UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

PennEast Pipeline Company, LLC
( Docket No. CP19-78-000

MOTION TO INTERVENE
AND COMMENTS
ON THE APPLICATION AS SUBMITTED
BY THE APPALACHIAN MOUNTAIN CLUB


On February 1, 2019, the PennEast Pipeline Company, LLC ("PennEast") filed its Application for Amendment to Certificate of Public Convenience and Necessity ("Application") pursuant to § 7(c) of the Natural Gas Act, 15 U.S.C. § 717f(c), and § 157 of FERC's regulations, proposed PennEast Project ("Project"), FERC Docket No. CP19-78-000. PennEast states that the proposed changes would result in an overall net decrease in pipeline length and a net decrease in the acreage of land required for Project construction and operation.

COMMUNICATIONS AND SERVICE

All communications, pleadings, and orders with respect to this proceeding should be sent to the following individual:

Mark Zakutansky
Director of Conservation Policy Engagement
Appalachian Mountain Club
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Bethlehem, PA 18017
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INTERESTS

The Appalachian Mountain Club (AMC), headquartered at 10 City Square, Boston, MA 02108, is a private, non-profit organization whose mission is to "promote the protection, enjoyment, and understanding of the mountains, forests, waters, and trails of the Appalachian region". We encourage respect for the natural environment, provide research and leadership in its protection, offer recreational and educational programs and facilities for the enjoyment, and conduct hands-on trail and campsite stewardship throughout the northeast. Our 100,000 members, supporters, and advocates reside largely in the Northeast, including 5,000 members in our Delaware Valley Chapter. The AMC Delaware Valley Chapter leads trip for both members and many non-members who visit the Delaware Valley region and its public lands, including the Appalachian National Scenic Trail, on a regular basis to participate in outdoor recreational activities. Overall, AMC maintains over 1,800 miles of trail, including 350 miles of the Appalachian National Scenic Trail.

The Appalachian National Scenic Trail (ANST)—our nation’s first and foremost national scenic trail—is a continuous, 2,179-mile footpath extending across 14 states from Maine to Georgia. Following passage of the National Trails System Act in 1968, federal and state agencies launched one of the most ambitious land conservation efforts in our nation’s history—including the acquisition of more than 3,360 parcels of land and 190,000 acres. Today those efforts which have spanned 32 years, have formed a publicly owned
greenway connecting six national parks, eight national forests, and more than 60 state parks, forests, and game-management units. Those lands are remarkable not only for their scenic qualities but also for their extraordinary diversity of natural and cultural resources. The project, as proposed, would cross the ANST, within the section of the ANST that is maintained by the AMC, and could negatively impact the ANST corridor and the experience of ANST users.

AMC’s Delaware Valley Chapter maintains the 15 miles of the Appalachian National Scenic Trail between Lehigh Gap and Wind Gap in Pennsylvania, including the Leroy Smith Shelter. AMC works in partnership with the National Park Service, Pennsylvania Game Commission, Keystone Trails Association and the Appalachian Trail Conservancy to maintain this section of the ANST. The Appalachian Trail Conservancy (ATC) is a private, nonprofit, educational organization founded in 1925 with responsibilities delegated by the National Park Service for management of the Appalachian National Scenic Trail, and the AMC is the designated maintaining organization of the ATC for the section of the ANST that would be impacted by the project.

AMC submitted comments on the Project in pre-filing (Docket PF15-1-000) on February 27, 2015; May 19, 2015 and September 15, 2015. AMC intervened and participated in the docket on the initial application (Docket CP15-558-000) commenting specifically on the preliminary alternatives analysis on July 20, 2016 and on the Draft Environmental Impact Statement on September 7, 2016. AMC filed additional comments focused largely on the ANST crossing on December 5, 2016.

Related to the ANST crossing, the Application proposes an approximately 5.5-mile pipeline realignment, including workspace, from mile (MP) MP 48.6R2 to MP 53.6R3 which will change the location where the Project crosses the ANST. The Application notes that the ANST modification would reduce visual impacts across the Appalachian Trail, would minimize greenfield disturbances, and reduces the overall Project length. This modification responds to some of the comments previously submitted by AMC.

It is in the public’s interest that AMC takes part in this proceeding as a full participant.

COMMENTS

The Application identifies four modifications, including one realignment related to crossing the Appalachian National Scenic Trail. AMC has no concerns with the realigned crossing of the ANST as proposed in the Application. AMC agrees that the realigned crossing of the ANST will reduce impacts to the Appalachian National Scenic Trail in particular, though AMC is speaking only to the ANST crossing, not to the full potential “environmental and landowners impacts” along the entire 5.5-mile realignment proposed in this modification or to the other three proposed modifications, to which the Notice of Application refers

The modifications are subject to environmental review by FERC and other regulatory agencies. AMC requests that FERC provide a determination as to whether the Application meets the expectations pursuant to 23 CFR § 771.130, regarding Supplemental Environmental Impact Statements. Further, AMC requests that FERC and the resource agencies provide meaningful environmental review of the Application to determine if the modifications in fact minimize Project impacts, and to engage the public in this process through an extended and robust public comment period, in-person public workshops, and through updated literature and marketing materials that outline proposed Project changes in a manner that assists the public in understanding the Application such that they can meaningfully participate.

STATEMENT OF POSITION

The AMC takes no position on the Application or Project, though may take a position in the future as aligned with its interests. The AMC has a standing policy that public interest lands should be used for energy projects only as a last resort with no reasonable alternatives available. They should incorporate the best available technologies to reduce impacts, provide adequate compensatory mitigation for all ecosystem

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and recreation values impacted, and be congruent with the primary purposes for which these lands were set aside.

CONCLUSION

Wherefore, the Appalachian Mountain Club respectfully requests that the Commission grant its Motion to Intervene as a party with full rights to participate in all further proceedings and accept these comments.

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to Rule 2010 of the Commission’s Rules of Practice and Procedure, I hereby certify that I have this day caused the foregoing Appalachian Mountain Club’s Motion to Intervene and Comments in response to FERC’s Notice of Application for the PennEast Project (FERC No. CP19-78-000) to be served upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated this 7th day of March 2019.

Mark Zakutansky