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## NEW JERSEY GENERAL ASSEMBLY

ANDREW ZWICKER

ASSEMBLYMAN, LEGISLATIVE DISTRICT 16

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May 10, 2016

The Honorable Norman C. Bay  
Chairman  
Federal Energy Regulatory Commission  
888 First Street NE  
Washington, DC 20426

RE: PennEast Pipeline  
Docket No: CP15-558-00

Dear Chairman Bay:

I am writing on behalf of the residents of the 16th Legislative District in opposition to the proposed PennEast Pipeline. I am opposed to the unnecessary taking of private lands, the ensuing harm to our natural resources, and the lack of compliance with federal law. On behalf of my constituents I urge FERC to scrutinize the application in strict compliance with National Environmental Policy Act (NEPA) and the Natural Gas Act. I am confident that a strict review of the proposal would result in a finding that the PennEast Pipeline is not in the public convenience and necessity.

The proposed pipeline is to be 114 miles of 36 inch pipe and will be constructed through preserved farmlands, preserved open space, the Delaware River watershed, 31 Category One streams, and numerous streams, wetlands and valuable environmental resources. If approved, the pipeline construction will result in the unnecessary taking of private lands to the great detriment of the residents in my district.

The environmental impact will be severe. Constructing the proposed pipeline by trenching through streams and their buffers will impair water quality and threaten drinking water supplies. The compaction of the soils, removal of woody plants and trees will reduce the protection to the streams. Removing trees within a forest will create fringe habitat, reduce the interior forests necessary for many species, and create favorable conditions for invasive species. It is also

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important to note that many of the Category One streams were designated because they provided habitat for threatened and endangered species in New Jersey. Construction of a pipeline is inconsistent with protecting these species. The removal of trees and other vegetation will permanently change these areas if this pipeline is approved and constructed.

The taking of private lands and damage to our natural areas is unacceptable in light of the lack of need for new natural gas infrastructure in New Jersey and the region. A recent report prepared by Skipping Stone found there is simply not a demand for new infrastructure in this region. According to this report, there is currently 50% more capacity in New Jersey than is needed to meet local gas distribution needs even in the harshest of winters. Any impacts caused by the Polar Vortex, an alleged motivator for the project, have been mitigated through the institution of new policies between PJM and FERC. I strongly support the call for a full evidentiary hearing to determine whether there is legitimate public need for the project. The response to the Skipping Stone study submitted by PennEast only reinforces the need for a hearing to clarify the disputed facts concerning the purpose and need for the project.

PennEast's proposal must be evaluated not only in light of the excess capacity existing in the region, but also in light of renewable energy alternatives that have not been considered. The lack of need for new natural gas infrastructure is in contrast to current and predicted growth in renewables. As FERC's 2015 State of the Market report notes, the growth in net metering has grown 500% in the last four years. The Environmental Protection Agency predicts that the Clean Power Plan will increase renewable generation so that 20% of all power is from renewables by 2030. The country is moving towards increasing its utilization of renewable sources of energy for energy independence and to address the impacts of climate change. Any review of the PennEast application will find that it is not compatible with this future.

As FERC is also aware, there has been widespread opposition to the proposal by New Jersey property owners; approximately 70% of the route in New Jersey has been denied survey access. This opposition is not only from private landowners but from governmental entities with property along the route. From this opposition it is clear that this proposal could only be constructed through significant exercise of eminent domain. Given the lack of need, granting the power of eminent domain is not in the public interest.

It is clear that the PennEast proposal is not required by the current or future public convenience and necessity. In light of this fact and the points raised above, I urge FERC to deny this application.

Sincerely yours,



Andrew Zwicker  
Assemblyman, 16<sup>th</sup> District

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