



Connecting People with Nature since 1920

156 Ramapo Valley Road • Mahwah, NJ 07430 • T 201.512.9348 • F 201.512.9012 • www.nynjtc.org

September 23, 2011

Donna Mahon  
Executive Assistant  
Office of the Assistant Administrator  
NHRG

Re: New Jersey Tennessee Gas Pipeline Expansion

On August 17<sup>th</sup> and 18<sup>th</sup> in Montague and Ringwood NJ, myself and other representatives of the New York-New Jersey Trail Conference were able to attend the public hearings held by New Jersey DEP regarding the Tennessee Gas Pipeline Companies (TGPC) proposed expansion of their existent natural gas pipeline across northern New Jersey. Given the direct impact that the pipeline had already had on our trails in Wawayanda State Park, where construction began in March 2011, we voiced our concerns for the ecological impacts of this expansion as well as our analysis of the current mitigation plan that TGPC had thus far set forth. Please allow this letter to serve as further comment regarding what TGPC has promised us in their mitigation plan as well what we believe should be allowed for in the companies final mitigation plan to New Jersey DEP in the signing of their 25 year lease.

It is our understanding that TGPC has offered to pay the State of New Jersey a one time fee of between 7.6 and 8.6 million dollars for a renewal of this 25 year lease depending on the anticipated impacts during construction. During the hearings, there were many public comments questioning this current offers ability to fully account and compensate for the ecological impacts this expansion will have on our protected land over the next 25 years after construction is complete. Documents and photographs were presented showing the current impacts of the line in Vernon, NJ where several large scale washouts had already occurred after heavy rains, sending chemicals and tons of soil into the local streets, streams and lakes. In the past we have already witnessed what the existing pipeline has done in the way of introducing many invasive plant species into the ecosystem, welcoming illegal ATV use into park lands, dispersing native wildlife and allowing for increased erosion along the entire pipeline route, leading to washouts similar to ones mentioned above. All these impacts directly affect the local communities and furthermore, does not even account for the aesthetic impact of having pristine parkland permanently marred by a 75 foot wide scar through some of the States most widely used and enjoyed State Parks.

With this in mind, please note the following analysis of TGPC's proposed offer for their 25 year lease of this State property. At most, TGPC is willing to pay a total of \$8.6 million dollars for the right to use a total of roughly 30 acres of State parkland. Given that this is a lease, the amount given should be looked at as any lease, not in the terms of a lump sum, but as what it will cost the company to use the land per month, per acre. Reduction of this amount through simple math shows that even at the highest rate of compensation that TGPC is willing to pay out, \$8.6 million for 30 acres of land over 25 years only comes out to a fee of \$956 per month, per acre being used. This is less than your average person pays for a 500 square foot studio apartment. We appeal to reason and respectfully question why this amount is fair given that millions of people use these parks which this pipeline is crossing and pay much more for use of land in the same geographic area. Given that this is public *and* protected land, we feel that a multi billion dollar corporation, reaping immense profits by use of this land, ought not pay less than the public itself would have to pay to use a similar amount of land for their personal use. It is along these lines that we urge the State of New Jersey to argue for more just compensation in the form of either a substantially increased amount or, more justly, to establish a fair "Revenue Based Compensation" agreement with the Tennessee Gas Pipeline Company.

Regarding the additional mitigation measures promised to protect impacted lands and trails that this pipeline will cross; we have had a chance to review TGPC's proposed crossing plan for the Appalachian Trail intersection in High Point State Park and believe it is fair. Amongst other promises made during the public hearings, it has also been understood that TGPC will allow for trail crossings at all pipeline intersections in the form of bridges to span the ditch that the construction will create. With the exception of days when blasting or heavy machinery are present in the immediate area of the pipeline-trail crossings, these bridges will allow hikers full access to the trail systems. On those days when it is deemed unsafe to cross, TGPC will guide hikers around the construction site safely, reopening the crossing when safe.

Other mitigation efforts promised by TGPC include invasive species monitoring and elimination at the 125 foot wide worksites for a period of 3 years after construction, the installation of ATV deterrents such as gates on road-pipeline intersections and rock "moonscaping" along the pipeline route, and a 3 year monitoring period for all trees transplanted in the temporary additional work space outside the 75 foot right of way, any trees that do not survive transplanting during this 3 year period will be replanted at their cost. We find all these actions to be fair on the part of TGPC providing they follow through with these obligations fully. In addition to this, it is understood that TGPC will be purchasing additional open space at a rate of 4:1 for what they use, which is to say that for every acre of land cleared, they will have to purchase 4 acres as compensation. In this case, we believe that the land purchased should adjoin the existing parkland that they are impacting and not exist elsewhere as a detached satellite. We also urge the State to take actions to insure this in all cases when possible.

The New York New Jersey Trail Conference believes strongly in protecting our parklands, and offers these comments as support to New Jersey DEP in acquiring what we believe is fair given the impacts of land that we not only recreate in, but live in. Please do not hesitate to contact us with any questions regarding the statements made. Should we be able to offer any further assistance in this matter, please do not hesitate to contact us.

Regards,

Chris Ingui

Chris Ingui  
New Jersey Program Coordinator  
New York-New Jersey Trail Conference.