



IN REPLY REFER TO:

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Custom House, Room 244
200 Chestnut Street
Philadelphia, Pennsylvania 19106-2904

July 8, 2016

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ER 16/0249

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

Subject: Draft Environmental Impact Statement (DEIS) for the Proposed Atlantic Sunrise Project (Pennsylvania, Maryland, Virginia, North Carolina, South Carolina) (FERC Docket No. CP15-138-000)

Dear Secretary Bose,

The U.S. Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (DEIS) for the proposed Atlantic Sunrise Project in Pennsylvania, Maryland, Virginia, North Carolina, and South Carolina. Transcontinental Gas Pipe Line Company, LLC (Transco) has requested authorization to expand its existing pipeline system from the Marcellus Shale production area in northern Pennsylvania to deliver an incremental 1.7 million dekatherms per day of year-round firm transportation capacity to its existing southeastern market areas. The Department offers the following comments for your consideration.

The Appalachian National Scenic Trail

The Appalachian National Scenic Trail (AT) is a 2,189-mile-long continuous footpath that traverses scenic, wooded, pastoral, wild, and culturally resonant lands of the Appalachian Mountains between Katahdin in Maine and Springer Mountain in Georgia. It was conceived in 1921 and built by a consortium of agencies and private citizens. Congress designated the AT a National Scenic Trail in 1968, as one of two initial components of the National Trails System. The NPS is charged under the National Trails System Act (16 U.S.C. 1241, 1244(a)) with administration of the AT as a unit of the NPS. Management of the AT is carried out through a Cooperative Management System as defined in the 1981 Appalachian Trail Comprehensive Plan. The Appalachian Trail Conservancy (ATC), Trail Clubs, government and non-profit partners, and countless volunteers work together to protect and maintain the AT.

In addition to recognition of the AT as a nationally significant recreational resource, the AT has been determined eligible for listing in the National Register of Historic Places (NHRP) in Pennsylvania and the NPS is in the process of evaluating the entire Appalachian National Scenic Trail for formal listing in the NRHP. The NPS has completed a draft Multiple Property Documentation Form (MPDF). The MPDF will guide nominations for trail segment listings by state and the Pennsylvania registration form has been drafted. Contributing resources include the Trail itself, AT side trails, bridges, viewpoints and vistas, look out towers and overnight use areas. Cultural landscapes the Trail passes through and the Trail setting are vital elements of its national significance as a recreational resource and to its NRHP eligibility.

Proposed Route

As proposed, the project would cross the Appalachian National Scenic Trail in Lebanon County, Pennsylvania within a forested portion of Pennsylvania State Game Land Number 211 (PGC 211). This AT crossing is located along the Central Penn Line (CPL) South Primary Route. The PGC 211 is located north of Swatara State Park and NPS Tracts 352-05 and 352-06.

The proposed route will cross the AT in a forested area, requiring removal of trees along the new right-of-way. Transco proposes to cross the AT using the conventional horizontal bore method, maintaining trees between the entry and exit sites, and restoring the trees cleared from workspaces to minimize effects. The conventional bore method will not be able to cross the entire 400-foot-wide AT management area on SGL 211. The NPS is aware of and supports the conditions requested by the Pennsylvania Game Commission for avoiding surface disturbance as much as possible within the AT management area and reforesting the entire 400 foot area to reduce visual impacts.

Page ES-10 states, “To further minimize effects on other recreation and special interest areas, we are recommending that Transco file an update on the status of the site-specific crossing plans for each of the recreation and special interest areas listed as being crossed or otherwise affected by the Project, including site-specific timing restrictions, proposed closure details and notifications, specific safety measures, and other mitigation to be implemented.” The NPS recommends that these plans be made available in the final EIS for public review since they provide information regarding how impacts to recreational resources will be avoided, minimized, and/or mitigated.

