



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

November 19, 2021

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

**RE: Transcontinental (Transco) Gas Pipeline Company
Regional Access Expansion Project
Burlington, Camden, Gloucester, Hunterdon, Mercer, Somerset and Warren Counties
FERC Docket # CP21-94-000
Comments on Notice of Intent (NOI) to Prepare an Environmental Impact Statement (EIS)**

Dear Ms. Bose and Mr. Carranza,

The New Jersey Department of Environmental Protection's (NJDEP) Office of Permitting and Project Navigation (OPPN) distributed, for review and comment, the Notice of Intent to Prepare an Environmental Impact Statement (NOI) for the proposed Transco Regional Energy Access Expansion Project.

NJDEP offers the following comments on the NOI:

Division of Fish & Wildlife (DFW)

Siting and Best Management Practices (BMPs) for Project Components

West Deptford Compressor Station 201 and Branchburg Compressor Station 505

Transco indicates no stream, wetland, or woodland habitats will be affected by the proposed facilities. Several landscape trees may be removed at Compressor Station 201 to accommodate the facility construction.

Transco should adhere to tree clearing time of year restrictions for bats from April 1 to September 30. To avoid potential impacts to eastern box turtles, project personnel will visually survey the workspace(s) daily prior to each day's activities involving heavy equipment (including the movement of vehicles, machinery, etc.). Project personnel should monitor throughout the workday to ensure turtles do not move into the

workspace(s). Perimeter erosion and sediment controls and construction fencing are required to be installed in accordance with state requirements, which will aid in deterring turtles from entering the workspace during construction. In the rare instance that a turtle enters the workspace(s), it will be relocated to adjacent undisturbed habitat. Should an injured turtle be identified, the turtle should be transported to a permitted New Jersey turtle wildlife rehabilitator in Gloucester County and NJDEP must be notified. Transco has proposed to site the station on agricultural and residential land; therefore, significant impacts to natural habitats that may be utilized by nesting migratory birds are not anticipated; however, Transco should mow/maintain grassy areas within the proposed workspace(s) to a height 4 inches or less prior to and throughout the nesting season (April 1 - Aug 31) to avoid the risk of birds nesting in such areas prior to and during project activities.

Compressor Station 207

Modifications of the existing facility will be limited to areas inside existing fence lines and within Transco's property.

Transco indicates no earth disturbance or tree clearing is proposed for this facility. No impacts to stream, wetland, meadow, or woodland habitats are proposed. No bald eagle breeding nests have been identified by the New Jersey Natural Heritage Program.

Princeton Junction (Station 210 Pooling Point)

The facility modifications proposed at Station 210 Pooling Point will require workspace within the existing maintained facility as well as associated maintained/ previously disturbed pipeline right-of-way.

Transco indicates no tree clearing is proposed for this facility. No impacts to stream, wetland, or woodland habitats are proposed.

To avoid potential impacts to eastern box turtles, project personnel should visually survey the workspace(s) daily prior to each day's activities involving heavy equipment (including the movement of vehicles, machinery, etc.). Project personnel will monitor throughout the workday to ensure turtles do not move into the workspace(s). Perimeter erosion and sediment controls and construction fencing will be installed in accordance with state requirements, which will aid in deterring turtles from entering the workspace during construction. In the rare instance that a turtle enters the workspace(s), it will be relocated to adjacent undisturbed habitat. Should an injured turtle be identified, the turtle should be transported to a permitted New Jersey turtle wildlife rehabilitator in Mercer County and the NJDEP must be notified. Station modifications will occur within Transco's existing maintained facility as well as associated maintained/ previously disturbed pipeline right-of-way; therefore, significant impacts to natural habitats that may be utilized by nesting migratory birds are not anticipated; however, Transco should mow/maintain grassy areas within the proposed workspace(s) to a height 4 inches or less prior to and throughout the nesting season (April 1 - Aug 31) to avoid the risk of birds nesting in such areas prior to and during Project activities. No bald eagle breeding nests have been identified by the NHP.

Mt. Laurel M&R Station, Lawnside M&R Station and Camden M&R Station

The facility modifications will require workspace within the existing paved/graveled facility and other paved areas (e.g., parking lot). Williams Transco indicates no impacts to stream, wetland, meadow, or woodland habitats are proposed. No bald eagle breeding nests have been identified by the New Jersey Natural Heritage Program.

Rare Aves, Mammalia and Reptilia Species

Tables 1, 2 and 3 below list the Rare Aves, Mammalia and Reptilia species on or within the immediate vicinity of the project site. The tables identify the species, status of the species within the State, habitat, and breeding restrictions.

