



Mayor Mark Conforti
Municipal Building
2261 Route 206, Belle Mead, New Jersey
08502-0001

Phone: (908) 359-8211
Fax: (908) 359-3051

E-Mail: MConforti@twp.montgomery.nj.yus
Website: www.twp.montgomery.nj.us

May 4, 2018

Via: eFiling

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

**Re: Northeast Supply Enhancement Project (NESE)
Draft Environmental Impact Statement (DEIS)
FERC Docket No. CP17-101-000**

Dear Madam Secretary Bose:

I am the Mayor for the Township of Montgomery located in Somerset County in the State of New Jersey. The Township of Montgomery is an Intervenor in the above-reference matter and herein, on behalf of the Township, I provide our objections, comments and concerns with respect to the March 23, 2018 Draft Environmental Impact Statement (DEIS) for the Northeast Supply Enhancement Project (NESE). On May 3, 2018, the Montgomery Township Committee, the governing body, passed a resolution concerning NESE and we enclose and incorporate it by reference to the Comments below. See, **Exhibit A** attached.

Montgomery is a thriving community of over 23,000 citizens with a rich history, excellent schools, diverse recreational opportunities and a collective commitment to preserving open land and protecting natural resources. The community has successfully merged rural and suburban lifestyles in a cosmopolitan region. Located in the southern portion of Somerset County – six miles from Princeton University and roughly halfway between New York City and Philadelphia – the Township is an historic 32 square mile community with an agricultural heritage. It lies in the Millstone River Valley west of the river and east of the Sourland Mountains. There are several hamlets within the Township: Blawenburg, Harlingen, Belle Mead, Skillman, Dutchtown and Zion. Original settlers of Montgomery were mainly farmers, including those of Dutch, Flemish and Huguenot origins, among others. Montgomery played a prominent role in the Revolutionary War, and indeed may be named after Richard Montgomery, a brigadier general who served with Benedict Arnold on the expedition of 1775 against Canada.

Turning to the NESE, the Township of Montgomery has significant concerns with the proposed Compressor Station 206 (“CS206”) which is slated to be located 1.45 miles due east from the closest border of Montgomery; 1.73 miles northeast from the closest residential area of Montgomery; and 2.09 miles east-southeast from Stonebridge, a retirement community in Montgomery. See, **Exhibit B** attached.

We note that our neighbor, Intervenor Franklin Township, has filed its comments regarding its objections and concerns to the DEIS generally and to CS206, specifically. We hereby support and join those objections and concerns.

The Township of Montgomery submits its additional objections and concerns as follows:

Exclusion of New Jersey as a Cooperating Agency:

The Township of Montgomery expresses its strong objection and concern that New Jersey was excluded from cooperation and consultation. Thus, for this very reason, the Township purposefully copies this letter to the Office of the Governor and the New Jersey Department of Environmental Protection. The DEIS was prepared with the assistance of cooperating agencies including the U.S. Environmental Protection Agency (EPA), U.S. Army Corps of Engineers (USACE), and the City of New York. The DEIS defines a cooperating agency as another agency participating in the National Environmental Policy Act (NEPA) process that has jurisdiction by law over all or part of a project and/or one that has special expertise with respect to environmental issues associated with a project. Cooperating agencies are intended to have a substantial role in the environmental analysis according to their particular jurisdiction or expertise. Certainly New Jersey and the NJDEP qualify as a cooperating agency. The DEIS failed to include New Jersey, nor providing a rationale for not doing so.

The lack of transparency and failure to include indispensable agencies is a fundamental disqualifier of the DEIS.

Lack of Meaningful Public Participation:

The Township of Montgomery is further concerned about the lack of due process afforded to its and other citizens. Nearly 2,300 written comment submissions were filed. Approximately 98 percent of all comments received were regarding CS206 and were filed by residents, government officials, elected representatives, and other

stakeholders near the proposed compressor station. The DEIS describes numerous public participation concerns, such as, "Commenters contend that our use of a 0.5-mile radius to identify potentially affected landowners around proposed Compressor Station 206 was insufficient; that the number, location, and format of scoping sessions limited attendance and comment; and that the time allowed for filing comments was too brief." The DEIS concludes that, "In response to these concerns, we note that our environmental mailing list complies with 18 CFR 157.6."

We find this response wholly insufficient and request that the public comment be extended and additional scoping meetings and information sessions specific to CS206 be provided.

Compliance with Other Federal Programs:

DEIS states that studies regarding the following will be completed at another time, and results listed in the final report:

- Complying with the Endangered Species Act;
- Complying with section 106 of the National Historic Preservation Act;
- Completing the General Conformity process, where the Transcontinental Gas Pipe Line Company would be responsible for directly offsetting all construction emissions in the New Jersey-New York-Connecticut Air Quality Control Region.

It is unclear how meaningful public input will be obtained for these reviews, and by not including final review findings in the DEIS, the public has been prevented from providing meaningful comment in relationship to the overall DEIS. This is unacceptable and objectionable.

