



October 1, 2014

**VIA ELECTRONIC FILING**

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

**Re: Supplemental Comments on Algonquin Incremental Market Project Draft Environmental Impact Statement, Docket No. CP 14-96-000**

Dear Secretary Bose:

Riverkeeper, Inc. (Riverkeeper) submits the following supplemental comments on the Draft Environmental Impact Statement (DEIS) for the Algonquin Incremental Market Project (Proposed Project), Docket No. CP 14-96-000. Riverkeeper is a member-supported watchdog organization dedicated to defending the Hudson River and its tributaries and protecting the drinking water supply of nine million New York City and Hudson Valley residents. Riverkeeper is actively involved in public education, advocacy, and litigation surrounding the issue of shale gas extraction and related infrastructure, particularly because of the potential impacts on New York State's drinking water supplies.

As noted in Riverkeeper's September 29, 2014 comments on the DEIS, we received a copy of the Stormwater Pollution Prevention Plan (SWPPP) for the New York portions of the Proposed Project dated August 2014 from the Applicant, Algonquin Gas Transmission, LLC. Riverkeeper has reviewed the SWPPP and provided comments, attached. The SWPPP contains a number of deficiencies, which must be addressed in a revised SWPPP in order to comply with New York standards. As currently drafted, the SWPPP is not sufficient to protect against water quality degradation that may result from stormwater runoff.

For these reasons, as well as those explained in our previous comments, FERC must include a full analysis of potential stormwater impacts – including a complete, revised SWPPP – in a revised DEIS.

Sincerely,

Misti Duvall  
Staff Attorney

Attachment



**VIA EMAIL**

Mike Tyrrell  
Environmental Lead  
Algonquin Gas Transmission, LLC  
890 Winter Street, Suite 300  
Waltham, MA 02451

October 1, 2014

**Re: Comments on Draft Stormwater Pollution Prevention Plan for the Algonquin Incremental Market Project**

Dear Mr. Tyrrell:

Riverkeeper, Inc. (Riverkeeper) provides the following comments on the Draft Stormwater Pollution Prevention Plan (SWPPP) for the Algonquin Incremental Market Project (AIM Project or Proposed Project). Algonquin Gas Transmission, LLC (Algonquin) provided Riverkeeper with a copy of the SWPPP dated August 2014, which we received on September 2, 2014. For the reasons set forth below, Riverkeeper recommends that Algonquin revise the preliminary SWPPP to cure a number of deficiencies, discussed below.

Riverkeeper is a member-supported watchdog organization dedicated to defending the Hudson River and its tributaries and protecting the drinking water supply of nine million New York City and Hudson Valley residents. Riverkeeper is actively involved in public education, advocacy, and litigation surrounding the issue of shale gas extraction and related infrastructure, particularly because of the potential impacts on New York State's drinking water supplies. Our comments follow.

I. The Invasive Species Control Plan Should Require Stabilization of Disturbed Wetlands With Native Vegetation

The SWPPP references Algonquin's Invasive Species Control Plan (ISCP) when describing mitigation for construction related impacts to wetlands. The ISCP proposes to control the spreading of common reed, purple loosestrife, Japanese knotweed and glossy buckthorn by planting ryegrass, which is an upland species not suitable for establishment in wetlands, especially where standing water exists. In many cases, the above-mentioned invasive plant species are well established and comprise over 90% of the vegetative cover.<sup>1</sup> Common reed (*Phragmites*) and purple loosestrife are in fact well-suited to wetland soils and hydrology because they are obligate hydrophytes that establish and persist in such conditions.

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<sup>1</sup> Algonquin Incremental Market Project, Resource Report 3: Fish, Wildlife, and Vegetation (Feb. 2014), Appendix F, *Invasive Species Control Plan*.

Because ryegrass is ill-suited to stabilize saturated or inundated soils, the ISCP should require seeding, planting and monitoring of native wetland vegetation where wetlands have been disturbed by construction activities.

## II. The SWPPP Lacks a Spill Response Plan

The SWPPP lists five spill prevention control practices, but provides no spill response plan. Regardless of how sound and proactive prevention practices may be, the SWPPP must include a spill response plan to contain and remediate spills that may occur irrespective of sound prevention practices. The plan should identify appropriate authorities to be contacted in the event of a spill, as well as personnel responsible for initiating immediate response and the control practices to be implemented.

In addition to our comments above, Riverkeeper fully supports and incorporates herein the sections of the AIM Project comments related to the SWPPP submitted by the New York City Department of Environmental Protection in a letter dated September 29, 2014,<sup>2</sup> and the *Technical Appendix Concerning Stormwater Pollution* attached to the AIM Project comment letter from the New York State Office of the Attorney General, also dated September 29, 2014.<sup>3</sup> Both documents highlight technical deficiencies arising from the lack of specificity in the erosion and sediment controls as presented in the SWPPP, faulty modeling calculations, and other shortcomings, as a result of which the SWPPP, as currently drafted, fails to comply with New York State erosion and sediment control standards.

For all of the above reasons, Algonquin must revise the preliminary SWPPP to address its technical deficiencies and to comply with state erosion and sediment control standards. Thank you for the opportunity to comment on this important issue.

Sincerely,



William Wegner  
Staff Scientist

Cc: New York State Department of Environmental Conservation  
New York City Department of Environmental Protection  
Watershed Inspector General, Office of the Attorney General  
Federal Energy Regulatory Commission, Docket No. CP14-96-000

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<sup>2</sup> Available at: [http://elibrary.ferc.gov/idmws/file\\_list.asp?accession\\_num=20140929-5292](http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20140929-5292).

<sup>3</sup> Available at: [http://elibrary.ferc.gov/idmws/file\\_list.asp?accession\\_num=20140930-5025](http://elibrary.ferc.gov/idmws/file_list.asp?accession_num=20140930-5025).

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at White Plains, NY this 1<sup>st</sup> day of October, 2014.



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Misti Duvall  
Staff Attorney  
Riverkeeper, Inc.