Alternatives

Page ES-15 states that three major route alternatives were considered and dismissed and that FERC recommends, “that Transco incorporate four of the twenty-two minor route alternatives considered into the proposed route and provide additional information on four route deviations currently under review *prior to the end of the draft EIS comment period*” (emphasis added). It is unclear if this was ever completed. The NPS recommends that this information be made available in the draft EIS in order to give reviewers an opportunity to be fully informed regarding what is proposed and the impact analyses conducted. We request release of a supplemental EIS

and opportunity for public review and comment once this additional information is available and incorporated.

Table 3.3.2-1 on pages 3-17 through 3-18 summarizes minor route alternatives evaluated during pre-filing. Two CPL South minor alternatives were considered in the vicinity of the proposed Appalachian National Scenic Trail crossing. Alternative 1 near milepost 52.1-70.4 is listed as having been evaluated to cross the AT at an alternative location and was dismissed because it crosses more forestland, waterbodies, and wetlands. We could not find any further information in the DEIS regarding this alternative beyond what is presented in the table. At a minimum, we request a map be provided in the DEIS of the alternative so reviewers are given an opportunity to analyze the alternative and provide informed comments regarding resources potentially impacted either beneficially or adversely. Without this information, the NPS is unable to determine what benefit the alternative crossing of the AT may provide.

After Transco filed their application with FERC, a minor route alternative (CPL South Alternative 16) was developed at the request of the Pennsylvania Game Commission (PGC) to change the location of the proposed Appalachian National Scenic Trail crossing in SGL 211. Under this alternative, the AT would be crossed within Swatara State Park, approximately 0.5 miles south of the CPL South Primary Route AT crossing. FERC does not appear to have incorporated CPL South Alternative 16 into the proposed route. The NPS has not identified any significant reduction in potential impacts to the AT at this alternative crossing compared to the proposed route unless it could be further refined to co-align with the existing road crossings of the AT.

We request evaluation of co-location along Pennsylvania State Route 443, either within or adjacent to the existing road right-of-way. An alternative alignment following on the south side of Route 443 appears comparable in length to the proposed route, would reduce impacts to the AT, and would likely reduce forestland impacts since it moves disturbance away from more sensitive interior areas to border areas.

The Western CPLS Alternative would have crossed the AT further to the west near DeHart Reservoir and also in a forested area, but has been dismissed. The NPS does not see any significant reduction in impacts to the AT from this alternative compared to the proposed route.

The Captain John Smith Chesapeake National Historic Trail

Within the proposed Atlantic Sunrise Pipeline Project area, there are significant National Register listed and/or eligible archaeological sites of the Susquehannock people, whom Captain John Smith met and described in detail in his journal. In addition to potential impacts to these archeological sites, NPS has concerns about potential impacts on evocative landscapes associated with the Captain John Smith Chesapeake National Historic Trail (NHT), as well as recreational access to the trail within the proposed project area.

Specifically, the DEIS does not include a discussion of the impact on the viewshed from the Captain John Smith Chesapeake NHT and adjoining landscape. Even though the CPL South route in Lancaster County in some places has been moved further away from the Susquehanna River, there is still the possibility that this large scale removal of trees will be seen from the river and iconic overlooks important to the Captain John Smith Chesapeake NHT and impact the visitor experience. We also continue to remain concerned about the impact from an evocative landscape and cultural resources perspective regarding impacts on sites owned by our partners along the trail, particularly those owned by Lancaster County Conservancy.

The DEIS should also consider the short- and long-term impact of pipeline related water withdrawals from rivers and streams that feed the Susquehanna River from both a recreational and habitat perspective. The Captain John Smith Chesapeake NHT is located in several counties in Pennsylvania that are experiencing multiple pipeline projects. The DEIS should consider the cumulative impacts of the Atlantic Sunrise project and other pipelines crossing the Captain John Smith Chesapeake NHT on the Susquehanna River.

FERC Hydro Settlement Lands

The Department supports a route that avoids in large part lands recently protected through the FERC license issued in the Holtwood Project¹ and associated settlement agreement. The Department through its bureaus the U.S. Fish and Wildlife Service (USFWS) and the NPS were active participants in that proceeding, and supported the protection of those lands².

