



Wednesday, September 21, 2016

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE Room 1A
Washington, DC 20426

Project Docket Number PF16-5-000
RE: Northeast Supply Enhancement Project

Dear Secretary Bose,

Over 250 members of the Bayshore Regional Watershed Council strongly oppose the proposed Northeast Supply Enhancement (NESE) Project involving construction and operation of facilities by Transcontinental Gas Pipe Line Company, LLC (Transco) from Lancaster County, Pennsylvania and through Somerset and Middlesex Counties, New Jersey and in the estuarine waters of Raritan Bay and Lower New York Bay in both the State of New Jersey and the State of New York.

The reasons for the watershed's objections are as follows:

- 1) As it stands now, the approval process does not allow for local governments to provide input on safety or where the proposed gas line will be installed. Since the installation of pipes will be in proximity to neighborhoods and schools, and in part, parallel to existing pipes, there is great concern about potential accidents during or after the construction phase and also during normal operations. What will be the impacts of an accident or disaster to the quality of life of local residents and to the safety and security of local schoolchildren?
- 2) Though the pipeline would be trenched in and covered over, the project would still leave a visible mark of at least a 100-foot cleared right-of-way cutting through forests, and public and private lands. It is nearly impossible to do something of this scale on this kind of terrain without impacting local natural resources and the quality of life of local residents.

- 3) The pipeline's route would also cut a swath through Raritan Bay and Lower New York Harbor. These tidal waters provide valuable public recreation for fishing, swimming, kayaking, and boating. In addition, over 100 people make a living harvesting clams, crabs, and other aquatic resources from Raritan Bay and Lower New York Bay for retail at local seafood markets and restaurants. The construction of a new natural gas pipeline would be an extreme human interference to the lives of these Baymen who make a living in the estuary and would also be a risk to recreational fishing and other public activities.
- 4) At least 23 miles of pipeline will go through Raritan Bay and Lower New York Bay, which is part of the Raritan-Hudson Estuary and is home to a wide diversity of wildlife. According to the 1997 U.S. Fish & Wildlife Service document entitled, *Significant Habitats and Habitat Complexes of the New York Bight Watershed*, Raritan Bay and Lower New York Bay have environmental significance due to its "geographic location and to the variety and quality of habitat types found here; these include shallow estuarine open waters, sandy beach, maritime forest, salt marsh, mudflats, and riparian forest. These habitats support a large number of regionally rare and important species." This includes Humpback whales (*Megaptera novaeangliae*) a federally-listed threatened species, dolphins, and loggerhead turtles (*Caretta caretta*), a federally-listed threatened species, which are observed primarily from April through November; and seals which are observed from November through April.

The report goes on to state, "Over 90 species of fish have been reported in various fisheries investigations of the bays....The bay complex supports recreational fisheries for weakfish (*Cynoscion regalis*), bluefish (*Pomatomus saltatrix*), winter flounder (*Pleuronectes americanus*), summer flounder (*Paralichthys dentatus*), striped bass (*Morone saxatilis*), sea bass (*Centropristis striata*), tautog (*Tautoga onitis*), scup (*Stenotomus chrysops*), and spot (*Leiostomas xanthurus*). Commercial pound net, fyke net, and staked shad net fisheries exist for American shad (*Alosa sapidissima*); American eel (*Anguilla rostrata*) and American lobster (*Homarus americanus*) are landed in pot fisheries, and blue crab (*Callinectes sapidus*) and horseshoe crab (*Limulus polyphemus*) are taken in a dredge fishery. Although the bays are closed to direct market harvest of shellfish due to pollution, there are commercial quantities of northern quahog (*Mercenaria mercenaria*) and soft clam (*Mya arenaria*), which are harvested for depuration or relay. There are also areas of blue mussel (*Mytilus edulis*) and eastern oyster (*Crassostrea virginica*) beds as well as an Atlantic surf clam (*Spisula solidissima*) bed in the deeper waters north of Sandy Hook."

Furthermore the report states, "The migratory and mid-winter concentrations of waterfowl in this complex are especially significant, with 20-year midwinter averages of over 60,000 birds. The combination of

geographic location and configuration coupled with productive bay wetlands, flats, and waters in Raritan Bay make it an important migratory staging area for many species of waterfowl on the Atlantic Flyway, with peak migration occurring in late October. November aerial counts in New Jersey waters average nearly 45,000 birds....The forest remnants support nesting by forest birds, including over 50 pairs of wood thrush (*Hylocichla mustelina*) in the forests adjacent to Cheesequake Creek as well as various vireos, warblers, flycatchers, and other forest interior-nesting birds.”

