

Attachment A Consolidated Response to Comments on the Northeast Supply Enhancement Project			
No.	Key Issues	Response	Reference Materials
1.	Compelling Public Need	A detailed response to this issue is provided in Attachment B.	June 2019 New Jersey Department of Environmental Protection (NJDEP or Department) Freshwater Wetland (FWW) Application – Section 5, Additional requirements for a non-water dependent activity in exceptional resource value wetlands or trout production waters
2.	Extraordinary Hardship	A detailed response to this issue is provided in Attachment B.	June 2019 NJDEP FWW Application – Section 5, Additional requirements for a non-water dependent activity in exceptional resource value wetlands or trout production waters
3.	Barred Owl <ul style="list-style-type: none"> • Presence of critical barred owl habitat • Suitability of all forested area as barred owl habitat • Cumulative impacts of forest clearing • Site disturbance will cause species avoidance 	<p>The Project will not impact any critical habitat for the barred owl.</p> <p>A neighboring landowner reported hearing a Barred Owl last heard in 2018, in the wooded area adjacent to the proposed compressor station. The exact location is unknown. Transco has not observed any audible or visual evidence suggesting presence of a barred owl. In May 2019, NJDEP accepted this report prompting reclassification of the wetlands at the Compressor Station 206 site from intermediate to exceptional value. NJDEP biologists conducted an inspection of the site and contiguous forested area on April 4, 2019. Transco, along with biologists from Ecology and Environment, Inc., and Amy S. Greene Environmental Consultants, Inc., were in attendance. During their site visit, NJDEP identified a single tree that was large enough (i.e., >20 inches DBH) and contained a cavity which had an opening of sufficient size to support barred owls. This tree is located outside the limits of disturbance; it will not be cleared or impacted during construction of the project. There were no other trees on the site which could support barred owl nesting. As a result, NJDEP concluded that construction of the compressor station would not impact any critical nesting habitat for the barred owl, but the site might provide suitable foraging habitat for this species.</p> <p>Transco does not have access to the private properties surrounding the compressor station site and was therefore unable conduct surveys for the purpose of identifying the full extent of potentially suitable habitat for the barred owl. As described in its permit application, in lieu of field surveys, Transco applied the methodology used by New Jersey Landscape Project to identify the area of potentially suitable habitat. When the barred owl sighting is added to the Landscape Project, Transco expects NJDEP will apply the same methodology to identify suitable foraging habitat in this area.</p> <p>In Appendix V of the New Jersey Landscape Project, Version 3.3, 20 different Land Use / Land Classification types have been identified as potentially suitable habitat for Barred Owl. Additionally, the appendix notes that the patches should be contiguous as Barred Owls tend to reside in larger forest patches. The Landscape Project also identifies upland forest types as potentially suitable habitat. Using these methods, Transco determined that the total contiguous area of potentially suitable barred owl habitat surrounding the Compressor Station 206 site is more than 800 acres. The project will only impact a small percentage of this potentially suitable barred owl habitat.</p> <p>The commenter suggests that the opening created by clearing for the proposed project would reduce the suitability of</p>	June 2019 NJDEP FWW Application – Section 4 Standard Requirements for all Individual Permits, N.J.A.C. 7:7A-10.2(b)4

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		<p>the larger contiguous area used by the Barred Owl. Transco disagrees with this assessment. The forest in which the Barred Owl was reported is already highly fragmented, with several existing openings in the vicinity of the site. As is visible in aerial photography of the site, the central portion of the proposed project footprint contains a clearing from a former homestead, and there is an open field south of and adjacent to the eastern end of the access road. During the site visit on April 4, 2019, NJDEP biologists indicated that these areas would not be suitable habitat for Barred Owls. There are also existing clearings east and north of the site from existing pipeline rights-of-way.</p> <p>A commenter stated that operation and maintenance of Compressor Station 206 will jeopardize the continued use of the site by the barred owl. The design of Compressor Station 206 includes measures such as directional lighting and sound-attenuating insulation, which will minimize disturbance to wildlife. Additionally, human and vehicle activity associated with the operation and maintenance of the site are not expected to have a significant impact on the barred owl and are consistent with activities on the surrounding residential, commercial, and industrial properties.</p>	
4.	Vernal Pools <ul style="list-style-type: none"> • Presence of vernal pools and support for obligate species at Compressor Station 206 	<p>Transco has conducted numerous field surveys for wetlands and waterbodies since 2016, and the NJDEP has visited the site to validate survey results. No vernal pools have been documented on the Compressor Station 206 site during any of these surveys or site visits. No vernal pools will be impacted by construction of the Trap Rock access road or the compressor station.</p> <p>Vernal pools have been identified near the disturbance area for the proposed compressor station, and the dispersal areas surrounding these offsite vernal pools may extend into the compressor station site. Transco has minimized impacts to these dispersal areas to the extent possible. For example, the width of the Trap Rock Access road has been reduced and utilities for the compressor station have been relocated underneath the access road to minimize disturbance. The compressor station facility footprint has also been reduced and shifted to further minimize impacts on wetlands and transition areas.</p> <p>The project has been designed to ensure fauna have access to the offsite vernal pools. A contiguous patch of forest will be maintained to the east and northeast of the existing vernal pool on the Higgins Property. This will provide fauna uninhibited access to the vernal pool and its dispersal areas. Access to the dispersal area for the vernal pool located to the east of the suction discharge tie-in will also be maintained in all directions except for directly northwest of the pool.</p> <p>The commenter suggests that impacts to vernal pools will reduce foraging opportunities for the Barred Owl. Transco disagrees with this assessment. As noted above, the project will not have any direct or indirect impacts on the offsite vernal pools and will only affect a small percentage of the suitable foraging habitat available to the barred owl.</p>	June 2019 NJDEP FWW Application – Section 3 Description of Freshwater Wetlands, Special Aquatic Sites, Etc. That May Require Special Protection/Preservation
5.	Environmental Justice <ul style="list-style-type: none"> • Executive Order 23 • Impacted communities • Inadequate public hearings 	<p>Transco is committed to environmental justice and strives to promote these values in the development and implementation of its projects. Transco recognizes and accepts our responsibility to the communities it serves, through acting as a good neighbor and through involvement with and support for community activities.</p> <p>COA asserts in its written comments, dated August 2, 2019, that there are significant environmental justice issues concerning the impacted communities associated with the Project. <u>See</u> COA at pp. 20. In support of its position, COA relies on Executive Order No. 23 to urge NJDEP to consider certain environmental justice concerns associated with the Project, namely the Raritan Bayshore communities. In addition, COA claims that NJDEP has “failed to adequately publicize this issue through outreach and has not conducted a single public hearing in the area.” <u>See</u> COA at pp. 21.</p> <p>COA’s reliance on Executive Order No. 23 is misguided. Contrary to COA’s assertions, Executive Order No. 23 does not establish any regulatory, legislative, or statutory authority for environmental justice and it does not obligate NJDEP to perform outreach or hold a public hearing. In fact, Executive Order No. 23 simply directs the NJDEP to take the lead, in</p>	Reference Material Not Applicable

