

Frenchtown Environmental Commission
Borough of Frenchtown
29 Second Street
Frenchtown, NJ 08825
ph (908) 996-4524

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

RE: Docket PF15-1

February 22, 2015

Dear Ms. Bose,

The Frenchtown Environmental Commission objects to the PennEast Pipeline Docket PF15-1 and is in support of a “no action” alternative. The current proposed pipeline route comes very close to the Northeast border of Frenchtown and crosses two protected creeks which flow into nature preserves in the Borough. The health of our ground water, these creeks and the accompanying ecosystems are threatened by the proposed pipeline construction and operation. In addition, this project would exacerbate the already serious flood issues that Frenchtown faces. This pipeline, if built, would create violations of the Clean Water Act, Wild and Scenic Rivers Act and Delaware River Basin Commission Regulations.

We also object to FERC’s most recent clarification of their official policy. To wit: “the Commission (FERC) will continue to take into account as a factor for its consideration the overall benefits to the environment of natural gas consumption.” Thus, FERC presumes overall benefits of the pipeline from the beginning. This narrow scope of review, based on outdated science to weigh the risks, costs and benefits of modern drilling and fracking, does the public a disservice. It serves the oil and gas industry, which stands to profit immensely from locking-in another several decades of U.S. dependence on natural gas.

Surface and Ground Water

Both the Nishisakawick and Little Nishisakawick Creeks are classified as Category One (C-1) by the New Jersey Department of Environmental Protection and flow through the Borough where they drain to the Delaware River. These creeks rate for exceptional ecological, water supply, recreational, and fishery resource significance. Any pipeline construction or operation in Alexandria or Kingwood that negatively impacts these creeks will violate the Clean Water Act and affect the water quality, quantity and/or rate of movement downstream in Frenchtown and the Delaware River. In accordance with the Clean Water Act, the state of New Jersey is already trying to improve the surface water quality of the Nishisakawick, which has levels of fecal coliform in excess of standards (Source: NJ Department of Environmental Protection Report). Construction of the pipeline will be in direct conflict with the state's efforts to restore this creek's water quality.

The current proposed pipeline route covers half of a Nishisakawick Creek tributary, which is protected as a C1 creek tributary. This construction would destroy this entire tributary, violating the Clean Water Act.

Frenchtown's ground water is threatened by the proposed pipeline, which comes within $\frac{3}{4}$ of a mile and one mile of community wells (Appendix 1). The proposed route also comes very close to the private wells of about 26 homes located in the Everittstown Road (County Route 513), Kingwood Avenue (State Route 12), Ridge Road and Ward Street neighborhoods (Appendix 1). We estimate that the wells of some of these homes are within half a mile of the proposed construction. Frenchtown homes and businesses, and all of these private wells, get their water from the Brunswick Aquifer, which is recharged by the water systems of the Frenchtown Preserve and the Nishisakawick Preserve (Source: NJ American Water 2013 Annual Water Quality Report).

In this aquifer, ground water is stored and transmitted in fractures. The proposed construction will put this water at risk to pollution by opening fractures that don't currently exist. Directional drilling, the drilling lubrication fluids and mud slurry required to construct the pipeline pose serious risk of temporarily and permanently contaminating our drinking water (Source: Kingwood letter to DRBC December 2014). It could also close fractures that may be the water yielding fractures our private and community wells rely upon.

The Nishisakawick Creek flows through the Frenchtown Park, which is home to our playground. Just downhill from the swings and slides, the creek flows alongside a dramatic rock face. This is a cherished refuge for the hundreds and hundreds of families that use the creek throughout the year. Ask any local parent here - you cannot

keep your children from walking down that hill, drawn as they are to the soothing sound of the creek water. In the spring kids look for tadpoles, on hot summer days they splash in the cool water, and year-round they toss rocks and revel in the beauty of this magical place. It is unthinkable to imagine this place harmed, and devastating to imagine all the places like it that are threatened by this pipeline.

Flooding

The proposed pipeline will exacerbate Frenchtown's already serious flood issues that result from not only being located along the Delaware River but also home to the ends of the Nishisakawick and Little Nishisakawick Creeks. Over the last few years the Borough has completed two streambank restoration projects to stabilize portions of the Nishisakawick Creek.

