



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

FEB 06 2017

Nathaniel J. Davis, Sr., Deputy Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

RE: Atlantic Sunrise Project Final Environmental Impact Statement; Pennsylvania, Maryland, Virginia, North Carolina and South Carolina; December 2016 (FERC Docket No. CP15-138; CEQ# 2016-0326)

Dear Deputy Secretary Davis:

In accordance with the National Environmental Policy Act (NEPA) of 1969, Section 309 of the Clean Air Act, and the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1508), the U.S. Environmental Protection Agency (EPA) has reviewed Federal Energy Regulatory Commission's (FERC) Final Environmental Impact Statement (FEIS) for Transcontinental Gas Pipe Line Company, LLC's (Transco or the applicant) Atlantic Sunrise Project. The Draft EIS was prepared for the project in spring 2016.

EPA provided comments to FERC on the Draft EIS on June 27, 2016. In this letter, EPA rated the DEIS as EC-2 (Environmental Concerns- Insufficient information). EPA does not rate the FEIS. EPA previously raised concerns about the amount of detailed information that had not yet been filed and had not been evaluated in the DEIS. Comments and recommendations on the DEIS recommended additional information and analysis regarding: geology, streams and wetlands, vegetation, rare, threatened and endangered species, land use, recreation and public lands, and cumulative impacts.

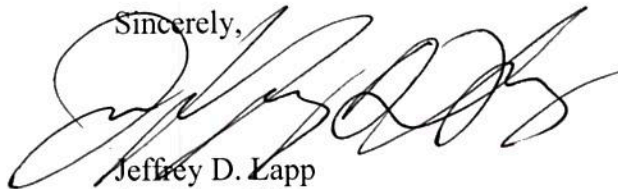
Transco is requesting FERC authorization to construct, operate, and maintain expansions of its existing interstate natural gas pipeline system in Pennsylvania, Maryland, Virginia, North Carolina, and South Carolina. The currently proposed project includes about 199.4 miles of pipeline, which has increased slightly from 197.7 miles as presented in the Draft EIS. The project also proposes several aboveground facilities, including new and modified compressor stations, new meter stations and new regulator stations; and other minor modifications at existing facilities, such as to allow for bidirectional flow. The Atlantic Sunrise project would provide 1.7 million dekatherms per day of year-round firm transportation capacity. Transco estimates an in-service date of February or March 2018.

The FEIS included responses to comments provided by EPA in the June 27, 2016 correspondence. EPA appreciates FERC's efforts to consider and address many of our comments, which resulted in improved or modified documentation provided in the EIS. The EPA appreciates the continued work with the USACE and EPA to address the protection of aquatic resources via mitigation that will be further identified and refined during the permit process.

It is helpful and assuring that the FEIS includes several commitments on detailed studies, public and agency coordination, and additional avoidance and minimization measures, as well as plans that will be completed. We suggest clarifying how the public will be notified when plans or additional information will be available, and if FERC will accept comments on any of these additional materials that will be submitted, if the project is approved by FERC. We have enclosed recommendations to strengthen the NEPA analysis by FERC.

Thank you for the opportunity to review and provide comments on the Atlantic Sunrise FEIS. We look forward to receiving information on FERC's determination on issuance of a Certificate for this project. Please contact either myself or Alaina McCurdy from my staff at 215-814-2741.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey D. Lapp', is written over the word 'Sincerely,'.

Jeffrey D. Lapp
Associate Director
Office of Environmental Programs

Enclosure (1)

**Enclosure - Atlantic Sunrise FEIS
EPA Region 3**

Alternatives

EPA expressed concern that reasonable alternatives, which appeared to have the potential to meet the project purpose and need while minimizing adverse environmental impacts, were not carried forward for detailed consideration. EPA recommended two systems alternatives be retained for further detailed study, including the Transco system alternative and the expanded PennEast alternative. EPA also recommended consideration of alternative delivery and receipt points. EPA appreciates the additional discussion added to the FEIS regarding the Transco system alternative, including explanation that rerouting would negate benefits of collocating in some geographic areas. The study might benefit from more detailed consideration of alternatives to minimize adverse impacts.