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		<p>consultation with other departments, in developing guidance to implement environmental justice policies in the state. Significantly, Executive Order No. 23 is clear that executive agencies will not be required to consider and assess the issue of environmental justice until after NJDEP has published its final guidance. NJDEP issued a draft guidance plan in January 2019 and invited public comment on that guidance until March 22, 2019. However, NJDEP has not issued any such final guidance to date. Accordingly, COA's claim that NJDEP has failed to adequately consider environmental justice concerns is premature.</p> <p>It should be noted that, although not raised in COA's written comments, there is proposed legislation (Senate Bill No. 1700) that would require NJDEP and other agencies to consider environmental justice concerns in issuing permits (including the requirement of the preparation of a report and the holding of a hearing). This is proposed legislation that has not been signed into law to date. With that being said, even if the bill was enacted during the pendency of NJDEP's review, Transco's Project would not be implicated as the legislation only applies to permits for a new "facility" or expansion of an existing "facility" within a "burdened community". None of the Project components in New Jersey would fall within the definition of a "facility" and, thus, would not be implicated by the proposed legislation.</p> <p>FERC already addressed environmental justice concerns within the Final Environmental Impact Statement, dated January 2019 (FEIS), and found that there would not be "high and adverse" impacts on existing environmental justice communities near Project facilities. Although FERC found that there are two environmental justice communities near Station 206 (due to % of total minority population) and two tracts near the Madison Loop and onshore segment of the Raritan Bay Loop, FERC concluded that any potential adverse environmental effects associated with the Project on these environmental justice communities would be "minimized and/or mitigated, as applicable". Furthermore, FERC, in the FEIS, also determined that the Project would not "result in disproportionately high and adverse impacts on minority and low-income populations."</p> <p>Accordingly, COA's assertions that NJDEP has failed to adequately consider environmental justice concerns are premature. Even so, Transco has demonstrated that there are no environmental justice concerns associated with the Project.</p>	
6.	Stormwater Management <ul style="list-style-type: none"> • Application of curve numbers • Mounding analysis • Detention basin side slopes 	<p>The commenter suggests that Transco used the incorrect curve numbers in its stormwater management analysis. However, the curve numbers used in the stormwater management analysis were obtained from the USDA NRCS methodology, specifically Table 2-2 and Worksheet 2 within the "Technical Release 55 – Urban Hydrology for Small Watersheds (TR-55)" document as specified in Chapter 5 of the New Jersey Stormwater Best Management Practices Manual, which can be found in Appendix D.2 of the Stormwater Management Report. This information was previously addressed in response to NJDEP's comment 3.c in their technical review letter dated September 27, 2018 and has been included in subsequent submissions.</p> <p>The commenter questions the validity of the mounding analysis completed for the infiltration basin at Compressor Station 206. However, the mounding analysis was performed in accordance with "Simulation of Groundwater Mounding Beneath Hypothetical Stormwater Infiltration Basins", U.S. Geological Survey Scientific Investigations Report 2010-5102, prepared in cooperation with the NJDEP, Carlton, G.B., 2010 as referenced in Chapter 9.5 of the BMP Manual, which can be found in Appendix D.6 of the Stormwater Management Report. It should also be noted that within the provided mounding analysis, in addition to following the methodology outlined in USGS/NJDEP document, an additional iteration was performed at the request of NJDEP with more conservative (i.e. stringent) parameters utilizing the highest field measured recharge rate, lower specific yield, and lower horizontal (lateral) hydraulic conductivity. This information was previously</p>	<p>June 2019 NJDEP FWW Application – Appendix K Stormwater Management Report</p>

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		<p>addressed in response to NJDEP's comment 3.j in their technical review letter dated September 27, 2018 and has been included in subsequent submissions since that time.</p> <p>The commenter suggests that the side slopes for the proposed detention basin are too steep for stability. The small detention basins adjacent to the access road are shallow in depth, receive/discharge low flows, contain no permanent pool, and the embankments will be comprised of controlled fill which will be compacted to provide a corresponding internal shear strength for long term embankment stability.</p>	
7.	Offshore Noise <ul style="list-style-type: none"> Noise impacts to marine mammals during construction Noise impacts to Fish 	Transco has analyzed potential impacts to marine mammals and fish from noise generated during offshore construction activities. The analysis regarding marine mammals is included in the draft IHA application submitted to National Oceanic and Atmospheric Administration (NOAA) Fisheries Office of Protected Resources (OPR) in June 2019. The anticipated public release of the application is September 2019. Transco is in consultation with NOAA OPR regarding the mitigation required under the IHA Authorization. These requirements include collision avoidance measures that NOAA OPR deems sufficient and effective. The analysis regarding fish is included in 'Latest Noise Modeling on Fish and Sea Turtles – June 2019 (Northeast Supply Enhancement Project)' submitted in June.	June 2019 NJDEP Waterfront Development (WFD) Application – Appendix M Fish and Sea Turtle Noise Modelling Information and Section A, 7:7-9.5 Finfish migratory pathways
8.	Air Quality <ul style="list-style-type: none"> Hazardous air pollutants from operation of Compressor Station 206 	<p>While not relevant to the pending permit applications before NJDEP, air quality associated with operation of Compressor Station 206 has been addressed in the context of Transco's FERC Certificate and Transco's pre-construction authorization to operate Compressor Station 206 issued by NJDEP.</p> <p>Air pollutants that could potentially impact human health or air quality from the Project are below applicable federal and New Jersey air quality thresholds. Air emissions from the project would be dispersed into the atmosphere and are not anticipated to result in deposition of pollutants into a water or land habitat.</p>	FEIS, NJDEP Pre-construction authorization
9.	Pre-construction Air Permits <ul style="list-style-type: none"> NJDEP should withdraw pre-construction authorization 	While not relevant to the pending permit applications before NJDEP, Clean Ocean Action and others have requested the Department withdraw the air permit as to require an evaluation under the new requirements for HAPs. N.J.A.C. 7:27-8.16(b)(1) states that "The Department may withdraw its approval of a preconstruction permit or permit revision, if the permittee does not begin the activities authorized by the permit or permit revision within one year from the date of its approval..." This regulation does not require the withdrawal of an approval under this condition. Transco has been in constant communication with the Department, conveying the schedule and demonstration the project's progress towards the goal of implementation as soon as possible.	NJDEP Pre-construction authorization
10.	Compliance with the Shore Tourism and Ocean Protection (STOP) Act	<p>The STOP Act does not apply to Transco's Project. The STOP Act prohibits offshore oil or natural gas exploration, development, and production in State waters, and the leasing of tidal or submerged lands in State waters for those purposes. In addition, the STOP Act prohibits the Department from permitting, approving, or otherwise authorizing any oil or natural gas exploration, development, or production in State waters, and from developing, adopting, or endorsing any plans for the exploration, development, or production of oil and natural gas in State waters. The STOP Act defines "development" to mean "pipeline or infrastructure that transports oil or natural gas from production facilities located in federal waters or other coastal waters in the Atlantic Ocean through New Jersey State waters, and any land-based support facilities for offshore oil or natural gas production facilities located in the Atlantic Ocean."</p> <p>The STOP Act does not apply to the Project as Transco is not proposing to engage in offshore natural gas exploration, development or production. The Project would not transport oil or natural gas from production facilities located in federal, state, or coastal state waters, nor would Transco be leasing tidal or submerged lands in State waters for the purposes of oil or natural gas exploration, development, or production. The purpose of the STOP Act is to limit offshore drilling, exploration, and production in New Jersey's waters, clearly this is inapplicable to the Project.</p>	Reference Material Not Applicable

