

**CONCERNS WITH THE MARCH 23, 2018 DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) =
WHY WE BELIEVE FERC SHOULD SET IT ASIDE AND RELEASE A REVISED OR SUPPLEMENTAL DEIS WITH ADDITIONAL TIME
FOR THE PUBLIC TO REVIEW AND MAKE MEANINGFUL COMMENTS**

**The DEIS, prepared by FERC and published on March 23, 2018,
does not meet the description of an environmental impact statement according to NEPA.**

The **National Environmental Policy Act's (NEPA) regulations** state: "the primary purpose of an environmental impact statement is to serve as an action-forcing device to insure that the policies and goals defined in the Act are infused into the ongoing programs and actions of the Federal Government. It shall provide full and fair discussion of significant environmental impacts and shall inform decision makers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment." (Title 40, Chapter V, Section 1502.1) and "Agencies shall: (a) Make diligent efforts to involve the public in preparing and implementing their NEPA procedures." (Title 40, Chapter V, Section 1506.6)

**Missing information and insufficient outreach by FERC and Williams/Transco
hindered the public from engaging in the environmental review process in a meaningful way,
and it did not meet FERC's own principle purposes in developing the DEIS.**

On page 1-3 of the DEIS, FERC listed their principle purposes in developing the DEIS as:

- *describe the affected environment as it currently exists in the Project area;*
- *identify and assess potential impacts on the natural and human environment that would result from constructing and operating the Project;*
- *describe and evaluate reasonable alternatives to the Project that would avoid or substantially reduce adverse environmental effects while still meeting the Project's objectives;*
- *identify and recommend specific mitigation measures, as necessary, to avoid or further minimize environmental impacts; and*
- *encourage and facilitate involvement by the public and interested agencies in the environmental review process.*

Content of the DEIS fails to warrant Public Convenience & Necessity since:

- The complete impacts from the NESE Project could not be assessed at the time of the DEIS since much information was missing.
 - FERC based its conclusions on information that was missing critical studies, plans & procedures.
 - FERC is missing a lot of information needed to (1) identify all potential environmental risks and then (2) use complete information to recommend actions that must be taken to eliminate or reduce negative environmental impacts.
 - The DEIS acknowledges that construction plans & methods might change, and this would likely mean that different studies & environmental impact analyses would be needed before a conclusion about impact could be made.
 - Other agencies were asked by FERC to accept or agree with their conclusions in the DEIS, and NOAA's National Marine Fisheries wrote that they could not even engage in the required consultation with FERC until critical missing information was provided. (April 2018)
 - The incompleteness of the DEIS was one of the reasons why New York's Department of Environmental Conservation denied the requested Water Quality Certificate for this Northeast Supply Enhancement (NESE) Project. (April 2018)
- The conclusions of FERC's DEIS are not well supported in the DEIS.
- The DEIS did not include clearly defined potential adverse impacts from the NESE Project and, without analyzing possible avoidance or minimization measures, FERC's conclusions that mitigation measures (which are not detailed in the DEIS) would acceptably reduce environmental impacts to minimal or non-significant levels cannot be substantiated or effectively reviewed by the public.
- FERC's DEIS was not based on a complete economic analysis of benefits and harms.
- FERC disregarded or minimized comments and requests from the public, legislators and municipality officials prior to the issuance of the DEIS and during the DEIS comment period without providing reasons with supportive scientific, data-driven studies.

See the document: “FERC’s DEIS – 15 Failure Points” for more detail about these issues:

1. There was no consideration or commitment to require air quality monitoring to be put in place at the CS206 site prior to the issuance of the FEIS and for the lifetime of the CS206 to monitor all chemical emissions from S206 identified in the certificate application.
2. Validation of chemical emissions of Compressor Station 206’s ‘estimated’ emissions from existing Solar MARS 100 compressors was dismissed by FERC in the DEIS.
3. FERC denied that there is a need to perform a Health Impact Assessment (HIA) for those in the area around Compressor Station 206 with measurements of complete emissions including heat, exhaust volume and hazardous air pollutants (highly toxic airborne chemicals).
4. FERC did not assess the environmental benefit when it dismissed a request to explore enhanced energy regeneration/efficiencies that could reduce heat emissions from Compressor Station 206.
5. In the DEIS, FERC failed to provide a realistic analysis of specific ecological impacts associated with loss of forest and wetland habitat.
6. There was no complete analysis of the short- and long-term potential impacts of noise from construction activity on marinelife in and around the Raritan & Lower New York Bays.
7. There was no analysis of the impact of marine vessel traffic (insertion/removal of piles, transporting, loading/unloading, staging and mooring) on the environment, local economies and marinelife in and around the Raritan & Lower New York Bays.
8. There was no assessment of potential long-term effects of toxic sediment disturbance on shorelines, beachgoers, marine life or the health of shoreline communities in terms of costs to health, safety and economics.
9. There was no comprehensive, scientific assessment of the short- and long-term impacts to benthic organism (horseshoe crabs, surf clams) and marine mammal (dolphins, seals and whales) habitat.
10. There was no sediment core sampling of the entire designated workspace in Raritan Bay & Lower New York Bay.
11. There was no safety analysis of increased velocity of natural gas through lines A and C from CS206 to the Rockaway Transfer Point.
12. There was no modeling of the impact of year-after-year blasting at Trap Rock Quarry on the proposed Compressor Station 206 along with all associated buildings and pipelines at the site.
13. There was no complete analysis of the economic adverse impact that will result from disturbances in/by the Raritan & Lower New York Bays on the greater community and habitat.
14. There was no analysis of predicted impacts from increased Greenhouse Gases and methane leaks and emissions as impacts from the NESE Project on the area.
15. There was not an adequate public outreach by Williams/Transco or FERC for a project that could significantly impact human health and result in environmental contamination and harm for many decades if it is constructed

