Prettiest Towns in America, with our beautiful downtown featured nationally among other many other distinctions by the press. Visitors frequent our preserved areas just outside of the City including the Goat Hill Natural Heritage Site, Baldpate Mountain, and the Howell Living History Farm.

The traffic route will also create irreparable damage to a local historic treasure. According to historians, Barbara and John Hencheck, our area is home to the last, untouched path in the United States used during the Revolutionary War. Historically called Bungtown Road, now called Stymiest Access Road, this path was used by Washington's 10,000 troops on the way to the Battle of Monmouth, James Monroe on the way to the Battle of Trenton, and even Lord Cornwallis with 4,000 troops in their attempt to circle Washington. The proposed traffic route will obliterate one of major the incident capitals of the Revolutionary War complete with historic houses on Quarry Street, part of Rock Road, which cannot stand the steady state vibration of the truck traffic, heavy pipes and moving equipment. We are concerned that the construction of the pipeline will upset the balance we have achieved since our cleanup and disturb our local historic treasures.

### **IMPACT ON IMPORTANT BIRD AREAS (IBA)**

The Delaware River, on which our city is located, is an established major flyway for migrant birds and part of a rich tapestry of critical habitats for breeding Neotropical migrants and resident birds. This fact is reflected in the large number of designated Important Bird Areas (IBA) that would be affected by current PennEast plans. Senior biologist Steven Mars, of the U.S. Fish and Wildlife Service, has identified at least six important IBAs that PennEast has stated are unavoidable under the current pipeline route and will therefore be impacted negatively. As one example, Horizontal Directional Drilling in Alexauken Creek will compromise many riparian birds' habitats, specifically impacting one of the winter shrubs on which they feed, Holmes' Hawthorne, which is a primary source of food in the winter for resident birds and is also identified as an endangered plant by the state. Removing 103.8 acres of interior forest from Hunterdon County will permanently disrupt bird habitats, despite plans by PennEast to eventually replant some of this land, as it is impossible to replace mature woodland habitat with fresh plantings. Specifically, the IBAs identified near our existing power lines to the north of Lambertville, which cross over into Mercer County, include Baldpate Mountain, one of New Jersey's most renowned and attractive birding sites given its wealth of Neotropical breeding birds (thrushes, wood-warblers, vireos, tanagers, buntings, and orioles, for example). All of these IBAs are frequented by local, regional, and national Audubon chapters, which regularly tour the habitats, due to their unique value and significance. These sites are in danger due to the amount of forest clearing that will occur to make way for the pipeline and also from the inevitable disruption to habitat connectivity and the level of overall disturbance. The pipeline's impact on bird habitats locally, and on many threatened migratory bird species in particular, would be significant.

### **CONCERNS FROM RESIDENTS**

The following concerns, voiced by residents of Lambertville at an open meeting held November 10<sup>th</sup> and through conversations and correspondence with our committee, include (but are not limited to):

- Threat of arsenic - T.S. Onstott, Professor of Geosciences at Princeton University, Princeton NJ has clearly articulated the risk of arsenic release in highly toxic concentrations around natural gas pipelines that pass through arsenic rich rock such as the Passaic shell through/over which the PennEast Pipeline above Lambertville is planned to pass. Toxic levels of arsenic can be released into groundwater, flowing into wetlands and streams, ultimately ending up in our drinking water. Release of arsenic is not restricted to the time of pipeline construction, but has been demonstrated by Professor Onstott to be present for many decades, representing an ongoing risk to our drinking water. No independent assessment has been made to examine the immediate and long term risk related to the PennEast Pipeline associated with arsenic contamination on groundwater, wells, fresh water streams, and downstream effects on the Delaware and Raritan Canal (drinking water for 60,000 people) and the Delaware River. Our residents specifically request this take place before a judgement is reached on the PennEast application;
- Loss of water - potential contamination of the reservoir during construction and operation of the pipeline;
- Flooding – due to construction activities and increased runoff during operation;
- Lack of demonstrated need of natural gas capacity in this area;
- Environmental impacts to sensitive wetlands and endangered species;
- Impacts from construction such as roadway usage by heavy equipment, traffic congestion and contamination from potential “frack out” during drilling;
- High pressure of large 36” pipe and potential loss of life from explosion of the pipeline;
- The effects of anaerobic bacteria on pipeline corrosion, and the associated risk of leak and explosion. **Spectra Energy’s Texas Eastern Transmission line**, which exploded in April 2016 in Salem Township, Westmoreland County, PA, was an example of this type of corrosion/explosion. Further inspection of this line has revealed many other instances of similar corrosion. A similar occurrence in the vicinity of Lambertville would carry a high risk of loss of life were it to occur in the vicinity of the Swan Creek Dam- designated a high hazard dam by the state of NJ; breach can be anticipated to involve loss of life and/or substantial loss of property. Beyond the immediate calamity, and distress to residents, Lambertville’s status as a tourist destination – its economic life blood, and the value of property in the town would be seriously adversely affected. This risk persists for the duration of the life of the pipeline. Risk is likely to increase the longer the pipeline has been in place. We are very concerned about this long term threat to our community;
- No independent oversight of the pipeline construction;
- Diminished property value/inability to sell or rent property

Route changes and additional information provided recently by PennEast means continual review of the project and insufficient time to address these changes. Additional data such as heavy haul routes were submitted to FERC as recently as November 23 with the latest comment period closes December 5<sup>th</sup> – giving just 5 business days to analyze these impacts. This is unacceptable and appears to be deliberately evasive. This process does not afford engaged parties the opportunity to appropriately review the information and prepare a response. In looking to ensure all engaged parties have the opportunity to respond to the data PennEast has been asked to provide by FERC within 20 days (or justify a delay), the Committee respectfully requests an extension to the comment period to at least 30 days after PennEast has provided final responses to FERC’s Environmental Information Request from November 7<sup>th</sup>, 2016.

Many of the concerns found in this letter are also voiced by numerous intervenors and concerned parties such as NJ Division of the Rate Counsel, NJ Chapter of the Sierra Club, League of Conservation Voters, U.S. Fish & Wildlife Service, N.J. Department of Environmental Protection, and U.S. Environmental Protection Agency.

Given the potential threats to the high hazard dam and primary water supply to the city, the proximity of the pipeline to the Suez site is unacceptable. The Committee will not accept this potential threat to its drinking water and its citizens. This potential threat is especially egregious since PennEast has yet to demonstrate a need for the pipeline project. We urge FERC to require PennEast to address the outstanding issues presented in this letter by the City Pipeline Committee of Lambertville in their Environmental Impact Statement and to extend the comment period to at least 30 days after PennEast responds to FERC’s Environmental Information Request of November 7<sup>th</sup>, 2016 to give engaged intervenors an opportunity to comment on the most recent changes. We look forward to FERC’s thoughtful consideration of our comments and request PennEast address the concerns expressed by the Committee.

Respectfully Submitted,

The Pipeline Committee of the City of Lambertville