



January 31, 2011

National Park Service  
Denver Service Center - Planning Division  
Attn: Morgan Elmer  
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Dear Ms. Elmer,

Thank you for the opportunity to provide feedback on the Draft Environmental Impact Statement (“DEIS”) for the Susquehanna to Roseland 500kV Transmission Line Right-of-Way and Special Use Permit. On behalf of Delaware Riverkeeper Network, I offer the following comments, noting at the outset that we appreciate the National Park Service’s intensive effort to analyze and disclose this project’s environmental impacts on the Delaware Water Gap National Recreation Area, the Appalachian National Scenic Trail, and the Middle Delaware National Scenic and Recreational River (collectively “Parks”).

While further analysis is needed to assess (1) the viability of alternatives to building the proposed 500kV line and (2) adverse impacts, including cumulative impacts, outside the Parks, the DEIS conclusively demonstrates that the proposed Susquehanna to Roseland line would impair Park resources in violation of the National Park Service Organic Act. As the Park Service’s own analysis makes clear, the agency cannot grant the requested right-of-way and special use permit without fundamentally degrading the unique natural, scenic, and cultural resources that these Parks were established to preserve. While recent news reports suggest that PPL Electric Utilities Corporation (PPL) and Public Service Electric and Gas Company (PSE&G) (collectively “Applicants”) may be contemplating mitigation efforts in the form of land purchases or conservation easements, it is not possible to eliminate impairment to areas of special significance by expanding Park boundaries.

We urge the Park Service to deny the requested right-of-way and special use permit. The applicants have presented the agency with a false choice between conserving the Parks as the law requires and maintaining electric reliability. Circumstances have changed dramatically since 2006, when the Susquehanna to Roseland Line (“S-R Line”) was identified as needed by PJM Interconnection (“PJM”). The reliability issues that the line was intended to address have largely been resolved; load demand in the areas that the line would serve continues to decline, as reflected in PJM’s repeated downward adjustments to its load forecast; robust growth of energy efficiency and demand response resources continues to exceed PJM’s

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expectations (as reflected in its modeling assumptions); and development of significant new generation capacity is planned in New Jersey. All of these factors, both individually and collectively, suggest that the \$2 billion S-R Line is an expensive solution to a problem that no longer exists. However, PJM has yet to undertake new load flow analyses to determine whether the S-R Line is actually needed to ensure electric reliability in 2015 (when the S-R Line is scheduled to be in service), or to evaluate whether there are non-transmission alternatives or more modest and less damaging transmission upgrades that would resolve the few outstanding reliability issues, if any, that still remain.

Absent updated analysis by PJM that affirmatively demonstrates the need to build the S-R Line, there is no adequate justification for accommodating a right-of-way request or granting a special use permit for construction that is inherently incompatible with Park values. The Applicants have made no effort to avoid or minimize harm to the Parks, electing instead to propose a route that runs through areas of singular ecological, scenic, and cultural importance. Moreover, the DEIS makes clear that the Park Service has not been able to identify an acceptable alternative route. Under these circumstances, the Park Service can and must issue a Record of Decision (“ROD”) selecting the environmentally preferred “no action” alternative.

#### Cumulative and Indirect Environmental Impacts Outside the Park Not Include in DEIS

The DEIS must address the full suite of environmental impacts, both direct and indirect, that will flow from construction of the S-R Line together with the cumulative impact of other planned and foreseeable development that will impact the lands within the project’s footprint — both inside and outside of the Parks.

The Delaware River and several of its tributaries above and below the NPS’s Middle Delaware have received special designation under the Wild and Scenic Rivers Program. Those reaches, as well as the Middle Delaware, have earned those designations due to exceptional water quality, natural beauty and recreational opportunities.

The DEIS includes the assessment of impacts of the S-R Line on waterways like the Bushkill Creek, Van Campens Brook and many ponds and lakes that flow into the Delaware River in the Water Gap National Recreation Area. These tributary watersheds will be negatively impacted when new or expanded dirt roads are constructed, tree canopy is lost, new sources of sedimentation are introduced - all flowing to the Delaware River as a direct result of this project.

However, it is also critically important for this DEIS fully assess the project’s impacts on water bodies outside the Parks. Specifically, the S-R Line will cross Lackawaxen and many of its tributaries. In each river and stream crossing, there will be significant ground cover disturbance that will impact the water resources. There will also be wetlands, floodplains and forest clearings, all impacting the waters flowing downriver into the Middle Delaware and the Park. Those impacts have not be assessed in the DEIS and should be. The impacts to those water resources are an indirect impact of the S-R Lines and add to the cumulative impacts of this project, so the NPS must review and assess those as required under NEPA guidelines.