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11.	Impacts to Shellfish Habitat <ul style="list-style-type: none"> The Project Would Unlawfully Impact and Impair Shellfish Habitat 	Pursuant to the Coastal Zone Management Rules, <u>N.J.A.C. 7:7-9.2(b)</u> , an area contaminated by toxins and on the List of Water Quality Limited Segments (the 303(d) list) is excluded from the definition of shellfish habitat. As noted in Transco's Permit Application, given the designation of the areas crossed by the Raritan Bay Loop on New Jersey's 303(d) list, Transco's Project would not impact shellfish habitat. Contrary to commenter's claim, Transco relied on the current 303(d) list, and its findings have been confirmed by the Department.	June 2019 NJDEP WFD Application – Section 2 Project Compliance with the Rules on Coastal Zone Management, 7:7-9.2 Shellfish habitat
12.	Contaminant Transport Modeling Results and BMPs <ul style="list-style-type: none"> The Project Will Pollute the Raritan Bay and Ocean, and is Likely to Violate New Jersey Water Quality Standards 	Transco will conduct the offshore dredging activities in accordance with The Management and Regulation of Dredging Activities and Dredged Material in New Jersey's Tidal Waters, set forth in Appendix G of the Coastal Zone Management Rules. Transco has committed to implementing Best Management Practices (BMP) and has demonstrated that, thorough use of these BMPs, contaminants introduced into the water column during construction will not have an adverse impact on water quality. It is unclear what commenter means by moral or ethical obligation, but Transco has satisfied its legal obligation of establishing that construction of the Project will comply with New Jersey's water quality standards.	June 2019 NJDEP WFD Application – Appendix F Hydrodynamic and Sediment Transport Modeling Results – Base Case Simulations, Addendum 1, Addendum 2, and Addendum 3.
13.	Labor-Intensive Economic Development <ul style="list-style-type: none"> The development of an offshore pipeline through dredging, horizontal directional drilling, and other processes clearly constitutes "labor intensive economic development" 	There is no support for the contention that the Project constitutes "labor intensive economic development" so as to invoke any special considerations under the Coastal Zone Management Rules. Regardless, Transco provided detailed and appropriate mitigation measures designed to protect the public health and safety as part of its Coastal Wetlands and Waterfront Development Permit Application. Specifically, Transco will adhere to its Unanticipated Discovery of Contamination Plan to appropriately manage and dispose of sediment. Transco also identified General procedures and site-specific requirements for addressing and minimizing worker exposure and handling of encountered excavation materials and backfill during planned construction activities in accordance with its Materials Management Plans for the Madison and Raritan Bay Loop that were part of Transco's June 2019 Applications.	June 2019 NJDEP WFD Application – Appendix G Materials Management Plan
14.	Impacts to Horseshoe Crab <ul style="list-style-type: none"> Location, abundance and population of the species potentially impacted by 	Transco acknowledges the potential for Project-related impact on horseshoe crab. In addition to construction BMPs identified in the comment, Transco will avoid disturbance of the intertidal zone and nearshore area in New Jersey waters between MP 12.1 and MP 12.5 by using the horizontal direction drilling (HDD) method (FEIS 4.5.2.8). Transco has provided sediment modeling results that indicate construction-related TSS concentrations will not exceed 50 mg/L above ambient more than 328 feet from the HDD pit at MP 12.5, and associated deposition will not exceed 0.3 cm (0.12 inch) more than 102 feet from the HDD pit at MP 12.5 (See Appendix F-3 to Transco's Supplement to the Waterfront Development Permit application dated June 28, 2019. Juvenile and adult horseshoe crab are relatively mobile and would likely temporarily vacate turbid areas that cause them discomfort or stress (FEIS 4.5.2.8). Further, the U.S. Fish and Wildlife Service has	June 2019 NJDEP WFD Application – Section 7:7-9.36 Endangered and threatened wildlife or plant species habitats and Section 7:7-9.37 Critical wildlife habitat