Table 1: Rare Aves Species or Habitat on or within the Immediate Vicinity of the Project Site

Aves Species	State Status	Nesting Habitat	Breeding/Restriction Dates
Barred Owl (<i>Strix varia</i>)	Threatened	Mature and old-growth forests	March 1 - July 15
Bobolink (<i>Dolichonyx oryzivorus</i>)	Threatened	Hayfields and pastures, fallow fields and meadows	April 1 - August 30
Brown Thrasher (<i>Toxostoma rufum</i>)	Special Concern	Broad range of habitats, densest in shrub mid-successional forests	April 1 - August 30
Eastern Meadowlark (<i>Sturnella magna</i>)	Special Concern	Grasslands, pastures, savannas, roadsides, cropland borders, other open areas.	April 1 - August 30
Great Blue Heron (<i>Ardea herodias</i>)	Special Concern	Nests in woody vegetation, shrubs, and trees in a broad range of natural and man-made habitats	March 1 - August 15
Red-shouldered Hawk (<i>Buteo lineatus</i>)	Endangered	Large, mature forest stands	March 1 - July 15
Wood Thrush (<i>Hylocichla mustelina</i>)	Special Concern	Deciduous and mixed forests	April 1 - August
Bald Eagle (<i>Haliaeetus leucocephalus</i>)	Endangered	Forested areas adjacent to large bodies of water	December 15 - July 31 (or until fledged)
Grasshopper Sparrow (<i>Ammodramus savannarum</i>)	Threatened	Grasslands/ prairies	April 1 - August 30
Osprey (Pandion haliaetus)	Threatened	Trees, cliffs, artificial sites near water with ample fish supply	March 15 - August 30
Yellow-crowned Night Heron (<i>Nyctanassa violacea</i>)	Threatened	Broad range of wetland habitats	April 1 - August 15

Table 2: Rare Mammalia Species or Habitat on or within the Immediate Vicinity of the Project Site Species

Mammalia	State Status	Habitat	Breeding/Restriction Dates
Bobcat (<i>Lynx rufus</i>)	Endangered	Coniferous and mixed forest	February and June: Gestation period of 60 days within dens.

Indiana Bat (<i>Myotis sodalis</i>)	Endangered	Deciduous forest, bottomland/floodplain habitats, beneath loose bark, buildings; manmade structures	Summer roosting: April 1 – September 30 (At or near hibernaculum: April 1 – November 15)
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)	Special Concern *(Endangered – pending Rule revision)	Dense forests, beneath the loose bark of trees or in tree crevices, riparian corridors, buildings & bridges	Summer roosting & Maternity: April 1 – September 30 (At or near hibernaculum: April 1 – November 15)
Little Brown Bat (<i>Myotis lucifugus</i>)	Special Concern *(Endangered – pending Rule revision)	Forested lands along riverbanks or near other water sources, buildings & bridges	Summer roosting & Maternity: April 1 – September 30 (At or near hibernaculum: April 1 – November 15)
Tri-colored Bat (<i>Perimyotis subflavus</i>)	Special Concern *(Endangered – pending Rule revision)	Various forest types, forest edge, roosts in clusters of leaves/pine needles/squirrel nests, sometimes rock crevices	Summer roosting & Maternity: April 1 – September 30 (At or near hibernaculum: April 1 – November 15)
Eastern Small-footed Myotis (<i>Myotis leibii</i>)	Special Concern *(Endangered – pending Rule revision)	Forested regions, including crevices in sunlit rock piles, talus slopes, and outcroppings, beneath tree bark and in tree crevices, in caves	Summer roosting & Maternity: April 1 – September 30 (At or near hibernaculum: April 1 – November 15)
Big Brown Bat (<i>Myotis lucifugus</i>)	Special Concern	Various forest types, beneath tree bark and in tree crevices, buildings & bridges	Summer roosting & Maternity: April 1 – September 30 (At or near hibernaculum: April 1 – November 15)

*Northern Long-eared Bat, Little Brown Bat, Eastern Small-footed Myotis, and Tri-colored Bat, all of which are found state-wide and after review by Endangered and Non-game Species Program Biologists and the NJ Endangered and Nongame Advisory Committee, have a “Consensus Status” of “Endangered” in NJ, and should be considered when tree clearing is part of any project.

Table 3: Rare Reptilia Species or Habitat on or within the Immediate Vicinity of the Project Site

Reptilia Species	State Status	Habitat	Breeding
Eastern Box Turtle	Special Concern	Terrestrial: open woodlands and meadows, shallow pools	April 15 – October 15

If you have any questions, please contact Kelly Davis of the Division of Fish and Wildlife at (908) 236-2118 or kelly.davis@dep.nj.gov.

Bureau of Surface Water Permitting

Based on a review, a New Jersey Pollutant Discharge Elimination System (NJPDES) Discharge to Surface Water permit will be required 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).

In addition, based on the review, a NJPDES Discharge to Surface Water permit will be required 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). 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.

Bureau of Stormwater Permitting

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 of Stormwater Permitting at (609) 633-9286 or Eleanor.krukowski@dep.nj.gov.

Air Evaluation and Planning

The NOI states that Transco, is seeking a Certificate of Public Convenience and Necessity, which would be issued by the Federal Regulatory Energy Commission (FERC). Due to the Certificate required from FERC, a General Conformity Applicability Analysis, and possibly a Conformity Determination, will be necessary.