Moreover, the Musconetcong River, Paulins Kill River and Pequest Rivers, even though they flow into the Delaware River south of the Middle Delaware, will have an indirect impact to the Middle Delaware River because the S-R Lines cross them. They will each experience the same levels of degradation that the Bushkill and Van Campens will experience, including:

- Significant disturbance of ground cover affecting water resources
- Loss of groundwater recharge in aquifers in surrounding areas of Pennsylvania and New Jersey,

- Loss of stormwater absorption capacity into the soil that can result in greater flooding downriver,
- Loss of forested lands reducing the value of the National Park as a “carbon sink,”
- Loss of forested lands will also reduce the health of interior forests now protected from the phenomena known as “edge effect,”
- A loss of forested wetlands as the proposed expanded rights-of-way will expose wetlands and vernal pools to more direct sunlight and warmer air temperatures.

Water Quality Impacts Have Been Dismissed From Consideration by the NPS

The NPS states (DEIS, Chapter 1, pg 23) that “Water quality protection is one of the most important responsibilities of the Delaware River Basin Commission; its water quality standards designate the MDSR and the portion of the river and tributaries contained in DEWA as outstanding basin waters.” It appears that the NPS is delegating its own responsibilities to protect the natural resources of the Parks to the DRBC. In fact, PPL/PSE&G has submitted a permit application to the DRBC, however, the DRBC has not ruled on issuing that permit as of this date. The NPS cannot and should not rely on the protection of the water resources within the Parks by other agency actions when they have not made a final determination on the S-R Lines.

Further, NPS declares (Chapter 1, pg 23) that they will not be assessing the water resources in the DEIS by stating:

**Because no construction would be completed in any water bodies and no discharge permit is being requested, impacts to water quality would primarily occur from increased sediment loads being introduced into the stream from construction activities (short term) and from increased erosion due to vegetation loss and new access roads (long term). Analysis of these impacts was conducted using the USFS WEPP model to estimate increased total suspended solids (TSS) concentrations. The WEPP model does not account for the installation of best management practices (BMPs) such as silt fence and straw bales therefore it represents the worst case scenario of 100% failure of required erosion and sedimentation controls. The WEPP model indicated minimal short term and long term increases in TSS for some tributaries and undetectable increases in TSS in the Delaware River. The model did not detect differences between the alternatives. The likelihood of 100% failure of erosion and sedimentation controls is remote so it is unlikely that impacts to surface water quality would be detectable. Therefore, the topic of surface water and water quality is not carried forward in this EIS.**

The NPS is failing to assess the direct or indirect impacts, a requirement of the NEPA process, of this project on direct tributaries to the Middle Delaware or on the tributaries either up-river or down from the Parks. Under these circumstances, the Park Service cannot fully assess the direct and indirect impacts of the S-R Lines on the Parks and should therefore not issue a Record of Decision until that is completed.

Air Quality Impacts Have been dismissed from consideration by the NPS

The NPS has determined (Chapter 1, pg 22) not to assess the indirect impacts of this project, which is contrary to the NEPA requirements. The NPS assessed only the contributions of diesel exhaust and impacts of other greenhouse gases on the Parks only during the construction and maintenance of the S-R Line.

**Construction and maintenance activities associated with the S-R Line alternatives would result in fossil fuel consumption. However, the park is in fact a carbon sink but the issue of the contribution of the alternatives to climate change through greenhouse gas emissions were dismissed from further analysis.**

The NPS is ignoring the known source of energy generation of electricity (coal-fired power plants) that will be transported by the S-R Line. The NPS must consider the indirect impacts of that known, foreseeable pollution source on the Parks. The atmospheric deposition of the air-borne pollutants from coal-fired power plants to the west of the Parks is a well-documented source of contaminants to the Parks and must be assessed in the indirect impacts.

The Park further declares that it will not assess air or water quality impacts since there are already stressors on the air and water resources of the Parks and those adverse impacts will not differ based on the Alternative chosen. This position is contrary to the NPS's mission to protect the resources of the Park. As such, the NPS must fully assess and report what the direct and indirect impacts will be on the air quality of the S-R Line project.

Moreover, the Parks acknowledges (Chapter 1, pg 22) that the Park's ecosystems are under pressure from conditions other than that of climate change, including habitat loss and degradation, development, pollution, toxic chemicals overfishing, invasive species, pests, disease outbreaks, habitat fragmentation, and wildfires.

