



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Office of Permit Coordination and Environmental Review  
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*Governor*

SHEILA Y. OLIVER  
*Lt. Gov*

CATHERINE R. McCABE  
*Commissioner*

Ms. Kimberly D. Bose, Secretary  
Federal Energy Regulation Commission  
888 First Street, NE  
Washington, DC 20426

May 26, 2020

Mr. Scott Horner  
Williams Transco  
2800 Post Oak Boulevard  
PO Box 1396  
Houston, Texas 77056

**RE: Transcontinental (Transco) Gas Pipeline Company  
Northeast Supply Enhancement Project Amendment  
Middlesex, Monmouth and Somerset Counties  
FERC Docket #CP20-49-000  
Comments on Environmental Assessment**

Dear Ms. Bose and Mr. Horner:

The New Jersey Department of Environmental Protection's (NJDEP) Office of Permit Coordination and Environmental Review (PCER) distributed, for review and comment, the Environmental Assessment (EA) Amendment Document dated April 24, 2020 for the proposed Transco Northeast Supply Enhancement (NESE) Project which was made available for review at the FERC elibrary at: <https://www.ferc.gov/industries/gas/enviro/eis/2020/CP20-49-EA.pdf>

On January 31, 2020, Transcontinental Gas Pipe Line Company, LLC (Transco) filed an application in Docket No. CP20-49-000 to amend the Certificate of Public Convenience and Necessity (Certificate) granted by the Federal Energy Regulatory Commission (Commission or FERC) for the Northeast Supply Enhancement Project (NESE Project) on May 3, 2019, in Docket No. CP17-101-000. Transco requests the use of an alternative road for permanent access to Compressor Station 206 in Somerset County, New Jersey, rather than constructing the previously approved access road to the site.

The FERC staff has prepared this Environmental Assessment (EA) to assess the environmental impacts associated with Transco's proposed project amendment.

As this matter relates to a currently pending State permit application, NJDEP takes no position regarding Transco's application to amend its Certificate other than to provide the following comments on the EA to ensure the potential environmental impacts of the NESE Project are accurately considered by FERC.

### **Land Use Regulation Program**

The proposed alternative road for permanent access to Compressor Station 206, also known as the Higgins Farm access road extension, would avoid 2.87 acres of wetland impact when compared to the original access road and would not otherwise impact any land areas regulated by NJDEP. Therefore, no additional approvals from NJDEP would be required for the proposed alternative access road.

If you have any questions, please contact Christopher Jones, Manager, Bureau of Urban Growth & Redevelopment at (609) 984-6216 or [Christopher.Jones@dep.nj.gov](mailto:Christopher.Jones@dep.nj.gov).

### **Natural and Historic Resources**

Division of Fish and Wildlife - Endangered & Non-game Species Program

The EA for the Proposed NESE Project Amendment indicates under section 2.3 Special Status Species, that Transco committed to an FWS-recommended timing restriction for tree removal of April 1 through September 30. NJDEP concurs that the indicated restrictions are necessary to protect Indiana Bat (Federally listed - Endangered) and Northern Myotis (Federally listed - Threatened).

Advisory comment:

Little Brown and Tri-color Bats, which would be encountered statewide, are "Candidate Species" for listing and must also be considered when recommending timing restrictions.

A seasonal restriction from 4/1 – 8/31 must be considered for tree or shrub trimming/removal to prevent/avoid taking of active nests with eggs or unfledged chicks of non-game migratory birds to address concerns covered under the NJ Endangered & Non-game Species Conservation Act.

The contractor must instruct all employees and sub-contractors to avoid any animals and move any turtles to the closest suitable habitat outside the work zone and release unharmed. Box turtles are noted in the surrounding areas. Vehicle speed limits to minimize impacts from vehicle and equipment traffic of no more than 15mph must be implemented. Construction activities should be conducted during daylight hours.

If you have any questions please contact Kelly Davis of the Division of Fish and Wildlife Office of Environmental Review at (908) 236-2118 or [kelly.davis@dep.nj.gov](mailto:kelly.davis@dep.nj.gov).

### **Bureau of Surface Water Permitting**

Based on a review, a NJPDES Discharge to Surface Water permit will be needed for any surface water discharge during construction (i.e., dewatering; pipe integrity testing, etc.).