Some more shortcomings in the DEIS were:

1. There was no complete analysis of both single and combined chemical emissions on the health of people living or moving near the proposed Compressor Station 206, and there was no consideration given to the fact that these toxic chemical emissions can travel miles away, depending on weather conditions, with resultant potential impacts on the health of people living or moving farther away from CS206.
2. There was no consideration of groundwater mounding at the proposed stormwater basin at the CS206 site and how this might impact the groundwater contamination plumes at the Higgins Farm Superfund Site.
3. There was no analytical data provided to support proposed mitigation measures which, in earlier documents provided by Williams/Transco, looked more like a list of best management practices without commitments and without direct links to show how they anticipated these would address the impacts.
4. There was no attempt to assess the economic/social/health costs of the NESE project in a quantified manner. The “significance” of emissions can be determined via the **Social Cost of Carbon** metric, commonly used by the EPA and other agencies, which estimates the financial damages that could result from a project’s emissions. See: <https://19january2017snapshot.epa.gov/climatechange/social-cost-carbon .html> This issue about the Social Cost of Carbon was detailed to FERC pertaining to the NESE Project in a submission on May 14, 2018 by the Environmental Defense Fund, the Institute for Policy Integrity of NYU’s School of Law, and the Sierra Club in a 46-page document. [Accession No. 20180514-6016(32884461)]

Some of the critical missing information that was requested by FERC in the DEIS pertained to:

- Plans for dealing with contaminated water (Madison Loop)
- Identifying sources for backfill and disposal of dredge material, including volume of expected dredge material (Raritan Bay Loop)
- Identifying hydrostatic water test additives with an evaluation of toxicity & potential for bioaccumulation of each additive in the food chain (onland and offshore)
- Pile-driving activity that may include more and/or larger piles with updated information about methods, noise attenuation modeling, and timing (Raritan Bay Loop)
- Input from operators of public water systems
- Karst investigation report (re: possibility of sinkhole concerns along the Quarryville Loop and at CS200 site)
- Plans for crossing cables in the Bay (Raritan Bay Loop)
- Construction schedule that accounts for timing restrictions for crossing saline estuarine waterbodies (Madison Loop)
- Feasibility studies for proposed HDD (parts of Madison Loop)
- Construction schedule that accounts for timing restrictions for fisheries (Raritan Bay Loop)

Additional information that was requested by FERC in the DEIS was to:

- “verify our conclusion with refined site-specific data” (Karst Study),
- “obtain more certain timing of these upgrades and to better inform our record” (water source at Compressor Station 206),
- “precisely identify mitigation measures for individual well owners and set clear expectations for construction compliance” with field-verified data is preferable (wells near construction),
- “ensure that benthic communities recover as expected” (rate of recovery),
- “more precisely inform the record” “because Transco has not yet finalized the details of its dredge disposal plans and backfill sources” (backfill source sites and additional chemical sampling, volume & disposal site for dredge material),
- “ensure that we have accurate information on the final plans and to establish clear expectations during construction” (final plans to secure the Ambrose Channel HDD string awaiting pullback),
- “ensure that potential noise impacts on aquatic resources are accurately assessed” (additional platform for Morgan Shore HDD construction with additional piles),
- “ensure that the actual noise is consistent with the predicted values” (pile driving noise monitoring and mitigation plan),
- “ensure that we have detailed information on any additional avoidance and mitigation measures that Transco may employ as a result of its consultations with the states” (incomplete surveys for state-listed species),
- “ensure that Transco accounts for and adequately offsets its construction emissions in the New York-New Jersey-Connecticut Interstate AQCR” (Construction Emission Plan),
- “verify that the design accounts for potential increases in future blast intensity” (final foundation design for CS206)

See the document, “NESE CP17-101: FERC’s Identified Missing Information in their DEIS (Accession No. 20180323-3005(32752914)” for the actual language from the DEIS that documents the missing information and requests for it from FERC.

In the DEIS, FERC minimized any need to consider environmental and health damage/danger when the comments of citizens and their elected representatives were dismissed without providing any authoritative and/or scientific, data-based support. Some of the requests for studies and actions that were essentially pushed to the side by FERC are:

1. Conduct a safety analysis of all pipeline components associated with NESE from CS206 to the Rockaway Transfer Point since capacity increase likely means increased velocity of gas proposed to be sent through aging pipelines.
2. Require air quality monitoring in the immediate area around the proposed Compressor Station 206 site that would be in place before construction and for the life of the compressor station if the Project is approved.

3. Validate the reported estimates of chemical emissions for Compressor Station 206 with actual data from another Solar Mars 100 unit.
4. Perform a Health Impact Assessment of people around the proposed Compressor Station 206 site before construction & for several years following operation if the Project is approved.
5. Explore the feasibility of reducing heat emissions from Compressor Station 206 by adding a heat recovery system.
6. Complete additional core sampling analyses in Raritan & Lower New York Bays that are in the workspace area where vessels will anchor and moor, resulting in unstudied seabed disturbances with likely re-contamination of the waters.
7. Account for the year-after-year compounded effect of Trap Rock Quarry's blasting on the foundation of Compressor Station 206 and all facilities at the site.
8. Determine both the short-term and long-term impacts from emissions, noise and the temperature of the exhaust that will exit two 50' smokestacks (210,000 cubic feet per minute that would be at least 849°F).
9. Require submission of plans for a septic system at the Compressor Station 206 site along with identification and analyses of potential impacts to wetlands from installation of a septic system at this site.