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	construction <ul style="list-style-type: none"> Request for species specific mitigation measures 	concurred with the FERC determination that the Project is not likely to adversely affect the red knot (<i>Calidris canutus rufa</i>) (FEIS 4.6.3.2).	
15.	Time of Year Restrictions <ul style="list-style-type: none"> Compliance with species time of year restrictions Acceptance of agreed upon restrictions on construction with resource agencies 	Transco acknowledges the potential for Project impact on fish, particularly river herring, Atlantic sturgeon, and winter flounder. Project construction will adhere to time of year restrictions (TOYR) for these species, with exceptions for low-impact activities approved by the Department and NOAA Fisheries (FEIS 4.6.3.5). Transco understands that the Department will condition its approval of the Project's Water Quality Certification on Transco's compliance with all time TOYRs required by the Department, in consultation with NOAA Fisheries. Given the relatively short duration of sediment-disturbing activities and rapid pace at which resuspended sediments are expected to settle out of the water column, impacts of sedimentation and turbidity on fish species and other living aquatic resources (e.g., shellfish) are anticipated to be temporary and minor (FEIS 4.5.3.2). Considering the extent of the offshore impact relative to the area of similar habitat available in the New York Bight, as well as the rate of recovery by the affected species, no significant, long-term impacts on the benthic community and other offshore resources are expected from the sediment-disturbing activities (FEIS 4.5.2.8). However, to verify that affected benthic communities recover as expected, Transco has committed to a 5-year post-construction benthic sampling and monitoring program.	June 2019 NJDEP WFD Application – Section 7:7-9.5 Finfish migratory pathways
16.	Surface Water Quality Impacts from Offshore Construction <ul style="list-style-type: none"> Sediment exceedances of applicable criteria for metals and PCBs Potential impact on water quality of suspended sediment during construction and implementation of Best Management Practices (BMPs) 	<p>In response to the NJDEP Notice of Denial letter dated June 5, 2019, Transco conducted contaminant dispersion modeling (see Appendix F-5 to Transco's Supplement to the Waterfront Development Permit application dated June 28, 2019). The results indicate that the contaminant levels in the water column associated with Project construction would not exceed the applicable chronic or acute toxicity criteria presented at N.J.A.C. 7:9B for saline waters outside a 500-foot mixing zone. This includes the criteria for total mercury; currently there is no water quality standard for methylmercury at N.J.A.C. 7:9B.</p> <p>In addition, Transco has modeled the dispersion of sediment due to offshore Project dredging/trenching in terms of total suspended solids (TSS) (see Table 2-4 and Appendix F-1 through F-4 to Transco's Supplement to the Waterfront Development Permit application dated June 28, 2019). For example, the modeling results show that concentrations of 50 mg/L are not expected to extend more than 500 feet from the dredging location in New Jersey waters when using a clamshell dredge with an environmental bucket (assuming 0.5% loss to the water column). The numerical relationship between TSS (measured in mg/L) and turbidity (measured in Nephelometric Turbidity Units [NTUs]) varies widely depending on site-specific sediment characteristics, and has been observed to range up to approximately 6 mg/L per 1 NTU for previous dredging projects (Anchor Environmental 2003). Assuming a ratio of 2 mg/L per 1 NTU, a concentration of 50 mg/L would yield a result of roughly 25 NTU. Assuming a ratio of 6 mg/L per 1 NTU, a concentration of 50 mg/L would yield a result of roughly 8 NTU. In comparison, the turbidity standard listed in NJAC 7:9B is a maximum of 30 NTUs at any time for Class SE1/SE2 saline waters and 10.0 NTUs for Class SC saline waters. Therefore, the Department considers use of the modeling results for TSS concentrations of 50 mg/L to be a reasonable proxy for identifying the distance at which compliance with the NJDEP water quality standard for turbidity would be achieved.</p> <p>Transco proposes to implement several best management practices (BMP) during offshore construction, such that the Department does not expect the Project to cause an exceedance of water quality standards, accounting for Department-approved mixing zones. These BMPs include the following:</p> <ul style="list-style-type: none"> Use of horizontal directional drill (HDD) for the Morgan Shore crossing, which reduces disturbance of 	Transco's submittal dated June 28, 2019 in response to the NJDEP Notice of Denial dated June 5, 2019 NJDEP WFD Application Table 2-4 and Appendix F-5

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		<p>contaminated nearshore sediments.</p> <ul style="list-style-type: none"> • Use of an environmental bucket for all clamshell dredging in New Jersey waters. • No side-casting of dredged material. • No barge scow overflow in areas with sediments that have contaminant concentrations exceeding ER-M guidance values. • Adjustment of dredging rate as necessary to meet water quality standards. • Development of a water quality monitoring plan, to be reviewed and approved by NJDEP prior to commencement of offshore construction. • Backfill material will be clean, sandy material, with a limited amount of fine-grained material (i.e., silt and clay). • During backfilling, the clamshell bucket will be lowered below the water line before releasing any material. • Where appropriate, a jet trencher will be used, reducing the area of sediment disturbance compared to clamshell dredging and minimizing or avoiding backfill activities along these segments. <p><i>Reference:</i> Anchor Environmental. 2003. Literature Review of Effects of Resuspended Sediments Due to Dredging Operations. June 2003. Prepared for Los Angeles Contaminated Sediments Task Force.</p>	
17.	<p>Contaminated Sediment in Raritan Bay</p> <ul style="list-style-type: none"> • Presence of contaminated sediments along Raritan Bay Loop • Modeled contaminants and screening against applicable sediment criteria 	<p>In response to the NJDEP Notice of Denial letter dated June 5, 2019, Transco conducted contaminant dispersion modeling for six offshore sites located within 2 miles of the New Jersey shoreline (MP12.2 to MP14.2) where sediment samples were collected during Fall 2018 had indicated an exceedance of ER-M guidance thresholds for sediment toxicity (see Appendix F-5 to Transco's Supplement to the Waterfront Development Permit application dated June 28, 2019). Transco sampled six other sites between MP12.2 and MP14.2 in Fall 2018 where ER-M exceedances were not detected. The Fall 2018 sampling was conducted in accordance with an NJDEP-approved Sediment Sampling and Analysis Plan (SSAP). Therefore, the Department has determined the Fall 2018 samples are reasonably representative of the contaminant concentrations for sediments that would be disturbed between MP 12.2 and MP14.2.</p> <p>Transco considered bioaccumulation of sediment contaminants in the document <i>Evaluation of Risks to Ecological Receptors due to Resuspended Contaminants</i> (see Appendix I to Transco's Supplement to Waterfront Development Permit application dated June 28, 2019). The report concluded that there is a low risk of adverse effects on ecological receptors from exposure to metals and organic contaminants in sediment that will be suspended in the water column and redeposited during Project-related dredging/jetting activities. In particular, the results of Total Bioaccumulation Potential modeling using maximum PCB concentrations measured along the offshore route in 2016 suggest that the entrainment and redeposition of even the most contaminated sediments along the route will not adversely affect local biota or food webs.</p> <p>The ER-M and ER-L guidance values are not water quality standards; the identified exceedances pertain to the potential for toxicity to benthic organisms in the existing (pre-construction) sediment. Results of Transco's contaminant dispersion modeling indicate that the contaminant levels in the water column associated with Project construction would not exceed the applicable chronic or acute toxicity criteria presented at N.J.A.C. 7:9B for saline waters outside a 500-foot mixing zone. It is reasonable to expect modeling of sediments with lower (ER-L) concentrations would also indicate compliance with the applicable chronic or acute toxicity criteria outside a 500-foot mixing zone. Additionally, sediment with higher contaminant levels will be mixed with adjacent less-contaminated material and dispersed away from the point of sediment disturbance, resulting in dilution of the contaminants. The diluted contaminant levels in the redeposited material are</p>	<p>Transco's submittal dated June 28, 2019 in response to the NJDEP Notice of Denial dated June 5, 2019</p> <p>NJDEP WFD Application Table 2-4 and Appendix F-5</p>