In 2012, Frenchtown completed a \$350,000 streambank restoration on the Nishisakawick to repair damage done by Hurricane Irene. This was funded by the U.S. Department of Agriculture and by the Borough - our tax dollars. Then in 2014 the Borough completed another streambank restoration project on the Nishisakawick adjacent to Creek Road near the Kingwood Township boundary. Flood waters had eroded the streambank and started to undermine the roadway causing a serious hazard to pedestrians and vehicular traffic. The project cost approximately \$150,000 and was funded mostly by FEMA - again, our tax dollars.

Penneast's proposal has the potential to undo these expensive restoration projects. So although the PennEast Pipeline project touts its economic benefits to the state of New Jersey, we question what future costs will fall on the taxpayers when the next major storm comes through.

The loss of forest due to the clear cutting of trees in Alexandria will increase stormwater runoff in the Nishisakawick Creek because forests capture rainwater and promote infiltration of rainwater into the soil, reducing the amount of runoff (Source: Watershed Forestry Resource Guide). The construction of the pipeline requires soil compaction to support the weight of the line, which would also increase stormwater runoff. In the flood conditions that would ensue, the proposed pipeline could be exposed to scouring, erosion, subsequent leaks and pollution of our water supply. Within the creeks themselves this will also result in decreased streambank and streambed stability.

The risks of erosion and sedimentation are even greater because of the very steep cliff on the proposed route through Alexandria (Appendix 1). Increased stormwater runoff in

the Nishisakawick Creek will mean severe streambank erosion downstream, loss of stream habitat and water quality problems. According to the Watershed Forestry Resource Guide, it is more cost effective to preserve vegetative cover rather than destroy this natural system and later have to replace it with stormwater management features such as pipes, pumps, storage chambers, etc. Again, this is a potential future burden to taxpayers.

We understand there are erosion and sediment control measures taken during construction of pipelines, but we don't have much faith in these. According to a Nature Conservancy report, "heavy rains from tropical storms in August and September 2011 caused extensive failures to erosion and sediment controls on pipelines under construction in north central Pennsylvania" (Source: Nature Conservancy Report). Furthermore, crossing the Nishisakawick Creek itself adds to erosion and sedimentation problems, whether by "open cut" or "bore crossing".

Habitat & Wildlife

The proposed pipeline route crosses an area in Alexandria that borders the Nishisakawick Preserve in the Northeast corner of Frenchtown Borough. The permanent loss of habitat and fragmentation that would result from the pipeline and right of way construction would be irreparable.

This Preserve was established in 2000 by the Hunterdon Land Trust and the New Jersey Green Acres Program to protect the Nishisakawick Creek. The Landscape Project, a program of the New Jersey Department of Environmental Protection, has identified the Nishisakawick Preserve and the Frenchtown Preserve due to their important habitats for imperiled species (Appendix 2: Frenchtown Landscape Project PDF). The Hunterdon Land Trust Land Steward has observed that the Nishisakawick Preserve ecosystem is very intact and healthy and relatively free from invasive species.

The Preserve is part of a contiguous forest that is partially in Alexandria and partially in Frenchtown. Pipeline construction and the right of way will cause habitat fragmentation here and destroy habitat for deep forest species. Habitat fragmentation threatens wildlife because some species are "wide-ranging", meaning they need a large area to sustain them. Also "deep forest species" need the shade, humidity and tree canopy protection that deep forest environments can provide (Source: Nature Conservancy report).

Alexandria Township has deemed this area "critical wildlife habitat" in their Environmental Resource Inventory (ERI) (Source: Alexandria Township ERI). In a contiguous forest area we can assume that many of these species, which do not obey boundaries created by humans, reside in or use the part of the forest that lies in Frenchtown. The 100 foot right of way would create permanent damage on 12 acres per mile. If the swath is cut through forest, it impacts further into the forest at a rate of 72 acres per mile. The Nishisakawick Preserve is only 12 acres.

