



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CATHERINE R. McCABE
Commissioner

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Lt. Governor

Division of Land Use Regulation
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www.nj.gov/dep/landuse

CERTIFIED MAIL

June 15, 2018

Sara Mochrie, Principal-Project Manager
Ecology and Environment, INC
368 Pleasant View Drive
Lancaster, NY 14086

RE: Withdraw Letter for a Freshwater Wetlands Individual Permit, Flood Hazard Area Individual Permit, Flood Hazard Area Verification, Waterfront In Water Individual Permit, Waterfront Upland Individual Permit, and Coastal Wetlands Permit
DLUR File No. 0000-01-1001.3 FWW170001, FHA 170001, FHA 170002
No. 1200-17-0006.1 CSW170001, WFD170001, WFD170002
Applicant: Transcontinental Gas Pipeline Company (Transco)
Project: Transcontinental Gas Pipeline Northeast Supply Enhancement Project
Project Location: Old Bridge Township, Sayreville Township, Middlesex County
Franklin Township, Somerset County
Block: Multiple
Lot: Multiple

Dear Mrs. Mochrie:

The NJDEP acknowledges and accepts Transco's June 14, 2018 withdrawal of its pending Freshwater Wetlands, Flood Hazard, Coastal Wetlands, Waterfront Development and applicable Water Quality Certificate applications originally submitted on June 23, 2017 and July 10, 2017, respectively, for its Northeast Supply Enhancement Project.

If you resubmit a revised application within one year of the date of this letter, the fee charged for the withdrawn application will be credited toward a new application, provided the resubmission is for the same project by the same applicant.

In addition, any resubmitted application must include the following information, which were determined to be deficient items from the original application.

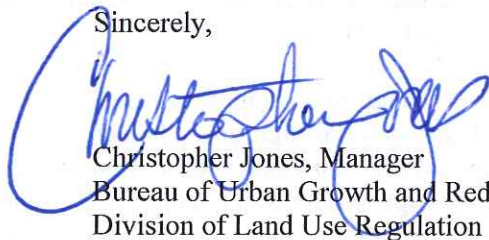
1. The submitted project plans and tax maps for the Madison Loops shows construction, temporary access roads, staging areas, easement expansion, and new pipe line alignment outside of Transco's existing right-of-way on at least seven (7) properties not owned by Transco. Please provide written property owner consent for the affected properties.
2. Transco, as part of this application, has requested the Department to agree to release a wetland transition area conservation restriction/easement located on private property owned by the Golden Age Development Group LLC, on Block 451, Lot 1.10, in Sayreville Borough, Middlesex County. This conservation easement was required by Transition Area Waiver approval 1219-02-0006.1FWW040001. Transco would require a permanent right-of-way and temporary easement within the conservation easement area to install and perform routine maintenance and repairs to the new 26-inch diameter pipeline. However, based upon comments from the Division, Transco has indicated that the project would be revised to eliminate the encroachment into the conservation easement. However, the Division has not received revised plans that show that the pipeline has been relocated off the private property and the conservation easement.
3. Transco has a pending application with the Federal Energy Regulatory Commission (FERC) for a Certificate of Public Convenience and Necessity (Certificate). FERC's decision establishes public interest and need for the project under the Natural Gas Act. Because the applicant has not obtained the FERC Certificate, it has not been demonstrated that there is a need for the project, nor has Transco shown that the project would meet the public interest under the federally authorized Freshwater Wetlands and Water Quality Certificate Standards. A copy of the FERC Certificate is required.
4. Transco has not demonstrated that the proposed methods to install the Raritan Loop demonstrate compliance with the New Dredging rules under N.J.A.C. 7:7-12.7(c)5 and 12.7(c)6. In particular, Transco proposes to install the new pipeline from mile marker 12+50 to 14+05 in the Raritan Bay via the use of clam shell bucket. This will result in dredging a 60-foot wide path for 8000 linear feet, and the generation of approximately 69,000 cubic yards of dredged material. Transco proposes both Horizontal Directional Drilling (HDD) and the use of a jet trencher to install other portions of the pipeline and has not provided a rationale that demonstrates that these methods cannot be used between mile markers 12+50 and 14+05 within the Raritan Bay. Additional information is required to demonstrate that the expanded use of HDD and jet trenching would be unfeasible.
5. Transco performed sediment testing and analysis of the proposed dredge material. However, that testing and analysis was not a Division approved Sediment Sampling and Analysis Plan as required by Appendix G of the Coastal Zone Management Rules. Without an approved Sampling and Analysis Plan, the Division is unable to evaluate the proposed dredge material for appropriate upland disposal. Please submit a proposed Sampling and Analysis plan to the Division for review and approval.
6. Transco proposes to take dredged material to the Historic Area Remediation Site (HARS) and all dredged materials not accepted by the HARS to an alternate upland placement site. However, Transco has not received an approval from the Army Core of Engineers to place the dredged material at the HARS site, and Transco has not provided a letter of acceptance from any other acceptable dredge placement site for the dredged material. Please provide documentation that Transco has approval to dispose of the dredged material from a suitable disposal facility.