Constructing a new natural gas pipeline within this estuarine complex will result in lasting damage to the environment. Specifically, disruption of migratory pathways, degradation of important animal habitats, and gas leaks—which can be devastating to the animals and humans who depend on these ecosystems.

- 5) In-field studies completed by the National Park Service at Great Kills Park on Staten Island, New York City, part of the Gateway National Recreation Area, and monitoring studies by the Bayshore Regional Watershed Council at several locations along Raritan Bay and Sandy Hook Bay, including Cliffwood Beach in Aberdeen Township, NJ, show there is small, but viable Horseshoe Crab (*Limulus polyphemus*) population struggling to survive in New York Harbor. Since horseshoe crabs are benthic feeders, they can be found crawling along the bottom of Raritan Bay and Lower New York Bay in search of worms and small clams. Horseshoe crabs are also migratory and will travel around the estuarine complex in New York Harbor in search on prime mating sties on coastal bay beaches. Horseshoe crab eggs and larvae are a seasonal food item of invertebrates and finfish. From May through August, striped bass (*Morone saxatilis*) and white perch (*Morone americana*) eat horseshoe crab eggs. American eel (*Anguilla rostrata*), killifish (*Fundulus* spp.), silver perch (*Bairdiella chrysoura*), weakfish (*Cynoscion regalis*), kingfish (*Menticirrhus saxatilis*), silversides (*Menidia menidia*), summer flounder (*Paralichthys dentatus*), and winter flounder (*Pleuronectes americanus*) also eat eggs and larvae. All crab species and several gastropods, including whelks, feed on horseshoe crab eggs and larvae. We believe the construction of the pipeline would disturb habitat, including foraging sites and mating migratory sites for horseshoe crabs, decrease horseshoe crab populations, and degrade the overall aquatic food web in Raritan Bay and Lower New York Bay.
- 6) According to the Department of Energy’s 2015 Quadrennial Energy Review, 46 percent of gas pipeline capacity in the United States is unused, and improving the flexibility and capabilities of current infrastructure is a better investment in many parts of the country. Many watershed members have expressed concerns if this pipeline is even necessary. Does the demand for natural gas justify new pipeline infrastructure in New Jersey and New York tidal waters? We ask for FERC to assess the cumulative effects of other

proposed nearby and reasonably foreseeable projects in New Jersey and New York when it reviews this project.

- 7) Watershed members disagree with the short, two-week notice the public was given to prepare comments and rearrange schedules to attend public hearings, as well as oppose the insufficient 30 days to submit written comments, both of which fall over a national holiday weekend (Labor Day weekend). There are various complex issues with this proposed project that would seriously impact the health and welfare of our communities and local environment. We find this poorly timed, minimally allotted amount of preparation to feel very much like a 'rush job' on FERC's part to avoid hearing the important and knowledgeable voices of the many concerned citizens.

Therefore, we ask that FERC extend the oral comment period to 45 days from the date of this letter, and allot 60 days for the written comment deadline. A complex project the scale of Transco's Northeast Supply Enhancement Project requires a robust and rigorous review, with full transparency in the light of day. That includes adequate time for public comment preparation, and participation in a truly public meeting, one that invites all concerned parties to be present to hear people's comments. The public, which FERC is supposed to protect, should not and will not be relegated to a dark corner to give testimony. We implore you to let all of our voices receive the proper and deserved platform for all interested parties to hear.

In closing, the Bayshore Regional Watershed Council fears this project will destroy sea life, damage fishing areas and increase the risk of gas leaks, explosions and degrade the quality of life for people and wildlife. We are being asked to gamble with the lives of an entire region for a project that we feel is wholly unnecessary.

The watershed council is an all-volunteer organization made of private citizens, scientists, government officials, anglers, kayakers, and other concerned people. Since 2000, we have been dedicated to improving water quality and restoring wildlife habitat along Raritan Bay and Sandy Hook Bay.

Sincerely,

Joseph S. Reynolds

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Co-Chair

Bayshore Regional Watershed Council