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		expected to be similar to ambient contaminant concentrations in surface sediments at the depositional locations. Further, contaminated dredged material would be removed and backfill will consist of clean, sandy material, thereby reducing overall sediment contamination in Raritan Bay.	
18.	HARs Disposal <ul style="list-style-type: none"> Suitability of HARs disposal Validity of laboratory data to support HARs disposal Status of Section 103 Permit review 	<p>On September 13, 2017 and December 20, 2017, Transco filed a permit application with the U.S. Army Corps of Engineers (USACE) – New York District (NYD) under Section 103 of the Marine Protection, Research, and Sanctuaries Act (MRPSA) seeking authorization to dispose of suitable dredged material at the Historic Area Remediation Site (HARS) located in the Atlantic Ocean. In support of the application, Transco collected sediment and water samples between February and May 2018 to evaluate the physical, chemical, and biological characteristics of sediment along the 23.33-mile-long offshore portion of proposed Raritan Bay Loop route. Samples were collected in accordance with the SSAPs provided to Transco by USACE on December 7, 2017 and January 18, 2018. A detailed description of this offshore sampling campaign including an evaluation of sediment for HARS suitability and all relevant sampling and analysis results were submitted to USACE in a report titled <i>“Report on the Sampling and Testing of Material from the Northeast Supply Enhancement Project for Dredging and HARS Placement - New Jersey, New York (November 2018)”</i> on November 5, 2018. Since the submittal of this report, Transco has responded to multiple requests for data and clarification from USACE NYD and U.S. Environmental Protection Agency Region 2 (USEPA). On March 5, 2019, Transco received a letter containing the results of USEPA’s Quality Assurance/Quality Control (QA/QC) review of Transco’s HARS suitability data. Transco responded to this letter with a supplementary data submittal on April 25, 2019. As of August 2019, Transco has been notified that the results of USEPA’s secondary QA/QC review taking into account this supplementary data and the USACE NYD determination regarding the applications are forthcoming and continues to respond to requests to support review of the applications.</p>	<p>June 2019 NJDEP WFD Application – Section 7:7-9.49 Dredged material management areas</p>
19.	Alternatives Analysis <ul style="list-style-type: none"> Suitable consideration of compressor station siting alternatives Consideration of energy efficiency alternatives and energy conservation measures Siting of Raritan Bay Loop and consideration of resources within Raritan Bay and routing evaluation 	<p>Compressor Station Alternatives</p> <p>Transco used a multi-tiered approach to identify the most suitable site for Compressor Station 206. The siting criteria consisted of engineering constraints, site availability, and natural resources. Transco undertook an exhaustive study to identify and evaluate potential compressor station locations. Transco selected the site with the least impacts to wetlands, pursuant to the Freshwater Wetlands Protection Act. Furthermore, Transco has reduced workspace to the maximum extent practicable to minimize and avoid wetland buffer and wetland impacts.</p> <p>Transco evaluated the potential for other energy sources to meet the purpose and need of the Project. Energy sources were separated into two broad categories: renewable energy sources (biofuel/biomass, hydroelectric, solar, tidal, and wind) and traditional energy sources (coal, nuclear, and oil). Following a review of energy source alternatives to meet the purpose and need of the Project, no other energy source would satisfy the increased demand for natural gas in the service territory. Electrical energy produced by traditional energy sources, such as coal-fired plants or nuclear plants, are not viable alternatives. Primarily because of environmental concerns, the capacity of these energy sources is not increasing, and the timeline to permit new facilities is not expected to be sufficient to meet the projected energy demand in the service territory within the timeframe proposed. Current regulations are phasing out fuel oil No. 4 and No. 6, due to emission rates of nitrogen oxides and sulfur dioxide. Therefore, increasing the use of fuel oil to meet the projected energy demand in the service territory would not be viable. Sufficient renewable energy sources are not currently available and cannot be available on a timely basis for large-scale application to the point where they would be viable energy alternatives to the Project. In addition, in-home natural gas energy systems would require conversion for the delivery and use of the electricity generated by the alternative energy sources discussed above. For these reasons, and because no other energy source would directly satisfy the increased demand for natural gas in the service territory, other traditional and renewable energy sources are not considered viable alternatives to satisfying the Project’s purpose</p>	<p>June 2019 NJDEP FWW Application – Appendix A Alternatives Analysis</p> <p>Section 3.0 of FERC’s January 25, 2019 FEIS for the Northeast Supply Enhancement Project</p>

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		<p>and need.</p> <p>Transco recognizes the importance of energy efficiency and conservation measures in building a comprehensive energy portfolio and did not evaluate energy efficiency or energy conservation programs, as the stated purpose and need for the Project is to transport natural gas to meet National Grid's needs and therefore such conservation efforts would not meet the Project purpose and need.</p> <p><u>Raritan Bay Loop Alternatives</u></p> <p>Transco evaluated an onshore alternative (Alternative 7 in Transco's NJDEP FWW Application, Appendix A Alternatives Analysis) for the Raritan Bay Loop. Transco did not select to onshore alternative due to the following constraints:</p> <ul style="list-style-type: none"> Alternative 7 would disrupt traffic patterns throughout the duration of onshore construction, which would likely extend over multiple years. Alternative 7 includes 186 road crossings. Substantive increases in noise impacts would occur because of the proximity of the route to local residences and businesses. Alternative 7 is approximately 5 to 8 miles longer than all other presented alternatives, increasing the duration of construction and associated impacts. 	
20.	<p>Hydrostatic Test</p> <ul style="list-style-type: none"> Hydrostatic testing will result in negative impacts to fisheries Rate and depth of the intake and discharge need to be taken into consideration to minimize impacts to fishery 	<p>Water required for testing will be taken from a total of 5 locations along the alignment within New Jersey State waters, and therefore the total 3.5 million gallons will not be taken from one concentrated location; which will aid in minimizing impacts compared to one isolated intake area.</p> <p>Transco has selected the hydrostatic test water intake location and depth to allow for a water source that has minimal sedimentation or aquatic organisms, as standard practice is to minimize the presence of this undesirable material in test water used within a pipeline. The proposed depth of the intake within the mid-depth of the water column allows for the lowest potential for sedimentation and aquatic impact. Also, the intake rate will be monitored and managed to minimize sedimentation and aquatic biota uptake. Transco's practice is to ensure the intake rate is monitored and set at a rate that avoids the situation where flows would overwhelm the 0.07 millimeter mesh screen with sediment or material to the point that would incapacitate its ability to intake water. At the depth and intake rate Transco is proposing, this will allow for this activity to occur in such a manner that will decrease the potential for sedimentation, aquatic intake and re-suspension of toxic sediment and allow for the safe testing of the pipeline with water that does not contain such material.</p>	June 2019 NJDEP WFD Application – Response to Rule 7:7-16.4
21.	<p>Raritan Bay Slag</p> <ul style="list-style-type: none"> Potential Excavation of material in Raritan Bay Slag site 	<p>The Raritan Bay Slag site (NJDEP Program Interest Number 514709), which is on the U.S. Environmental Protection Agency (EPA) National Priorities List, is located along the southern shore and in the Raritan Bay in Old Bridge Township and Sayreville, New Jersey. The EPA National Priorities List identifies lead as the single contaminant of concern for the site (EPA 2019). Associated Study Areas 7 and 11 (Jetty Sector) overlap with the proposed Project temporary workspace in Raritan Bay. However, locations that would be disturbed by the Project (e.g., the Morgan Shore Approach HDD exit pit) are outside the areas currently planned for remediation by the EPA based on lead concentrations. Transco considered results from EPA's site investigation (CDM 2011) and conducted additional sampling in the area of the Morgan Shore Approach HDD exit pit to further investigate the extent of contamination near Area 7 (see Appendix D to Transco's Supplement to the Waterfront Development Permit application dated June 28, 2019). Based on these results, sediments that will be disturbed during construction of the Raritan Bay Loop have concentrations of lead lower than the</p>	Transco's submittal dated June 28, 2019 in response to the NJDEP Notice of Denial dated June 5, 2019