7. Pursuant to N.J.A.C. 7:13-12.1(g)2, concentrated overland flow that causes erosion to property not owned by an applicant is considered an adverse impact to that property. Transco is proposing to construct two (2) swales adjacent to the proposed Compressor Station access road. These swales would receive runoff from the access road, concentrate that flow, and then ultimately discharge the runoff onto the adjacent property not owned by applicant. This discharge has the potential to cause erosion on property not owned by the applicant. Transco must demonstrate that this runoff will not result in erosion or adverse impact to the offsite property. Additionally, Transco must submit information that demonstrates that it has consent to discharge the stormwater onto the adjacent property, or that it has obtained an easement or entered into an agreement to purchase the property pursuant to N.J.A.C. 7:13-12.1(f).
8. Transco has proposed a bioretention pond in the proposed Compressor Station site design. The submitted information does not identify the elevation of the seasonal high groundwater table as required by the Stormwater Management Rule and *New Jersey Stormwater Best Management Practices Manual*. Without the elevation of the seasonal high groundwater table DEP cannot determine whether the bioretention basin is designed such that the minimum required 2-foot separation from the bottom of the bioretention's soil media to the seasonal high groundwater table has been attained as required by the Stormwater Management Rule and the *New Jersey Stormwater Best Management Practices Manual*. Please submit soil boring data that identifies the seasonal high groundwater elevation.
9. Transco must analyze the pervious and impervious surfaces separately to accurately compute the stormwater runoff rates and volumes of the existing and proposed site conditions. The submitted calculations cannot be relied upon to demonstrate compliance with the water quality standards set forth at N.J.A.C. 7:8-5.5, and the water quantity and recharge standards set forth at N.J.A.C. 7:8-5.4 because the analysis was not done in this manner. Please revise the calculations to analyze the pervious and impervious surfaces separately.
10. The stormwater runoff from the proposed compressor station and access road is conveyed to two distinct analysis points, the freshwater wetlands complex near Georgetown-Franklin Turnpike and the Tributary to Carters Brook. As such, Transco must demonstrate compliance with the water quantity standards for each distinct analysis point.
11. Transco has designed the proposed access road, such that stormwater runoff from approximately 72,000 square feet of pavement will bypass the proposed bioretention facility and not receive any water quality treatment. Transco intends to compensate for said bypass by capturing and treating runoff from the compressor station area. However, most of the compressor station area does not receive vehicular traffic (i.e. buildings, gravel area beneath the proposed compressor station equipment) and thus is considered clean. Therefore, capturing and treating runoff from these areas cannot be used to compensate for not treating runoff from the proposed access road. Additionally, please note the project must be designed to provide 80 percent TSS removal rate for two distinct analysis points, the freshwater wetlands complex near Georgetown-Franklin Turnpike and the Tributary to Carters Brook. Please submit a revised Stormwater management design that treats the 72,000 square feet of access road.
12. Transco has assumed the proposed bioretention facility will receive 90% TSS removal credit. However, to receive said credit, the proposed bioretention facility must be designed to have at least two feet of soil bed media and the basin must be planted as a terrestrial forested community (average of 1,000 stems per acre). As currently proposed, the basin does not satisfy this design criteria.

In anticipation of a reapplication, the NJDEP will preserve the existing submitted materials as the basis for a renewed application and future review. The NJDEP anticipates that the same staff persons will work with Transco upon submittal of its new application.

Please do not hesitate to contact Matthew Resnick of my staff via email at Matthew.Resnick@dep.nj.gov or at (609) 777-3955 if you have any questions concerning this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christopher Jones", is written over the typed name and title.

Christopher Jones, Manager
Bureau of Urban Growth and Redevelopment
Division of Land Use Regulation

Cc: Transcontinental Gas Pipe Line Co. Attn: Joseph Dean, Manager, EH&S
2800 Post Oak Road Blvd., Suite 900
Houston, Texas 77056