The Longtail Salamander has been confirmed in the Nishisakawick Preserve, and it is on the state threatened wildlife list. These are some other species that the Alexandria Township ERI lists for this designated "critical wildlife habitat" (Source: Alexandria Township ERI):

- Bog Turtle (federally listed as endangered or threatened)
- Bobcat (state endangered wildlife list)
- Northern Harrier (state endangered wildlife list)
- Bobolink (state threatened wildlife list)
- Cooper's Hawk (state threatened wildlife list)
- Grasshopper Sparrow (state threatened wildlife list)
- Savannah Sparrow (state threatened wildlife list)
- Wood Turtle (state threatened wildlife list)
- Eastern Meadowlark (state species of special concern list)
- Great Blue Heron (state species of special concern list)

The Frenchtown Preserve, a 150 acre nature preserve on the southern end of Frenchtown, would also be impacted by pipeline construction because the proposed route crosses the Little Nishisakawick Creek in Kingwood, and this creek flows into the Frenchtown Preserve. There are frequent sightings of a pair of Bald Eagles (state endangered wildlife list) in and around the Frenchtown Preserve. It provides a habitat for the American Kestrel (state species threatened wildlife list) and the Northern Harrier (state endangered wildlife list). There was also a confirmed sighting of Grey Comma Butterflies at the Frenchtown Preserve, considered very rare in New Jersey.

When the birds that nest in these nature preserves leave their homes, go on their migratory path and come back, and a particular tree is not there, an entire generation of each bird species would be extremely stressed and probably fail. If you lose that generation you risk losing the gene pool of that particular family. This is why bird populations are plummeting world wide. Bird diversity is a measurable indicator of environmental health - they are our "canaries in the coal mine".

Cutting a swath in a forest disturbs habitat by opening the area to further predation, especially by cowbirds. The swath cut open by the pipeline would inhibit the movement of some species, such as forest interior nesting birds which are reluctant to cross openings where they are exposed to predators (Source: Nature Conservancy report).

Forest

The forest that spans the Nishisakawick Preserve and crosses into Alexandria Township has many large stands of healthy hemlock trees, which is increasingly rare in New Jersey. Large forests like this one provide carbon storage which mitigates global warming. We are systematically destroying forests, one of our best hopes for saving our planet from global warming.

As stated previously, the Hunterdon Land Trust Land Steward has observed that the Nishisakawick Preserve is relatively free from invasive species because it is a healthy, functional ecosystem. If a large swath is cut through this forest, it will be more susceptible to invasive species, which threaten its future.

The right of way for the pipeline would be sprayed on a continued basis with the herbicide glyphosate. Glyphosate has the potential to contaminate surface waters due to its aquatic use patterns and through erosion, as it adsorbs to soil particles suspended in runoff. If glyphosate reaches surface water, it is not broken down readily by water or sunlight (Source: EPA Office of Prevention, Pesticides, and Toxic Substances Report).

Conclusion

The proposed PennEast pipeline threatens Frenchtown's drinking water, surface water, and protected habitat and wildlife, and increases our susceptibility to damaging floods. The same is true for every municipality that is impacted or downstream from this project, and the economic benefits of this project are overstated when future flooding and environmental damage is considered.

We urge FERC to deny approval of the PennEast pipeline Docket PF15-1 and to also examine the the overall impact of multiple pipelines in the region, whether existing or proposed. The PennEast project does not exist in a vacuum - there are four or five other pipelines being planned. In addition, we urge FERC to consider the immediate and long term environmental impacts of the natural gas industry. The science is clear

that fracking for natural gas is damaging our environment, our health and our communities. Americans do not need to choose between drinking water, clean air and environmental health for energy. It's time for our country to lead in cleaner, greener energy before we get left behind in the fossil fuel economy.

Thank you for your consideration of the Frenchtown Environmental Commission's comments.

