**TO:** Matthew Resnick **COPIES VIA EMAIL TO:**

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**REGARDING:**

APPLICANT: Transcontinental Gas Pipe Line Company LLC

PROJECT: Northeast Supply Enhancement (NESE) Project

FILE NUMBERS: NJDEP File No. 0000-01-1001.3 FWW 180001 Individual Permit

NJDEP HEARING DATE: 11/5/18

**FROM:**

Full Name:

Full Address:

The application for a Freshwater Wetlands permit does not comply with the Rules that NESE “will not destroy, jeopardize or adversely modify a present or documented habitat for threatened or endangered species; and shall not jeopardize the continued existence of a local population of a threatened or endangered species.”

The application does not document that NESE is in the “public interest” according to the Freshwater Wetlands Protection Act Rules, and the NJDEP is required to consider, among other things, “the functions and values provided by the freshwater wetlands and probable individual and cumulative impacts of the regulated activity on public health and fish and wildlife”.

**THE NESE PROJECT WOULD HARM OR CHANGE HABITAT FOR THREATENED AND ENDANGERED SPECIES.**

1. Wetlands along the Madison Loop have suitable foraging habitats for the bald eagle, osprey & black-crowned night-heron.
2. Wetlands along the Madison Loop have suitable nesting habitats for the bald eagle and osprey.
3. As far as we know, Williams/Transco has not completed the requested nesting survey for any area where they plan to cut down trees or destroy habitat for threatened or endangered species. In Appendix E of the Freshwater Wetlands Individual Permit Application (Correspondence), it was noted that the USFWS recommended completing a raptor nest survey before any construction at the proposed Compressor Station 206 or Madison Loop; Williams/Transco planned to survey for nesting raptors in March 2018; and NJDEP recommended doing so in April/May 2018 since no tree clearing was proposed until October 2018. Williams/Transco’s contracted group (E & E) wrote that they would ask for an extension of the end of tree clearing to be allowed through March 31, 2019 instead of February 28 if no nests were found. There are no publicly viewable documents about any surveys or agreements about timing restrictions.
4. Construction would alter vegetation, increase exposure to wind, light & temperature fluctuations, and fragment habitat. On page 4-19, Williams/Transco noted in their FWW-IP application that alterations to habitat functions provided by the wetlands will result in changes such as vegetation composition and structure, increased exposure to wind, light and temperature fluctuations, and new habitat fragmentation. They also noted that permanent conversion of wetlands could potentially alter flood storage capacity of wetlands, particularly in floodplain wetlands.

The value of the lost vegetation and trees in the wetlands was minimized and not comprehensively detailed in the application.

Under the Freshwater Wetlands Protection Act Rules, Williams/Transco was required to first AVOID wetlands, preserve our natural resources, and address the probable individual and cumulative impacts on public health and fish **and wildlife**. Williams/Transco has not avoided, minimized, or mitigated impacts in the manner required under the Freshwater Wetlands Protection Act and Rules, which seeks to first avoid and then minimize wetland impacts before engaging in mitigation. Given that the construction of the Madison Loop could destroy, jeopardize or adversely modify a present or documented habitat for threatened or endangered species, the Freshwater Wetlands Permit Application should be denied by the NJDEP.