The Notice of Intent states, “Transco plans to construct and operate approximately 36.1 miles of pipeline loop and one new compressor station, as well as modify existing compressor stations in Pennsylvania and New Jersey.”

Further, pursuant to Section 93.153 (b) (Applicability) of the Federal General Conformity regulation (40 CFR, part 93, Subpart B) “... a conformity determination is required for each criteria pollutant or precursor where the total of direct and indirect emissions of the criteria pollutant or precursor in a nonattainment or maintenance area caused by a Federal action would equal or exceed any of the rates in paragraphs (b)(1) or (2) of this section”. Currently there are two National Ambient Air Quality Standards (NAAQS) for ozone that need to be considered when addressing General Conformity; the 2008 8-hour ozone standard (75 ppb) and the 2015 8-hour ozone standard (70 ppb). For each standard, nonattainment areas are initially classified, however some areas are reclassified if attainment of the NAAQS is not achieved by the attainment date corresponding to the classification level. At this time, the New York-Northern New Jersey-

Long Island (NY-NJ-CT) nonattainment area is classified as “serious” for the 75 ppb standard and “moderate” for the 70 ppb standard. Also, the Philadelphia-Wilmington-Atlantic City (PA-NJ-MD-DE) nonattainment area is classified as “marginal” for both the 75 ppb standard and the 70 ppb standard. One or both of these areas may be reclassified by the USEPA to a higher classification in the future. The nonattainment classifications that are in effect at the time of the General Conformity applicability analysis and determination for all standards and nonattainment areas must be used for the establishment of de minimis levels.

Please note that Somerset, Warren, and Hunterdon Counties are part of the NY-NJ-CT ozone nonattainment area, and Gloucester, Camden, Burlington, Mercer, Bucks, Chester, and Delaware counties are part of the PA-NJ-MD-DE ozone nonattainment area. Thirteen counties in New Jersey are in maintenance for the fine particulate matter (PM 2.5) 24-hour standard, including Gloucester, Camden, Burlington, and Somerset. Also, the actions proposed in the NOI occur in two ozone nonattainment areas within New Jersey; the PA-NJ-MD-DE ozone nonattainment area), and the NY-NJ-CT ozone nonattainment area. General Conformity must be evaluated for each of the nonattainment areas.

Additionally, Transco should ensure that the air emissions associated with USACE permit are included in the General Conformity Applicability Analysis. As indicated in the USEPA’s General Conformity Guidance: Questions and Answers (July 13, 1994), “...all reasonably foreseeable emissions must be included for the project as a whole in determining applicability. A project cannot be broken down into segments so that each segment is below the de minimis level.”

If you have any questions, please contact Stella Oluwaseun-Apo of the Bureau of Air Planning and Evaluation at stella.oluwaseun-apo@dep.nj.gov.

Air Planning - Bureau of Mobile Sources

Fugitive dust minimization measures and use of ultra-low sulfur diesel fuel is projected to have temporary and minimal impacts on air quality. The use of non-road diesel vehicles has been found to comply with the National Ambient Air Quality Standards. According to the NOI, the Bureau of Mobile Sources find that standards will be met.

The Bureau of Mobile Sources finds that due to the distance of the construction sites from noise-sensitive areas, the restriction of operation of noise-generating activities restricted to daytime hours, and the use of blowdown silencers would be satisfactory to minimize noise pollution on residents.

Cumulative impacts that would impact air quality and noise are anticipated for four components of the project. It is imperative that the project adhere to the below diesel emissions reduction techniques to minimize the impact on air quality from these four projects.

Please see below for actions to reduce diesel exhaust emissions from all construction equipment being used at the site:

- Diesel exhaust contributes the highest cancer risk of all air toxics in New Jersey and is a major source of NO_x within the state. Therefore, NJ DEP recommends that construction projects involving non-road diesel construction equipment operating in a small geographic area over an extended period implement the following measures to minimize the impact of diesel exhaust:

- 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>.
- 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.
- 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.
- In accordance with N.J.A.C. 7:27-14 and 15, diesel vehicles should not idle for more than 15 consecutive minutes when the vehicle has been stopped for 3 or more hours and only if the temperature is <25 deg. F.
- In accordance with N.J.A.C. 7:27-14 and 15, diesel vehicles can idle if the engine provides power for mechanical operations such as: refrigeration units for perishable goods, hydraulic lifts, "cherry pickers", or similar equipment.

If you have any questions, please contact Kris Dahl of the Bureau of Mobile Sources Survey at Kris.Dahl@dep.nj.gov.

Thank you for providing the New Jersey Department of Environmental Protection with the opportunity to comment on the information provided in the NOI for the proposed Transco Regional Energy Access Expansion Project. If you have any additional questions, please do not hesitate to call me at (609) 292-3600.

Sincerely,



Megan Brunatti, Director

Office of Permitting & Project Navigation