Air Quality:

Significant concerns regarding the health impacts of emissions on the local community are noted, with respect to both proposed routine emissions during normal operations and compressor blowdown events. On page ES-13, the DEIS states: “Long term impacts on air quality and noise would result from the operation of Compressor Station 206.” Specific air quality concerns are noted below:

- Representative ambient air quality data: Ambient air quality data was gathered from Elizabeth, Philadelphia, East Brunswick and North Brunswick, and the DEIS failed to consider ambient air quality in the vicinity of proposed CS206, with specific relationship to cumulative air quality effects during blasting events at the nearby quarry.
- New Jersey Department of Environmental Protection (NJDEP) air permit: An NJDEP air permit was applied for on January 4, 2017, with an “anticipated receipt date” of September 7, 2017. No further details were noted in the DEIS regarding the status of the application or extent of NJDEP review, comments or concerns.
- Possible exceedance of NJ Hazardous Air Pollutants (HAP) standards: There is no clear information found in the report regarding exceedances of NJ HAP standards during blowdown events. The DEIS seems to imply that NJ HAP levels are exceeded, but the project could still obtain a permit, since NJ requires only technology-based controls for permit approval. Regardless of whether the project can obtain a permit, we request the DEIS detail the level and extent of NJ HAP exceedances during blowdown events.

- Lack of Health Assessment Review: The DEIS states that NJ requires “State of the Art” (SOTA) regulatory requirements in their air permitting program but fails to discuss the health impacts of emissions (both routine and HAP during blowdown) that may exceed NJ HAP standards, even with SOTA technology. A Health Assessment Review would ideally investigate this issue and provide the level and degree of HAP exceedance during normal operation as well as blowdown events and evaluate the short- and long-term health impacts on the local community, including members of the community who are at increased risk to air emissions such as the young, the elderly, or those with chronic health conditions. As discussed *infra*, the Stonebridge Retirement Community is located just 2.09 miles west-northwest of the proposed site.
- Offset Mitigation will not occur in local community: Emissions of NOx would equal or exceed 100 tons per year. Transco has indicated it intends to pursue a direct offset mitigation strategy by sponsoring projects at the Port Authority, to include modernizing electric cargo-handling equipment at NJ/NY ports, providing power at Liberty Cruise Terminal, and replacing trucks. We fail to see how these improvements mitigate the health impacts to the local population resulting from CS206.

Thus, along with Franklin Township, the Township of Montgomery demands that a health impact assessment as well as a long-term contamination potential assessment of the surrounding area for the proposed Compressor Station 206 be conducted and made public for comment and review prior to finalizing the Environmental Impact Statement or granting any further approvals.

Climate Change:

The DEIS concludes that, “Construction and operation emissions from the NESE Project would increase the atmospheric concentration of GHGs, in combination with past and future emissions from all other sources, and contribute incrementally to future climate change impacts.” We request that the climate change impacts of this proposal be significantly weighted when considering alternatives to CS206.

Alternatives Analysis:

Key aspects of the alternatives analysis were either missing or not fully addressed. The DEIS fails to provide a rationale as to why the use of renewable sources of energy or energy conservation and efficiency programs could be viable project alternatives. Further, in the evaluation of the use of electric motor-driven compressor units, rather than the natural gas-fired turbines, a clear comparison was not provided regarding the extent of HAP emissions during normal operation and blowdown of this alternative, versus the natural gas-fired turbines.

Property Values:

While several studies were cited for gas pipeline transmission routes and property values, fewer studies were presented regarding compressor stations and property values. The DEIS concludes: “We acknowledge that it is reasonable to expect that property values may be impacted differently based on the setting and inherent characteristics of each property.” Property devaluation is a significant concern, and we request that mitigation measures for such potential losses be explored within the communities impacted.

Conclusion:

For the foregoing reasons, the Township of Montgomery respectfully requests that the Federal Energy Regulatory Commission take into consideration and address all concerns and objections enumerated herein. Clearly, significant environmental analyses and mitigation evaluations are lacking or have been neglected. It is incumbent upon FERC to rectify these shortcomings and protect our citizens from the dangers inherent in this proposed project. An Environmental Impact Statement that does not include analysis of health or environmental impacts of chemical emissions from proposed Compressor Station 206 cannot be recognized as a legitimate environmental impact statement.

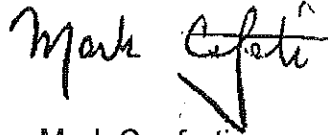
Montgomery Township strenuously urges FERC to conduct a thorough and comprehensive **Health Impact Assessment** of the proposed Williams-Transco Compressor Station 206 emissions comprehensively addressing health and environmental impact for the immediate areas, as well as long-term contamination potential for the reservoir site on the Trap Rock Quarry.

Montgomery Township opposes the construction and operation of proposed Compressor Station 206 as there has not been an adequate assessment of the potential detrimental health impacts from construction and operations of the proposed Compressor Station 206 on the residents, business and houses of worship situated near the site.

Montgomery Township requests FERC to require continuous air sampling at the site of the proposed Compressor Station 206 before and during construction, as well as

ongoing for the lifetime of the compressor station's operation and make publicly available real time updates of air sampling on the internet.

Respectfully submitted,

A handwritten signature in black ink that reads "Mark Conforti". The signature is written in a cursive style with a large, stylized initial "M".

Mark Conforti
Mayor of the Township of Montgomery

Enclosure

cc: Phil Murphy, Governor of New Jersey
Catherine McCabe, Acting Commissioner, New Jersey Department of Environmental Protection
United States Senator Cory Booker
United States Senator Robert Menendez
United States Congresswoman Bonnie Watson Coleman
United States Congressman Leonard Lance
New Jersey Senator Christopher Bateman
New Jersey Senator Bob Smith
New Jersey Assemblyman Joseph Danielson
New Jersey Assemblyman Joseph Egan
New Jersey Assemblyman Andrew Zwicker
New Jersey Assemblyman Roy Frieman
Montgomery Township Environmental Commission
Franklin Township
All parties on the Intervenor Service List