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		<p>remediation goal identified in the EPA's 2013 Record of Decision (EPA 2013) for the designated remediation areas.</p> <p>Additionally, Transco proposes to implement several BMPs during offshore construction, such that the Department does not expect the Project to cause an exceedance of water quality standards, accounting for Department-approved mixing zones. These BMPs include the following:</p> <ul style="list-style-type: none"> • Use of HDD for the Morgan Shore crossing, which reduces disturbance of contaminated nearshore sediments. • Use of an environmental bucket for all clamshell dredging in New Jersey waters. • No side-casting of dredged material. • No barge scow overflow in areas with sediments that have contaminant concentrations exceeding ER-M guidance values. • Adjustment of dredging rate as necessary to meet water quality standards. • Development of a water quality monitoring plan, to be reviewed and approved by NJDEP prior to commencement of offshore construction. • Backfill material will be clean, sandy material, with a limited amount of fine-grained material (i.e., silt and clay). • During backfilling, the clamshell bucket will be lowered below the water line before releasing any material. <p>Further, all material dredged during construction of the Raritan Bay Loop within Study Areas 7 and 11 will be disposed of at appropriately permitted upland facilities in accordance with Transco's draft Raritan Bay Loop Materials Management Plan (Appendix G to Transco's June 2019 WFD supplement). Because all Project-related offshore dredged areas will be backfilled with clean, sandy material from Department-approved sources, overall sediment contamination in Raritan Bay will be reduced.</p> <p><i>Reference:</i> CDM. 2011. <i>Final Remedial Investigation Report: Raritan Bay Slag Superfund Site</i>. Final. Prepared for U.S. Environmental Protection Agency. EPA (United States Environmental Protection Agency). 2019. Superfund National Priorities List (NPL) Sites – by State. Available at: https://www.epa.gov/superfund/national-priorities-list-npl-sites-state. Accessed August 30, 2019. _____. 2013. <i>Record of Decision - Raritan Bay Slag Superfund Site, Townships of Old Bridge/Sayreville, New Jersey</i>. EPA Region 2. May 2013. CERCLIS ID NJN000206276. Available at: https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.docdata&id=0206276. Accessed August 30, 2019.</p>	
22.	Construction Schedule <ul style="list-style-type: none"> • Insufficient time to construct the project taking into consideration all time of year restrictions 	<p>Project construction will adhere to TOYRs for several species, including river herring, Atlantic sturgeon, and winter flounder, with exceptions for low-impact activities approved by the Department and NOAA Fisheries (FEIS 4.6.3.5). As described in the project record, the TOYR (with Department-approved exceptions) allow offshore construction activities to occur during Transco's scheduled execution window beginning May 1, 2020 through December 31, 2020. Transco has provided sufficient assurances to the Department that this construction schedule is feasible, and that suitable contingency has been built into the schedule to accommodate potential downtime and delays during offshore construction, as discussed below.</p> <p>Transco has carefully planned construction activities within Raritan Bay to comply with the various TOYR based on both the construction activity and its associated location within the bay to which they apply. In order to ensure that the offshore construction schedule will comply with the TOYR, Transco engaged multiple offshore construction contractors</p>	<p>June 2019 NJDEP WFD Application</p> <p>Section 4.3.6.5 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project</p>

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		<p>with recent experience performing dredging, pile driving, pipelay, diving, and backfill activities within Raritan Bay. These experienced contractors provided Transco with conservative rates of performance that form the basis of the execution plan.</p> <p>The construction execution plan represented in the project record captures contingency built into the schedule based on these conservative rates of performance to accommodate operational and/or mechanical issues and expected progress rates while still achieving compliance with the TOYR. The schedule reflects both the number of days anticipated to complete each construction activity and potential operational and mechanical downtime. Operational and mechanical downtime allowances included in the schedule varies by activity and range from 8% to 24% depending on the activity.</p> <p>Another key element of the construction execution plan is that the critical-path dredging activities are scheduled from May to August when weather conditions are historically most favorable, and risk of delay is at its lowest. According to the current construction schedule, Transco would complete the offshore portion of the Project by November 25. Given that construction may continue through December 31, the schedule includes an additional 36 days to account for unanticipated downtime and weather delays while complying with the TOYR. These 36 days are <u>in addition</u> to the downtime allowance referenced in the above paragraph. If the schedule is further delayed due to factors such as mechanical issues or adverse weather, Transco will continue to observe all TOYR discussed above, accounting for Department-approved exceptions.</p> <p>Transco will continuously track progress against the planned offshore construction schedule and is committed to providing the construction resources necessary to complete the project within the defined time period while also maintaining compliance with water quality standards and TOYR. The dredging rates that are proposed to sustain compliance with water quality standards based on sediment modeling are consistent with the rates anticipated as part of the construction execution plan, so the Department does not anticipate that these rates will conflict with any species TOYR. The Department will condition its approval of the Project's Water Quality Certification on Transco's compliance with all TOYR required by the Department, in consultation with NOAA Fisheries.</p>	
23.	Side-casting <ul style="list-style-type: none"> Suitable locations for side-casting Backfill source material 	<p>Transco is no longer proposing to side-cast dredged material.</p> <p>For any supplemental offshore backfill activities, Transco will use select commercially available material that is compatible and will consist of predominantly sandy and have only a limited amount of silt and clay, which will help ensure stability and minimize deposition outside of the target backfill area.</p>	June 2019 NJDEP WFD Application – Section 2.3.2
24.	Temporary vs. permanent Impacts <ul style="list-style-type: none"> Mis-representation of impacts in waterbodies along the Madison Loop 	<p>Proposed construction activities will not cause or exacerbate bank erosion as the Project does not propose any significant modification to any of the stream channels within the Project area. All disturbed sections of the stream channels will be properly stabilized in accordance with the Soil Erosion and Sediment Control Plan and following construction, the banks will be stabilized via seeding and/or by installing erosion control matting. Immediately following construction trenched sections of the stream will be restored to pre-construction grade. The slope of the channel will be restored to match pre-construction conditions but shall not exceed 2:1 slope. Typical backfill cover requirements will be met and a minimum cover of four (4) feet will be provided below the channel invert. The channel bottom will be restored to pre-construction elevations following channel protection installation. Restoration activities including</p>	June 2019 NJDEP Flood Hazard Area (FHA) Application – Soil Erosion and Sediment Control Plan