If the discharge is shown to not contain pollutants at levels exceeding applicable standards, Transco may be eligible for a t B7 - Short Term De Minimis NJPDES discharge to surface water permit (see <http://www.nj.gov/dep/dwq/gp-b7.htm>). This is determined by running a pollutant scan as described in the application checklist where the data can be collected up to a year in advance of the discharge. However, if the discharge does contain pollutants at levels exceeding applicable standards,

(see <http://www.state.nj.us/dep/dwq/pdf/b7-deminimis-final-permit-5-20-15.pdf>), Transco must obtain a BGR – General Remediation Cleanup permit (see [http://www.nj.gov/dep/dwq/gp\\_bgr.htm](http://www.nj.gov/dep/dwq/gp_bgr.htm)).

In addition, based on the review, a NJPDES Discharge to Surface Water permit will be needed for any surface water discharge from hydrostatic testing. The appropriate NJPDES discharge to surface water permit will be the BG - Hydrostatic Test Water Discharges (see [http://www.nj.gov/dep/dwq/gp\\_hydrostatic.htm](http://www.nj.gov/dep/dwq/gp_hydrostatic.htm)). To be authorized under the BG permit, an application must be submitted to the Department at least 14 days prior to discharge.

If you have any questions, please contact Dwayne Kobesky, of the Division of Water Quality, Bureau of Surface Water Permitting at (609) 292-4860 or [Dwayne.Kobesky@dep.nj.gov](mailto:Dwayne.Kobesky@dep.nj.gov)

#### **Bureau of Non-Point Pollution Control**

If more than one acre will be disturbed, a general permit for Construction Activities, (5G3) may be required. The permit application process is available online <http://www.state.nj.us/dep/DWQ/5G3.htm>.

If you have any questions, please contact Eleanor Krukowski at (609) 633-9286 or [eleanor.krukowski@dep.nj.gov](mailto:eleanor.krukowski@dep.nj.gov).

#### **Air Planning - Bureau of Mobile Sources**

1. Heavy duty equipment used for construction must adhere to the No Idling regulations, including not idling for more than 15 minutes above 25 deg. F.
2. Any and all light duty vehicles on the premises during construction cannot idle for more than 3 minutes.
3. Heavy duty equipment used for construction and demolition must minimize idling whenever possible
4. All medium and heavy-duty equipment used for construction should meet the US EPA Tier 4 non-road emission standards and should use Ultra Low Sulfur Diesel (ULSD) fuel when applicable.
5. Any operation of heavy-duty equipment near residential neighborhoods of Higgins Farm Access Road must minimize noise pollution from construction and idling.

For the No Idling Regulations specifics, please read below:

1. All on-road vehicles and non-road construction equipment operating at, or visiting, the construction site shall comply with the three-minute idling limit, pursuant to N.J.A.C. 7:27-14 and N.J.A.C. 7:27-15. Consider purchasing “No Idling” signs to post at the site to remind contractors to comply with the idling limits. Signs are available for purchase from the Bureau of Mobile Sources at 609/292-7953 or <http://www.stophesoot.org/sts-no-idle-sign.htm>.
2. All non-road diesel construction equipment greater than 100 horsepower used on the project for more than ten days should have engines that meet the USEPA Tier 4 non-road emission standards, or the best available emission control technology that is technologically feasible for that application and is verified by the USEPA or the CARB as a diesel emission control strategy for reducing particulate matter and/or NOx emissions.

3. All on-road diesel vehicles used to haul materials or traveling to and from the construction site should use designated truck routes that are designed to minimize impacts on residential areas and sensitive receptors such as hospitals, schools, daycare facilities, senior citizen housing, and convalescent facilities.

If you have any questions, please contact Kris Dahl of the Bureau of Mobile Sources Survey at [Kris.Dahl@dep.nj.gov](mailto:Kris.Dahl@dep.nj.gov).

Thank you for giving the New Jersey Department of Environmental Protection the opportunity to comment on the information provided in the Environmental Assessment for the Transco NESE Project Amendment. If you have any additional questions, please do not hesitate to call me at (609) 292-3600.

Sincerely,

A handwritten signature in black ink that reads "Megan Brunatti". The signature is written in a cursive style with a horizontal line underneath it.

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Megan Brunatti, Director  
Office of Permit Coordination and Environmental Review