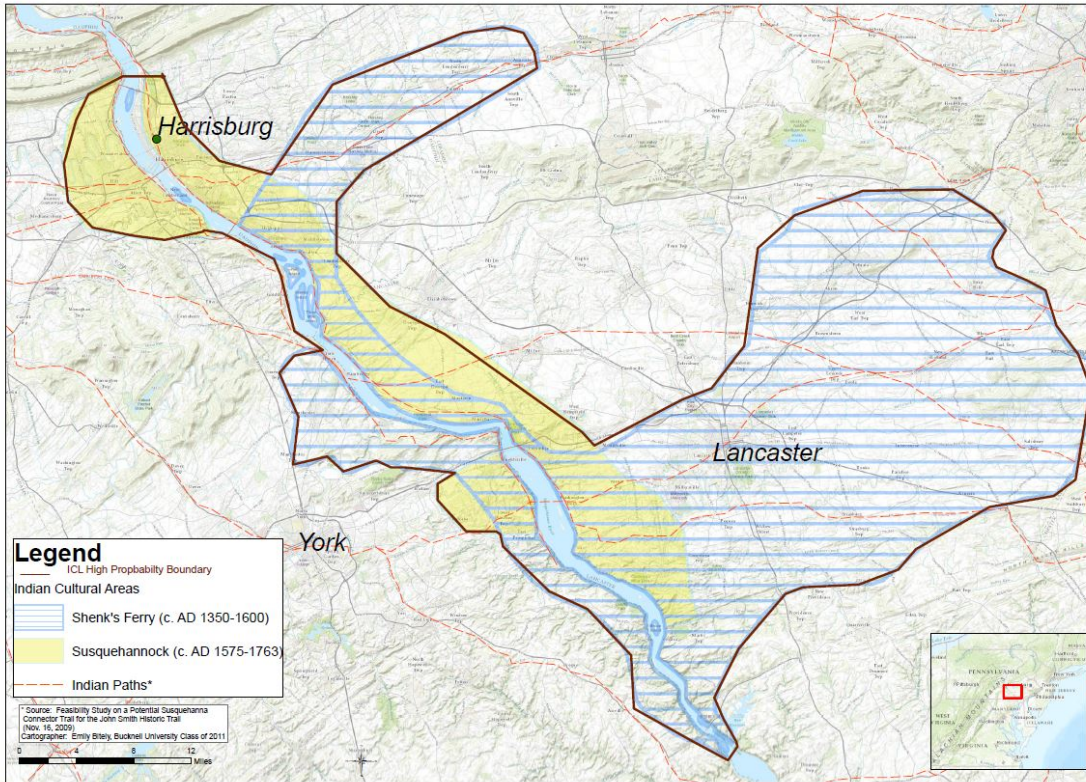
Although they do not contain any specific USFWS or NPS units, these lands do possess important characteristics associated with preserving the landscape evocative of the time of Captain John Smith's voyages of discovery and their protection was an integral part of accomplishing the Administration's America's Great Outdoors (AGO) initiative and the Commonwealth of Pennsylvania's Conservation Landscape Initiative. Recent discoveries also indicate the potential for additional discovery of cultural resources associated with the Captain John Smith Trail in the area of the proposed pipeline. The Department again presents a map of contact period landscapes in the Lower Susquehanna River area that may prove useful in FERC's assessment of the potential impacts of the pipeline project. Since the DEIS only lists archeological sites in the immediate APE, it is not clear whether or not FERC or Transco considered the impact of PHMC registered sites located near the pipeline's current route.

Because the pipeline route continues to be evaluated and revised, the NPS requests to be kept apprised of any further changes to the proposed route or other project changes.

¹ FERC Order 141 FERC 62,226 for PPL Holtwood, LLC, Project No. 1881-066: Order Amending Project Boundary, issued December 21, 2012.

² US DOI letter to Kimberly Bose, Secretary – FERC, COMMENTS: Notice of Applications for Amendment of License for the Holtwood Hydroelectric Project, FERC No. 1881-066; Lancaster and York Counties, Pennsylvania, April 18, 2012.