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	<ul style="list-style-type: none"> Acid-producing soils and groundwater discharge 	<p>stabilization, grading, backfill, and the planting of vegetative cover associated with the watercourses described above will be completed within 6 months of disturbance.</p> <p>Potential impacts associated with acid-producing soils have been planned for and will be mitigated through Transco's Erosion and Sediment Control Plans as approved by the county soil conservation districts. In the event that groundwater discharge is required as part of the Project, Transco would pursue NJDEP BGR/B7 permit(s).</p>	
25.	Fluid Additives <ul style="list-style-type: none"> Drilling fluids Hydrostatic test water additives 	<p>As described in the FEIS, drilling fluids and cuttings will be deposited within the HDD entry and exit pits as drilling progresses. Transco has sized the offshore HDD pits to accommodate the entire volume of drilling fluids and cuttings and a 25% overage to reduce the potential that the fluid and cuttings will leave the pits. Further and because of the density of the drilling fluids is greater than seawater, the drilling fluid and cuttings are expected to settle to the bottom of the pits and not escape into the water column.</p> <p>Transco will use water-based drilling fluids and will not use petroleum-based drilling fluid additives. Transco will provide information on all HDD fluid additives to NJDEP for approval prior to use. The additives would be National Sanitation Foundation/American National Standards Institute 60 (NSF/ANSI 60) approved. Upon selecting the HDD contractor, Transco would file on the FERC docket the safety data sheets for all drilling fluid additives for review and approval prior to construction.</p> <p>Hydrostatic testing of the Raritan Bay Loop will involve flooding the pipeline with filtered seawater. A non-toxic fluorescent dye (Hydro Tag Clear) will be added to allow easier detection of any underwater pipe leaks during the test(s). If water is to remain in the pipeline for an extended period of time, Transco may control internal corrosion by chemical treatment using CORRTEAT 15316 based on the results of an analysis of three corrosion inhibitor options. The results of the analysis indicated CORRTEAT 15316 to be both biodegradable and a better corrosion inhibitor than the other alternatives evaluated. Furthermore, FERC concluded in its FEIS that given CORRTEAT's relatively rapid degradation in seawater, the proposed critical dilution for the discharge, and the results of Transco's bioassays, the use of CORRTEAT 15316 in the hydrostatic test water would not be expected to bioaccumulate in aquatic food webs or result in adverse impacts on aquatic organisms.</p> <p>The selected additives will be used at concentrations that do not cause adverse effects on the receiving waterbody at the time of test water discharge, accounting for any permit-approved mixing zone. Treatment and discharge of the hydrostatic test water will meet applicable NJDEP regulatory requirements. Transco will submit an application to the NJDEP for a National Pollution Discharge Elimination System permit in advance of the commencement of offshore construction activities. No other additives are planned to be used during hydrostatic testing of the Raritan Bay Loop. During final pre-commissioning, Transco would use other additives, however those materials would be captured and not discharged.</p>	<p>June 2019 NJDEP WFD Application – Section 2.3.3.6</p> <p>Section 4.5.2.8 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project</p>
26.	Transco's Safety Record	<p>While not relevant to the pending applications before the NJDEP, safety is Transco's top priority when constructing and operating natural gas pipeline projects and associated facilities. While the FERC has oversight in ensuring that the facilities are designed according to the latest U.S. Department of Transportation (USDOT) – Pipeline and Hazardous Materials Safety Administration (PHMSA) safety standards and are safely constructed, once the natural gas is flowing through the new facilities, the USDOT-PHMSA assumes oversight responsibility during the operational life of the pipeline and supporting appurtenances such as compressor stations.</p>	<p>Section 4.11 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project</p>

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		<p>Transco meets or exceeds existing safety standards of the USDOT-PHMSA and the Occupational Safety and Health Administration (OSHA), and the guidelines of industry organizations such as the Interstate Natural Gas Association of America (INGAA). This will include compliance with applicable design standards and codes, construction provisions as mandated, and operation procedures and standards, such as participation with the New Jersey one-call system. FERC analyzed reliability and safety in its FEIS.</p> <p>Transco notes that, in connection with its Garden State Expansion Project, NJDEP acknowledged FERC and USDOT-PHMSA's expertise in and authority over pipeline safety, and its lack of jurisdiction over these matters, stating:</p> <p style="padding-left: 40px;">The operations regulations include stringent requirements from the Federal Energy Regulatory Commission, and under the U.S. Department of Transportation's (DOT) Minimum Federal Safety Standards. As review of these practices are outside the Division's jurisdiction, the Division defers to the Federal Energy Regulatory Commission (FERC) and the Federal Department of Transportation for oversight. The Division notes that the FERC issued a Certificate of Public Convenience and Necessity for the proposed natural gas delivery on April 7, 2016. The Department has no authority over industry construction standards or specifications, and defers to the federal agencies with expertise in these areas.</p>	
27.	Applications must be reviewed as new applications	Transco assumes that the Department is treating the FWW, FHA, and WFD applications submitted in June 2019 as new applications.	Reference Material Not Applicable
28.	Requests for comment extension and another hearing	The original 30 day-comment period ended on August 2, 2019, and was extended by the Department to August 23, 2019. Two public hearings were held for the previous applications, which have not changed substantively since those hearings.	Reference Material Not Applicable
29.	Impact to fisherman, recreational boaters, and whale-watching businesses	In its WFD Application, Transco concluded that the Project complies with Coastal Zone Consistency Rules. FERC's January 25, 2019 FEIS concluded that impacts to fisherman, recreational boaters, and whale-watching businesses would be temporary and minor and would resolve upon completion of construction.	<p>June 2019 WFD Application – Sections 7:7-9.4 (prime fishing areas), 7:7-9.38 (Public Open Space), 7:7-16.2 (Marine fish and fisheries), and 7:7-16.10 (Scenic resources and design)</p> <p>Sections 4.7 and 4.8 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project</p>
30.	Impacts in New York State Waters	Comments relating to impacts in New York State waters and New York State water quality standards are not relevant to Transco's the pending permit applications before the NJDEP. Impacts in New York State waters have been addressed in the context of Transco's pending applications before the New York State Department of Environmental Conservation (NYSDEC) and New York State Department of State (NYSDOS).	Reference Material Not Applicable
31.	The alleged benefits will only improve the	While not relevant to the pending permit applications before NJDEP, air pollutants that could potentially impact human health or air quality from the Project are below applicable federal National Ambient Air Quality Standards	Section 4.10 of FERC's January 25, 2019 FEIS for the Northeast