Sincerely,

The Frenchtown Environmental Commission

Joel Boriek, Chair

Tom Woodruff, Vice Chair

Adrienne Crombie, Secretary

Rocco Musolino

Richard Reilly

Pete Palac

Holly Low

Jim Meade

References

NJ Department of Environmental Protection Report on Northwest Water Region

<http://www.nj.gov/dep/wms/bear/Northwest%20FC.pdf>

NJ American Water 2013 Annual Water Quality Report for Frenchtown

<http://www.amwater.com/ccr/frenchtown.pdf>

Kingwood Township Letter to Delaware River Basin Commission

http://www.kingwoodtownship.com/KT_Environmental/2014/Kingwood_letter_to_DRBC_12-9-2014.pdfhttp://www.kingwoodtownship.com/KT_Environmental/2014/Kingwood_letter_to_DRBC_12-9-2014.pdf

Watershed Forestry Resource Guide

<http://www.forestsforwatersheds.org/reduce-stormwater/>

Natural Gas Pipelines, Excerpt from Report 2 of the Pennsylvania Energy Impacts Statement, Nature Conservancy

<http://www.nature.org/ourinitiatives/regions/northamerica/unitedstates/pennsylvania/ng-pipelines.pdf>

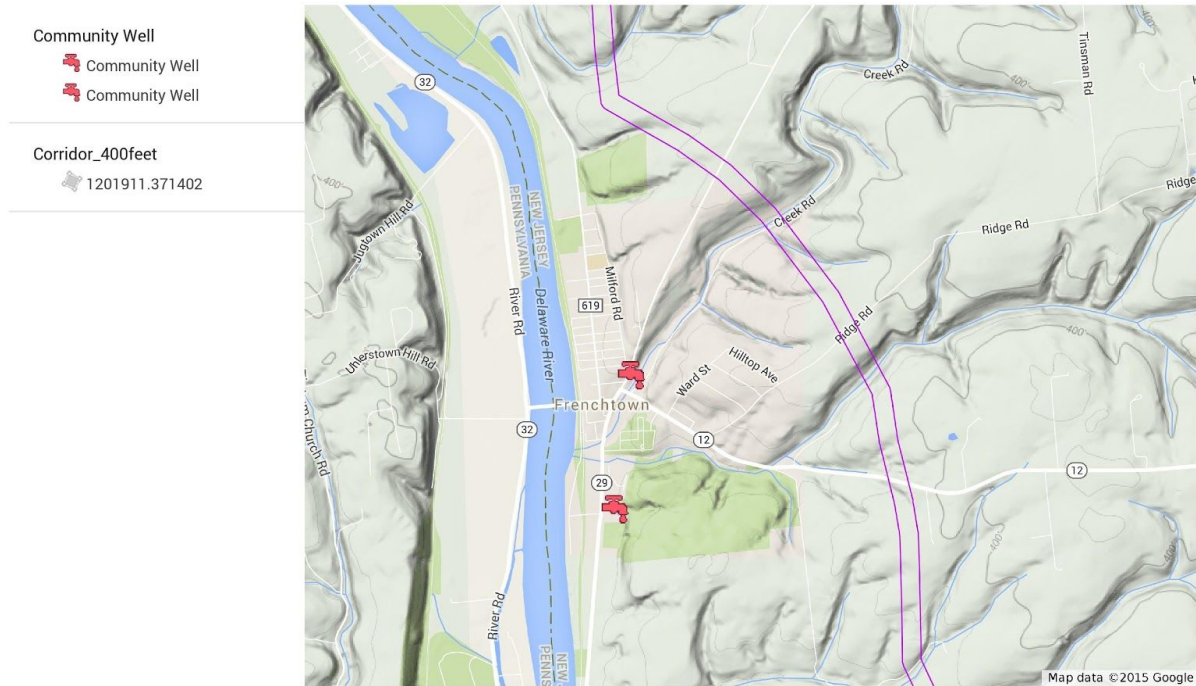
Kingwood Township Environmental Resource Inventory (ERI)

http://www.highlands.state.nj.us/njhighlands/hunterdon_county/alexandria/alexandria_council_apprvd_petition/4_Alexandria_ERI_As_approved.pdf

EPA Office of Prevention, Pesticides, and Toxic Substances Report Reregistration Eligibility Decision (RED): Glyphosate; EPA-738-R-93-014; U.S. Environmental Protection Agency, Office of Prevention, Pesticides, and Toxic Substances, Office of Pesticide Programs, U.S. Government Printing Office: Washington, DC, 1993.

Appendix 1

PennEast / Frenchtown



Appendix 2

