

Northeast Supply Enhancement (NESE) Project is a Public Threat – not a Public Convenience

Risks from Construction in Raritan Bay

The construction of a pipeline under the sea floor is a highly intrusive process that threatens the progress made in cleaning the waters and air of the Raritan and New York Lower Harbor Bays. The excavation of a trench that is a minimum of six feet deep over a 23.5 mile-long path under Raritan Bay and New York Lower Harbor will dig up toxic substances now buried in the sea floor. The trenching will churn these toxins up into the water, threatening both marine and human health. The number and nature of marine vessels that will be intensively engaged 24/7 for much of a nine-month period will be powered by engines producing noxious gasses that pollute the air.

The waters in Raritan Bay were once referred to as a “dead sea”. After decades of efforts to clean up the waters in the bay, marine life that had once vanished has begun to return. Whales are seen with increased frequency in Raritan Bay, and communities of seals live on Sandy Hook and an island by the Verrazano Bridge.

Source: Brown, D.M., Robbins, J., Sieswerda, P.L., Schoelkopf, R., & Parsons, E.C.M. (2018 January). Humpback whale (*Megaptera novaeangliae*) sightings in the New York-New Jersey Harbor Estuary. *Marine Mammal Science*, 34(1): 250-257.

Issues:

- Dredging up buried toxins like PCBs, arsenic and lead from the seabed will poison fish, shellfish and marine life in the Raritan and Lower NY Bays.
- Nine months of 24/7 construction in the bay also poses a hazard to marine life from vessel strikes and noise.
- Marine mammals are sensitive to noise, and the construction could alter their behaviors (travel, communication, breeding and eating).
- 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.
- 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 habitat or the greater community that relies on fishing and recreation.
- There was no comprehensive 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.
- Time-of-Year Restrictions for certain species (e.g., Atlantic sturgeon) have not been agreed to.
- Horseshoe crabs – impact has not been identified, and avoidance / mitigation plans haven't been published.

- Kemp's ridley sea turtle (rarest, endangered) was found nesting on Rockaway Beach in late 2018, but potential impact avoidance for them was not considered to be needed by Williams/Transco or FERC in their documents (see news excerpts below).
- Plan is to dig through area where clams are infected with Quahog Parasitic Unknown (QXP) which would be spread by dredging.
- Sediment core sample analyses for the workspace area have been done, but their analysis has not been published.
- There is not yet approval about depositing dredged material at the HARS site.
- There is not yet agreement about offsetting the excess NO_x emissions from construction which are well above acceptable levels.
- Part of the Raritan Bay Loop would go through the Raritan Bay Slag Superfund Site. Lead, arsenic, antimony, copper, iron and chromium, are the primary contaminants contained in slag. Other metal contaminants include manganese, vanadium and zinc. Areas 7 & 11 of the Raritan Bay Slag Superfund Site are part of the NESE construction workspace, and toxic levels of lead, arsenic and other heavy metals have been found by the EPA and NJDEP in soils, sediments and surface waters here. The complex currents, eroded slag particles and dissolved metals from the jetty that have not been adequately accounted for in avoidance plans. EPA recommended continued consultation about construction here.
- **Williams/Transco itself has documented unsafe levels of toxic substances under the sea floor all along the proposed route.** As part of its submission to the Federal Energy Regulatory Commission, Williams/Transco was required to test the seabed for toxic contaminants. Williams/Transco submitted data from samples taken from the seabed at sixty-nine points along the proposed path of the pipeline. The samples were tested for some 200 substances known to potentially harm human health. The area off the south coast of Staten Island, for example, has unsafe levels of DDT, dioxins, furans, and PCB compounds, while directly south of the beaches of Jacob Riis State Park in the Rockaways, Williams found toxic metals like arsenic, lead, and mercury. The links between these post-industrial contaminants and both human and animal health are well known.

Some references:

For historic contamination:

David Stradling (2010). The Nature of New York: An Environmental History of the Empire State. pp. 123-128, 181-184, 217-223.

For improved water quality:

NYC Department of Environmental Protection, 2016 Harbor Water Quality Report.

<http://www.nyc.gov/html/dep/pdf/hwqs2016.pdf>

**Excerpts from news articles about nesting of a Kemp's ridley sea turtle
on West Beach in Rockaway, within the Gateway National Recreation Area on 7/12/18**

<https://www.nps.gov/gate/learn/news/rarest-sea-turtle-nests-on-queens-beach.htm>

Rarest Sea Turtle Nests on Queens Beach

by Daphne Yun October 1, 2018

Queens, N.Y. – Ninety-six hatchlings of the world's most endangered sea turtle crawled out to sea this week on West Beach on the Rockaway Peninsula located within the Gateway National Recreation Area (Gateway), National Park Service (NPS).

Kemp's ridley is the smallest of all sea turtles and critically endangered. It was listed in the United States as endangered throughout its range in 1970.

On July 12, 2018, beachgoers observed a Kemp's ridley sea turtle exiting the water and crawling up the beach and excavating a nest, according to Patti Rafferty, chief of resource stewardship for Gateway. NPS later excavated the nest to save the nest from extreme high tides. Staff were able to save and incubate 110 eggs. Hatchlings were later released back at West Beach.

<https://www.atlasobscura.com/articles/new-york-kemps-ridley-turtle>

**96 Rare Baby Sea Turtles Just Hatched in Queens, New York
If they can make it there, they'll make it anywhere.**

by Cara Giaimo October 03, 2018

It all started in July, when beachgoers on the western part of the Rockaway Peninsula noticed a Kemp's ridley crawl out of the water and dig herself into the dunes. Someone called the Riverhead Foundation for Marine Research and Preservation hotline—631-369-9829, in case you ever need it—and let them know about the tiny Testudines tourist.

She wasn't the first Kemp's ridley to visit the state. "These guys tend to strand," says Maxine Montello, the Foundation's rescue program director. "We see them during the winter months because of cold stunning," a hypothermic state that prevents them from swimming. But the Queens turtle was the first to stake her legacy there on purpose. "This is the first time an adult was seen... actually depositing eggs in New York," Montello says.

From 10/22/18 NYSDEC email - Wildlife, Fish and Marine Life Newsletter

Endangered Kemp's Ridley Hatchlings Head Out to Sea

[Kemp's ridley](#) (*Lepidochelys kempii*) are the smallest species of sea turtles, and they are endangered. Their populations have declined due to strikes from boat propellers, entanglement in fishing gear, pollution, climate change, and habitat loss or destruction.

On July 12, beachgoers on the Rockaway Peninsula of Long Island saw a turtle crawl from the water and dig a nest. Kemp's ridley are the second most commonly seen sea turtles in New York, yet this is the first recorded case of the turtles nesting and depositing eggs in the state. However, juveniles (2 to 5 years old) can be found as far north as Nova Scotia. Staff from the National Park Service uncovered and relocated the nest to incubate the eggs and keep them safe. Earlier this month, the eggs hatched and [96 Kemp's ridley sea turtle hatchlings ventured out into the ocean](#). Adult female sea turtles often return to the same beach to lay their own eggs.

