



August 26, 2016

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

Re: Draft FERC EA – TGP Orion Pipeline (Docket CP 16-4)

Dear Ms. Bose,

Delaware Riverkeeper Network (DRN) is writing in protest to the Draft Environmental Assessment (EA) that FERC has issued on August 23, 2016 regarding the segmented Tennessee Gas Pipeline (TGP) Orion Pipeline project (CP 16-4).

DRN believes it is a gross violation and a matter of segmentation that FERC is undertaking by releasing this Draft EA. The Draft EA is grossly inadequate, does not include all environmental impacts from cradle to grave and does not include the past harm inflicted by the TGP 300, TGP NEUP, and other TGP related projects that are clearly related to this new proposed 12.9 mile 36-inch diameter pipeline loop in two segments, a new pig receiver, a new odorant facility, and additional modifications to TGP's Compressor Station 323. FERC's conclusion of the Orion Pipeline EA is also false –DRN does not agree with FERC's assertion that approval of the project, with mitigating measures, would not constitute a major federal action that is significant to affecting the quality of the human environment.

DRN requests that at a minimum a full Environmental Impact Statement (EIS) with all related pipeline past and future expansions and projects should be developed by FERC and this EA should not be considered appropriate, sufficient, or legal. At a minimum, DRN requests at least 60 more days, beyond the Sept 22 artificial and extremely short and unfair deadline for the community to review all components of the Draft incomplete EA. DRN requests that public comment extends to when a complete analysis is provided to the public so that the public can adequately review all materials in full rather than incomplete documents that do not include all cumulative harms. An expansion of public comment is critical as releasing this EA again during the peak summer vacation time for families as FERC likely has strategically done, can only be seen as a violation of the public process by an agency that appears to only hold account to the pipeline operators while throwing the community under the bus. It is critical that FERC also holds public hearings in all counties that would be impacted by this project, that the hearings be public and not a pseudo closed "public hearing" with stenographers in closed door rooms as was just conducted by FERC for the DEIS for Penn East Pipeline (CP15-558), and that those public meetings be advertised well in advance of the hearing dates so the community has adequate time to attend the hearings. The meeting locations should also not be changed as was done just

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recently for the FERC DEIS Penn East hearings with the announcement of new meeting locations only being received by those with subscription to the FERC mail service the same week as the actual hearings took place. This public notice process and extension of comment and advance notice of hearings is critical as much of the public and community in Pike and Wayne Counties, especially landowners in the region, may only receive correspondence via US Mail and not be subscribed to the electronic Docket.

DRN protests the FERC EA and requests FERC throw it out due to the evidence, past harms inflicted on the region, and future harms anticipated along a past route to sensitive environmental habitats and waterbodies. DRN requests that DRN past comment, technical expert reports, county NOV's and litigation on TGP pipelines should be considered for this new proposed pipeline segment. Just some of the historic and repeat harms now being proposed again along the Orion project are provided below to justify these needed actions:

In 2010, TGP's 300 Line project cut across 127 miles. The 300 Line was placed into service November 1, 2011. In 2012, TGP's Northeast Upgrade Project (NEUP) cut across an additional 40 miles of land and was placed into service November 1, 2013. The proposed Orion 12.9 mile pipeline would run adjacent sections of the 2010 TGP 300 Line in Pike and Wayne Counties and connect to TGP's NEUP pipeline installed and in service in 2013 that is located to the east. This repeat offense across a section of high quality and exceptional value watersheds that were impacted by this company in 2011 is absolutely a failure in the planning and oversight of this industry and the failure of an agency that provides no credible oversight. The maximum allowable pressure (MAOP) of the pipeline is 1,170 pounds per square inch guage (psig). Orion Resource reports indicated Loops 322 and Loop 323 and pipe line would cut across 47 wetlands totaling 16.87 acres of damage to these wetlands. At least 19 of these wetlands to be cut include forested wetlands totaling over 11 acres of damage to these habitats. At least three surface water withdrawals are located within three miles of the proposed pipeline cuts including a withdrawal on the Lackawaxen River and an unnamed pond and Aqua PA's Fawn Lake public water supply. There are at least 10 private water wells located within 150 feet of the pipeline route and work areas. Approximately 2 miles of forests would be cut for the TGP Orion pipeline encompassing 50 acres of direct forest loss. These estimates do not include impacts to adjacent forests which science shows extends 300 feet on either side of the ROW. Over 2,126 feet of steep slopes (greater than 28 degrees) would be cut by the pipeline which would likely lead to increased erosion and sedimentation to nearby waterbodies as was documented in Pike Co. and Wayne Co on the first legs of these pipelines. Core habitat areas are habitats that contain both state and federal plant and animal species of concern, exemplary natural communities, or exceptional native diversity and can absorb very little disturbance without substantial impact. Loop 323 would cut across Bethel Swamp, Pipeline Bog, Little Teedyuskung Lake, and Lackawaxen River which are listed as Core habitats by PA Dept. of Conservation and Natural Resources (DCNR).

For these reasons DRN urges FERC to rescind the EA, develop a complete and comprehensive EIS, extend the public comment period and provide public meetings in all counties impacted with advanced and fair notice. We look forward to a response.

Regards,



Maya K. van Rossum
the Delaware Riverkeeper