



February 20, 2020.

Joslin C. Tamagno  
 Environmental Supervisor  
 Division of Land Use Regulation  
 N.J. Department of Environmental Protection  
 Mail Code 501-02A; P.O Box 420  
 Trenton, NJ 08625-0420

cc:

Governor Philip D. Murphy  
 Office of the Governor  
 State of New Jersey  
 20 West State St., 4<sup>th</sup> Floor  
 Trenton, NJ 08625

Catherine R. McCabe  
 Commissioner  
 N.J. Department of Environmental Protection  
 401 East State St., 7<sup>th</sup> Floor  
 Trenton, NJ 08625

**RE: Proposed Northeast Supply Enhancement Project  
 Program Interest # 0000-01-1001.3:  
 Activity # LUP200001**

- Freshwater Wetlands Individual Permit, Waterfront Development Individual Permits (In-Water & Upland),
- Flood Hazard Area Individual Permit, Coastal Wetlands Individual Permit, and Section 401 Water Quality Certification

**Requests:** (1) NJDEP to hold three fact-finding meetings (i.e. public hearings) pertaining to separate aspects of the above permit applications:

- One near the proposed Compressor Station 206 in Franklin Township (Somerset County) ,
- One by the Madison & Raritan Bay Loops in Old Bridge & Sayreville (Middlesex County), and
- One in the Bayshore area of Monmouth County

(2) NJDEP to grant a 60-day extension to the comment period

Dear Ms. Tamagno:

We are writing regarding the new permit applications (referenced above) for the Northeast Supply Enhancement Project ( the “NESE Project”) that Transco recently submitted to the New Jersey Department of Environmental Protection (“DEP”) following DEP’s denial of a prior set of applications on June 5, 2019 and Williams/Transco’s withdrawing of all applications on November 26, 2019. These new applications were received by DEP on January 21, 2020 and published in the DEP Bulletin on February 19, 2020.

Collectively, our twenty-seven organizations represent over 375,000 New Jersey residents. Together, we have been united in our opposition against the NESE project for roughly the last three years, beginning with the first application submitted on March 27, 2017.

Williams/Transco’s new Land Use permit applications still fail to satisfy the applicable New Jersey statutes and regulations, including New Jersey’s stringent requirements for issuing a Water Quality Certification under Section 401 of the federal Clean Water Act.

### **Request for Fact-Finding Meetings**

We are writing to request that DEP hold three fact-finding meetings (i.e. public hearings) on these new permit applications for the NESE Project. In general, the activities associated with these new permit applications involve significant potential environmental impacts. These include (but are not limited to):

- Impacts from onshore construction to freshwater wetlands, State open waters, wetland transition areas, and coastal wetlands;
- Impacts from offshore construction to benthic species (e.g. shellfish), fish (e.g. sturgeon and flounder), marine mammals (e.g. whales and seals), and offshore water quality (due to the resuspension of contaminated sediments); and
- Impacts from stormwater runoff at proposed Compressor Station 206 to surface water quality; and

In addition, despite the revisions made in these new permit applications, there remain ongoing concerns that were raised about the previous permit applications that were denied or withdrawn and submitted anew. These include -- but are not limited to -- (1) whether Transco has fully demonstrated that there is “no practicable alternative” (including system alternatives or a different site selection) to the proposed Compressor Station 206, (2) whether Transco has fully demonstrated a “compelling public need” for the proposed Compressor Station 206 as defined under the Freshwater Wetlands Protection Act Rules, and (3) whether Transco has fully demonstrated how it would avoid or minimize adverse impacts to surface water quality due to the construction of the Raritan Bay Loop.

DEP must allow the public to provide the agency with more information on the potential environmental impacts and ongoing concerns listed above in the forum of fact-finding meetings. These meetings should be held in locations that are easily accessible to concerned or impacted residents. This will allow DEP to properly evaluate these new permit applications before it makes any decision.

## **Request for Extension of the Public Comment Period**

Additionally, DEP should allow more time for concerned people to submit comments since the new applications include new information, and do-not clearly indicate what information from prior applications was retained, altered, or added to. An additional sixty (60) days is important to allow people time to carefully review the new applications and craft comments.

For the reasons outlined above, we respectfully request that the DEP (1) extend the comment period by a minimum of sixty (60) days from the current deadline, and (2) conduct public hearings on the proposed project to allow for increased public comment on this controversial application. Finally, we respectfully request that the DEP provide a timely response to our requests. Specifically, we request a response no later than March 6, 2020.

Thank you for consideration of this request.  
Respectfully submitted,

Central Jersey Coalition Against Endless War  
Central Jersey Environmental Defenders  
Central Jersey Safe Energy Coalition  
Citizens for Informed Land Use  
Clean Ocean Action  
Consumers Helping Affect Regulation of Gas and Electric  
Delaware Riverkeeper Network  
Deportation and Immigration Response to Emergencies  
Environment New Jersey  
Franklin Woman's Club  
Franklin Township Interfaith Council  
Food and Water Watch  
Interfaith-RISE  
JFK Franklin Democratic Club  
League of Women Voters of New Jersey  
Lower Raritan Watershed Partnership  
Raritan Riverkeeper  
Reformed Church of Highland Park  
Rethink Energy  
Sierra Club  
Surfrider Foundation  
New Jersey Congregational Center for Cancer Care  
New Jersey League of Conservation Voters  
New Jersey State Industrial Union Council  
New York – New Jersey Baykeeper  
The Watershed Institute  
Waterspirit