Wetlands and Streams

The FEIS states that the project would involve 388 waterbody crossings, which has increased from the DEIS estimate of 331 crossings. Wetland impacts have reduced from 50.4 acres in the DEIS to 46 acres in the FEIS. EPA appreciates the effort made to decrease wetland impacts. EPA encourages FERC and the applicant to continue to avoid and minimize impacts to aquatic resources, including through route modifications.

EPA looks forward to working with the USACE, FERC and the project proponent on effective mitigation. The FEIS references a permittee responsible mitigation (PRM) plan for Atlantic Sunrise that was filed by the applicant in 2015. EPA has reviewed this plan and is concerned that it may not be adequate to compensate for impacted resources and lost functions and values. The location of the site included in the plan is not clear, nor is the rationale behind its identification and selection. As wetland impacts will be greater than 46 acres, it is unclear how Transco and FERC will achieve no net loss of resources nor is it clear that the presented PRM plan is adequate to achieve these goals. Additional compensatory mitigation beyond this 9.98-acre easement area in Lycoming County may be necessary and should be addressed during permit process.

We recommend that FERC consider the proximity of proposed mitigation to the impacted resources within a watershed context on this and future projects. We recommend that the compensatory mitigation plan be developed to include appropriate success criteria, a detailed monitoring plan and explanation of compensation for exceptional value resources. Compensatory mitigation for wetland and stream impacts should also consider temporal loss. With additional information, a more meaningful evaluation can be conducted of the proposed mitigation and its sufficiency to offset adverse project impacts to aquatic resources.

The FEIS estimates that blasting may be necessary on 65 waterbodies. Response FA1-16 states that FERC has recommended that prior to construction Transco should file a schedule identifying when trenching or blasting would occur within each waterbody greater than 10 feet

wide, or within any coldwater fishery. It would be useful if this recommendation were expanded to acquire additional information: such as to specify the conditions when blasting at waterbodies would be required, provide evaluation of potential impacts to waterbodies and connecting resources, monitor potential impacts, and state how impacts will be appropriately mitigated. EPA recommends that FERC expand its recommendations and conditions, should a Certificate be issued, in order to more fully protect streams where blasting may be necessary.

Cumulative Impacts

The cumulative impact assessment for waterbodies, wetlands, vegetation and habitat was grouped at the HUC 6 level. While we understand that the project area is large, rationale for selection of HUC 6 is not clear. For future cumulative impact analyses, we recommend that cumulative impacts for these resources that should be presented at the HUC 8 or smaller. Increasing the scale of the analysis to HUC 6 has the potential of making the project impacts appear to be smaller in comparison to a large pool of resources. Using a HUC 8 or smaller scale of analysis allows the analysis to be more meaningful and also allows for a more direct consideration of how cumulative impacts can influence the selected project mitigation and resource trends.

Environmental Justice and Children's Health

EPA provided comments on Environmental Justice (EJ) and Children's' Health in our letter on the DEIS. It was noted that the DEIS did not consider children's health through Executive Order 13045. We recommend that FERC consider children's health and other sensitive populations in this decision and in future NEPA documentation that is prepared by FERC.

EPA recommends that FERC continue to consider EJ communities and to conduct meaningful coordination and outreach to communities of concern for this and other projects to assure that their interests, needs and concerns are appropriately heard and taken into account in decision making. EPA is concerned that there may be populations of EJ concern that were not identified in the EIS. Response FA1-133 states that the amounts that the county populations exceed the population of Pennsylvania are not "meaningfully greater than the minority population in the general population", however the methodology of how FERC has defined meaningfully greater is not defined or apparent. EPA recommends methodology be presented; EPA would be pleased to discuss methodology to improve FERC's future capability to calculate benchmark minority population at your convenience.