



Hackensack Riverkeeper
231 Main Street
Hackensack, NJ 07601
201-968-0808
www.hackensackriverkeeper.org



NY/NJ Baykeeper
52 West Front Street
Keyport, NJ 07735
732-888-9870
www.nynjbaykeeper.org

Testimony of Andrea Leshak, shared staff attorney for NY/NJ Baykeeper and Hackensack Riverkeeper, at the September 7, 2016 Public Scoping Session on Transco's Proposed Northeast Supply Enhancement Project

Good Evening. My name is Andrea Leshak. I am the shared staff attorney for NY/NJ Baykeeper and Hackensack Riverkeeper – two regional environmental non-profits. NY/NJ Baykeeper has been working to protect the NY/NJ Harbor Estuary for over 25 years through oyster restoration, land preservation, and environmental advocacy. Hackensack Riverkeeper protects and defends the environmental quality of the ecosystem of the Hackensack River watershed through education and advocacy work. These organizations and their hundreds of members and volunteers are strongly opposed to Transco's proposed Northeast Supply Enhancement Project.

Lack of Need

Experts in the energy field have emphasized the possibility that the Northeast is overbuilding pipeline capacity beyond what is necessary for gas production, which would lead to unused capacity and abandoned infrastructure.¹ With the numerous other pending pipeline proposals through New Jersey and in the Northeast, we question whether any need exists for Transco's proposed Northeast Supply Enhancement Project. We urge FERC to consider the other pending pipeline proposals, the lack of demonstrated need for this project, and the opinions of energy market experts who have questioned whether FERC's deference to pipeline operators is leading to an overbuild of pipeline capacity.²

¹ Jeremiah Shelor, "Marcellus/Utica On Pace for Pipeline Overbuild, Says Braziel," June 8, 2016, available at <http://www.naturalgasintel.com/articles/106695-marcellusutica-on-pace-for-pipeline-overbuild-says-braziel>; Robert Walton, "Industry experts worry over natural gas 'overbuild,'" March 31, 2016 available at <http://www.utilitydive.com/news/industry-experts-worry-over-natural-gas-overbuild/416595/>.

² Tom Pawlicki, "FERC deference to pipeline operators seen contributing to overbuild," March 24, 2016, available at <https://www.snl.com/Interactivex/article.aspx?CdId=A-35872577-11048>.

Climate Change

Transco's proposed Northeast Supply Enhancement Project is, in short, just another fossil fuel infrastructure project that will continue our reliance on fossil fuels, increase our carbon emissions, and exacerbate climate change. Our organizations are particularly concerned about water-related effects of climate change, including flooding, erosion, wetland destruction, and more. The increasingly disastrous effects of climate change make it clear that we need to reduce our carbon emissions and reject projects like the Northeast Supply Enhancement Project in order to protect our water resources and coastal communities.

Environmental and Coastal Impacts

Transco's proposed Northeast Supply Enhancement Project would have significant adverse environmental and coastal impacts in Raritan Bay and the Lower New York Bay. It would cause seafloor disturbance, impact recreational and commercial fishing industries, disturb shellfish habitat, and lead to impacts on endangered marine species like the North Atlantic right whale. The potential impacts on our precious coastal and ocean resources are reason enough to reject this project.

Requirements Under NEPA

Under NEPA, a key aspect of a draft EIS is the statement of the underlying purpose and need.³ This statement will inform the basis for identifying the reasonable alternatives that meet the identified purpose and need, often called the "heart of the NEPA analysis."⁴ FERC must accurately analyze the need for yet another pipeline through New Jersey, in the context of other pending proposals. Additionally, FERC must consider and evaluate renewable energy options, like solar, onshore wind, and offshore wind, and energy efficiency as alternatives to the proposed Northeast Supply Enhancement Project. In addition to numerous other NEPA requirements, it is important that FERC consider the numerous other proposed pipelines in its evaluation of the cumulative impacts, in terms of environmental, climate, and energy supply/demand impacts, of Transco's Northeast Supply Enhancement Project.

Thank you for the opportunity to provide these initial scoping comments.

Andrea Leshak
Staff Attorney
Hackensack Riverkeeper
NY/NJ Baykeeper

³ CEQ NEPA Regulations, 40 C.F.R. § 1502.13.

⁴ CEQ, A Citizen's Guide to the NEPA, 16, available at https://ceq.doe.gov/nepa/Citizens_Guide_Dec07.pdf.