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	air quality of New York and will have no effect on New Jersey <ul style="list-style-type: none"> Air quality benefits should be in municipality where wetlands are being impacted 	(NAAQS) and New Jersey air quality thresholds. Air emissions from the project would disperse in the atmosphere and are not anticipated to result significant deposition of pollutants into a water or land habitat. Use of natural gas in place of fuel oil in New York will result in reductions in direct emissions of NOx and particulate matter (PM), as well as fine PM precursors of SO ₂ and NOx, leading to regional air quality improvements for ozone and PM in New York as well as northern New Jersey.	Supply Enhancement Project NJDEP Pre-construction Authorization
32.	Emissions from 206 will result in significant health and environmental impacts to the area <ul style="list-style-type: none"> HAP emissions will degrade the air quality in New Jersey Emissions are unlawful 	While not relevant to the pending permit applications before NJDEP, Compressor Station 206 is a minor source of emissions and air dispersion modeling results demonstrate the station is not predicted to cause or contribute to exceedances of the NAAQS, which address human health and the public welfare. Both criteria pollutant and hazardous air pollutant (HAP) emissions are below applicable federal NAAQS and New Jersey air quality thresholds.	Section 4.10 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project NJDEP Pre-construction Authorization
33.	The applicant has vastly overstated the air quality benefits which will be felt in New York	<p>The response is based on interpretation of the independent documents referenced in the footnotes of the Clean Ocean Action comment letter. While not relevant to the pending permit applications before NJDEP, as a result of the additional natural gas capacity, the air quality benefits will be felt in New York as systems are converted from fuel oil to natural gas.</p> <p>Current New York and New York City energy and climate goals target avoiding prolonged fuel (heavy) oil usage. Alternatives to the NESE project were previously evaluated as required by NEPA and FERC. Transco recognizes that renewable energy will have an increasing role in meeting the region's energy needs. However, the environmental impact, technical details, and economic feasibility of potential alternative energy resources are not presented or documented in the comment. Based on existing environmental initiatives, it is anticipated that natural gas will be utilized in place of fuel oil, although the exact level of adoption is unknown. It is always possible to refine estimates based on additional data, but this would not be expected to result in a significant change in the overall impact assessment.</p> <p>Compressor Station 206 is a minor source of emissions and modeled operational emissions meet the NAAQS. The</p>	Section 4.10 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project

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		<p>station lifecycle emissions are below federal and state thresholds protective of human health and public welfare.</p> <ul style="list-style-type: none"> • Use of natural gas in place of fuel oil has the potential to improve air quality as consumption of natural gas results in approximately 80 percent less particulate matter (PM) and lower emissions of other pollutants. Detailed fugitive and construction-related air emissions were presented in the FEIS. • Greenhouse gas (GHG) emissions associated with the construction and operation of the NESE project within the region, including methane leakage, are identified and quantified in the Air Quality Technical Report (AQTR) and documented in the FEIS. Transco has also addressed the Project's direct and downstream GHG emissions in separate, supplemental FERC filings. • Biodiesel currently displaces only 5% of the No. 2 and/or No. 4 fuel oil, and is anticipated to displace up to 10% by 2024. This percentage of fuel oil blending with biodiesel is not expected to result in significant emissions reductions. 	
34.	Transco's analysis of the net greenhouse gas emissions associated with the Project make several flawed assumptions that overstate the emissions of alternatives to the pipeline and understate the pipeline's emissions impacts	<p>Transco previously addressed NYSDEC public comments related to GHG emissions, and the adoption level of natural gas in place of fuel oil. Those comments reference a report by M.J. Bradley & Associates entitled "Life Cycle Analysis of the Northeast Supply Enhancement Pipeline". The report is an independent study and contains calculations to measure the Project's GHG emissions and impact on climate change. The study takes into account expected conversion of existing oil-fired heating systems to natural gas as well as considering projected low and high new construction scenarios. The assumptions behind the calculations are documented in the report, and the underlying values tend toward conservatism.</p> <p>In addition, GHG emissions associated with the construction and operation of the NESE project are identified and quantified in the AQTR and documented in the FEIS. Transco has also addressed the Project's direct and downstream GHG emissions in separate, additional FERC filings.</p> <p>Current New York State and New York City energy and climate goals target avoiding prolonged fuel (heavy) oil usage.</p> <p>Alternatives to the NESE project were previously evaluated as required by NEPA and FERC. Transco recognizes that renewable energy will have an increasing role in meeting the region's energy needs. However, the environmental impact, technical details, and economic feasibility of potential alternative energy resources are not presented or documented in the comment. Based on existing environmental initiatives, it is anticipated that natural gas will be utilized in place of fuel oil, although the exact level of adoption is unknown.</p> <p>It is anticipated that the project has the potential to run at capacity throughout the year, either as a replacement or supplement to meet existing and future energy demand.</p>	Section 4.10 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project
35.	Endangered Species Act Section 7 Consultation <ul style="list-style-type: none"> • Offshore Species • Onshore Species 	<p>As summarized in Transco's application(s) and in coordination with the USFWS, NOAA, and New Jersey Natural Heritage Program, Transco evaluated potential impacts to threatened and endangered species from construction and operation of the Project. As described in the FEIS, USFWS concurred with FERC's onshore findings in the FEIS (i.e. not likely to adversely affect). Consultation is complete for onshore species under the USFWS jurisdiction. Consultation for offshore species is ongoing and will be complete prior to construction of the Project.</p>	<p>Section 4.6.3 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project</p> <p>FERC's August 27, 2019 Supplemental Biological</p>

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			Assessment for the Northeast Supply Enhancement Project