**Climate change may contribute to the adverse impacts on natural resources expected from the proposed S-R Line. However, these adverse impacts are not expected to increase the intensity of the impacts identified for the alternatives and impacts from climate change are also similar across all action alternatives. In addition, ecosystems are currently under pressure from a number of stressors in addition to climate change, including habitat loss and degradation, development, pollution, toxic chemicals, overfishing, invasive species, pests, disease outbreaks, habitat fragmentation, and wildfires (NABCI 2010, 44). Due to these reasons and the impossibility of predicting the severity of future climate change or its impacts with certainty, this topic was dismissed from further consideration.**

It is absolutely wrong and contrary to its obligation to the NEPA process (and the American people) for the National Parks Service to declare that because these adverse impacts are "impossible to predict" that they don't have to comprehensively assess the direct and indirect adverse impacts to the fullest extent possible. "Dismiss(ing) (these adverse impacts) from further consideration should not be acceptable to the NPS.

#### NPS Identified Potential Data Gaps in EIS

We submit as part of our comment the attached 15-page National Park Service report entitled *Data Gaps Identified for the Susquehanna to Roseland Transmission Line Proposal and Right-of-Way Request Environmental Impact Statement*, dated January 2010. This report identifies many areas where further data and documentation was determined to be missing and/or lacking. Issues include, but not limited to, Air Quality (pg 2), EMFs (pg 4), Water Quality (pg 5), and Vegetation ground cover disturbance (pg 6) and Landscape Connectivity (pg 6). We acknowledge that this report is from 2010 and these data gaps may have already been filled, however, we will take this opportunity to have the NPS determine if each and every one of these missing data have been obtained and are now thoroughly addressed as part of the DEIS.

#### Mitigation offer cannot mitigate damages done to Parks and provides not assurances that they too will not become sites of future utility lines

The Susquehanna Roseland \$30 million mitigation offer that PSE&G/PP&L are proposing to build this massive project is being pitched as a way to "create a half-million acres of contiguous lands" for the National Park. But this promise cannot be used to excuse the sacrifice of the parks and scenic quality they are demanding in exchange. The Delaware Water Gap National Recreation Area, the Middle Delaware Wild and Scenic River and the Appalachian National Scenic Trail are all protected by a long list of

legislative acts and regulations. But if they can be irreparably damaged to serve private interests today, then the very same can happen to the promised new lands in the future for yet more powerlines or gas pipelines.

The new power lines will tower 50 feet above the trees and be visible from Lake Wallenpaupack to Shawnee Mountain. They cut through the middle of the Poconos where 22.6 million people come and spend \$1.2 billion dollars annually. **The scenic beauty of the region IS the attraction.** How many vacationers and jobs will go elsewhere because now, instead of dining or viewing fall foliage in a scenic river valley, those Pocono guests are looking at transmission lines as far as the eye can see?

The S-R Lines have negative environmental and public health impacts and substantial economic impacts, entirely shouldered by us, the rate payers. Yet the economic impact to the utility is quite different – a profit margin of over 11% guaranteed by law. Don't think for a minute that they are begrudgingly spending this money on our behalf. Rather, we are being forced to spend a great deal of our money on a project we don't need that destroys our parks. The S-R Lines should not be built and no amount of new open space will mitigate the damage done.

### **National Park Service's Centennial Vision**

The National Park Service is preparing to celebrate its 100<sup>th</sup> anniversary. In preparation the NPS engaged its parks to develop a "vision statement" of how each park would continue to strive to serve the American people through the responsible stewardship of the public lands under their jurisdiction. The NPS's intent was and is to have "America invite the world to discover the meaning of national parks to their lives and inspires people to both experience and become devoted to these special places."

In response to this federal planning effort, Superintendent John Donahue and his DWGNRA staff wrote: a vision statement entitled *The Future of America's National Parks, First Annual Centennial Strategy for the Delaware Water Gap National Recreation Area*.

The stated goal in that Vision Statement is "Delaware Water Gap National Recreation Area (DEWA) exists to provide outdoor recreation opportunities **while conserving the natural, cultural and scenic resources of the park** (emphasis added). In so doing, we work cooperatively with surrounding communities and the public to achieve the conservation goals of the Delaware River region."

"We (DWGNRA) will provide sustainable climate- and user-friendly infrastructure, assuring minimal impact on the park's natural and cultural resources, and will eliminate facilities not complementary to the mission."

The sighting and construction of the S-R Project in the DWGNRA and the assorted power lines that will connect to it that impact other NPS lands (Appalachian National Scenic Trail-Virginia and Harpers Ferry National Historical Park) is in total and opposite contrast to the NPS's and the DWGNRA's Centennial Strategy Initiative. As such, the NPS should deny the Applicant's permit request as it contradicts the stated purpose of the Park and is not consistent to the stated intent of the DWGNRA.

In conclusion, the DEIS makes clear that the Park Service has not been able to identify an acceptable alternative route. Under these circumstances, the Park Service can and must issue a Record of Decision ("ROD") selecting the environmentally preferred "no action" alternative.

Thank you for this opportunity to provide comment. Should you have any questions, please contact me at any of the numbers or email below.

Sincerely,

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Attachment