Lower Susquehanna River ICL - Contact Period Landscapes - Pennsylvania - Figure 2



Section 106 Consultation

NPS requests to be a consulting party under Section 106 of the National Historic Preservation Act (NHPA). Pages 4-185 through 4-187 acknowledge that the AT will be directly and indirectly affected by the undertaking and that the AT was one of the primary cultural resources issues in Pennsylvania raised during the scoping period. In addition, the Captain John Smith Chesapeake National Historic Trail was identified as a concern during scoping. Our comments on potential impacts to this Trail are described above. The proposed Project also “intersects the Second Battle of Manassas in Virginia” (DEIS, pg. 4-182). NPS raised concerns about potential impacts here as far back as 2014.

NPS has not been contacted by the Pennsylvania Game Commission for consultation on impacts to the Appalachian National Scenic Trail under Section 106 as the DEIS states would occur (DEIS, pg. 4-183). Nor has FERC or Transco contacted NPS regarding Section 106 consultation on the Trail or the other NPS resources described above. The NPS requests that FERC provide the NPS information regarding the Section 106 consultation process that has already occurred for

these resources under our administration, and to be contacted directly in order to become an official consulting party as the project moves forward.

Cumulative Impacts Analysis

The DEIS fails to assess the cumulative impacts, “the incremental effects of a proposed action when added to impacts associated with past, present, or reasonably foreseeable future projects, regardless of what agency or person undertakes such other actions” (DEIS, pg. 4-258) for the Appalachian National Scenic Trail, despite its identification as a long, linear recreational and special interest resource of national significance that would be impacted by the proposed project, and by many of the projects listed in Appendix P. Cumulative impacts to the Captain John Smith Chesapeake NHT are also missing from the analysis of cumulative impacts despite the similar attributes it shares with the AT, specifically a long, linear recreational and special interest resource of national significance. Many of the projects listed in Appendix P are known or proposed to cross each of these trails.

The DEIS includes the statement, “At present, we are not aware of recreational areas that would be cumulatively affected by the Atlantic Sunrise Project and other potential actions. As a result, although the Project would impact recreation and special interest areas, we do not anticipate significant cumulative impacts on these areas.” (DEIS, pg. 4-280.) This statement fails to account for cumulative impacts to the Appalachian National Scenic Trail and the Captain John Smith Chesapeake NHT. The list of projects in Appendix P should be cross referenced with these two trails as a first step in understanding the significance of impacts. The cumulative impacts analysis should be significantly revised in order to adequately disclose the cumulative impacts to these important national resources. NPS can provide assistance in this endeavor.

The discussion of cumulative cultural resource impacts on pg. 4-283 of the DEIS also fails to account for the cumulative impacts of the Atlantic Sunrise Project on the Appalachian National Scenic Trail and the Captain John Smith Chesapeake NHT. The DEIS states, “Cumulative impacts on cultural resources could only occur if other actions were to affect the same historic properties affected by the Atlantic Sunrise Project. Impacts could include direct effects associated with ground disturbance and indirect effects on the viewshed that encompasses the areas adjacent to the Atlantic Sunrise Project” (DEIS, pg. 4-283). Both trails contain significant cultural resources and viewsheds that could be impacted by the Atlantic Sunrise Project and the myriad other past, present and reasonably foreseeable projects, starting with those listed in Appendix P. NPS argues that the “same historic properties” must be considered in the sense of the trails and their cultural resource properties as a whole and not in effects to single resources within historic districts and along discrete segments of the trails. The impact of the multitude of threats to the cultural resources of each trail must be analyzed and disclosed in order to assess the potential cumulative impacts to these important historic and cultural resources.

Thank you for the opportunity to comment. If you have any questions regarding these comments, please contact Mary Krueger, Energy Specialist for the National Park Service at 617-223-5066 or mary_c_krueger@nps.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Lindy Nelson", with a long horizontal flourish extending to the right.

Lindy Nelson
Regional Environmental Officer

cc:

Mr. Ron Tipton, Executive Director/CEO, ATC

Karen L. Lutz, Mid-Atlantic Regional Director, ATC