



Transcontinental Gas Pipe Line Company, LLC
2800 Post Oak Boulevard (77056)
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Houston, Texas 77251-1396
713/215-2000

June 10, 2019

By Electronic Mail

Christopher Jones, Manager
Bureau of Urban Growth & Redevelopment
NJDEP Division of Land Use Regulation
501 East State Street
Station Plaza 5, 2nd Floor
Trenton, New Jersey, 08609

RE: Request for Freshwater Wetlands Individual Permit with 401 WQC; Flood Hazard Area Individual Permit; and Waterfront Development Individual Permit with 401 WQC and Coastal Zone Consistency Determination

Transcontinental Gas Pipe Line Company, LLC
Northeast Supply Enhancement Project
Compressor Station 206 – Franklin Township, Somerset County, NJ
Madison Loop – Old Bridge Township and Sayreville Borough, Middlesex County, NJ
Raritan Bay Loop – Sayreville Borough, Middlesex County, NJ

Dear Mr. Jones,

As you are aware, on March 27, 2017, Transcontinental Gas Pipe Line Company, LLC (Transco) filed an application with the Federal Energy Regulatory Commission (FERC) requesting a Certificate of Public Convenience and Necessity (Certificate) under Section 7(c) of the Natural Gas Act (NGA) for its Northeast Supply Enhancement Project (NESE or Project). The Project was assigned Docket No. CP17-101 by FERC, which docket may be accessed at www.ferc.gov. On May 3, 2019, FERC issued, in its Docket No. CP17-101-000, a Certificate authorizing Transco to construct, operate, and maintain the Project.

The purpose of the Project is to provide 400,000 dekatherms per day of incremental natural gas transportation capacity to National Grid at Transco's existing Rockaway Delivery Point, located approximately 3 miles offshore of the Rockaway Peninsula in Queens Borough, New York. National Grid has subscribed to 100 percent of the Project's capacity and intends to utilize the capacity to serve its retail customers across its existing service territory. As part of the Project review process, Transco has filed permit applications in Pennsylvania, New Jersey, and New York to comply with federal, state, and local permitting requirements. Transco's siting efforts took these

regulatory constructs and extensive agency input into consideration to fulfill National Grid's incremental capacity needs and Project purpose. In fulfilling that purpose and need, the Project was designed and sited as a single and complete project.

In New Jersey, Transco proposes to construct two new pipeline segments that will loop (and closely parallel) Transco's existing pipeline system. Specifically, Transco will construct the Madison Loop, which is a 3.43-mile-long segment of 26-inch-diameter pipeline generally paralleling Transco's existing 42-inch-diameter Lower New York Bay Lateral pipeline in Middlesex County, New Jersey. Transco will also construct the Raritan Bay Loop, which is a 23.49-mile-long segment of 26-inch-diameter pipeline (0.16 mile onshore and 23.33 miles offshore) of Transco's Lower New York Bay Lateral in Middlesex County, New Jersey, to the Rockaway Transfer Point in New York State waters. In addition to these pipeline loop segments, Transco plans to construct a new compressor station (Compressor Station 206, or CS206) in Somerset County, New Jersey.

Transco previously applied with the New Jersey Department of Environmental Protection (NJDEP) for a Freshwater Wetlands Individual Permit (which constitutes the Clean Water Act Section 401 Water Quality Certificate and Section 404 dredge and fill permit) and Flood Hazard Area Individual Permit and Verification on June 22, 2017, and a Waterfront Development and Wetlands Act of 1970 Individual Permit (which constitutes the offshore Water Quality Certificate and Coastal Zone Management Act consistency determination) on July 7, 2017.¹ In order to provide NJDEP with additional time to comply with the timeframes by which it must act on Transco's request for a Water Quality Certification pursuant to Section 401(a)(1) of the Clean Water Act, 33 U.S.C §1341(a)(1), Transco withdrew these applications from NJDEP review on June 15, 2018. Transco submitted new permit applications to NJDEP for these same approvals on June 20, 2018.² Among other things, the submittal of these applications constituted Transco's second request for the onshore and offshore Water Quality Certificates.

By letter dated June 5, 2019 (Denial Letter), NJDEP denied, without prejudice, Transco's Freshwater Wetlands Individual Permit application, Flood Hazard Area Individual Permit application, and Waterfront Development and Wetlands Act of 1970 Individual Permit application. In the Denial Letter, NJDEP outlined eight specific items required for it to complete its environmental review of the Project. According to the Denial Letter, Transco must:

- Demonstrate that no practical alternative exists for the construction and access to CS206;
- Demonstrate that CS206 and the associated access road and detention basin could not have been reconfigured, reduced in scope, or relocated to avoid exceptional freshwater wetland and their associated transition areas;
- Demonstrate that reasonable attempts have been made to remove or accommodate alleged constraints associated with the reviewed and subsequently rejected alternative locations for CS206, the access road, or the detention basin;

¹ NJDEP File #: 0000-01-1001.3 FWW170001, FHA 170001, FHA 170002; 1200-17-0006.1 CSW170001, WFD170001, WFD170002

² NJDEP File #: 0000-01-1001.3 FHA180001, FHA180002, FWW180001, WFD180001, WFD180002, CSW180001

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- Demonstrate a compelling public need for the Project as defined by the applicable regulations or, alternatively, an extraordinary hardship;
- Demonstrate that the proposed access road to the CS206 site from the Franklin Georgetown Turnpike that crosses Block 5.02, Lots 1.02, 9, 10, 11.02, 12, 16, and 17, could not be accomplished without clearing, cutting, or removing riparian zone vegetation of three unnamed tributaries to Carters Brook;
- Demonstrate that the utilization of the Higgins Farm access road for access to CS206 has been fully explored;
- Provide modeling for the Raritan Bay Loop to show that turbidity concentrations and water quality parameters for the identified chemicals of concern downstream and upstream of the dredging site will meet Surface Water Quality Standards; and
- Demonstrate how adverse impacts on offshore surface water quality will be avoided through the implementation of appropriate best management practices during construction of the Raritan Bay Loop.

Enclosed for filing with NJDEP are copies of Transco's new applications for a Freshwater Wetlands Individual Permit, a Flood Hazard Area Individual Permit and Verification, and a Waterfront Development and Wetlands Act of 1970 Individual Permit.³ Among other things, the submittal of these applications constitutes Transco's third request for the onshore and offshore Water Quality Certificates. Please note that this new application package incorporates by reference all of the materials from Transco's administratively complete first and second applications/requests, including all supplements submitted under DLUR File No. 0000-01-1001.3, and all technical meetings, correspondence with NJDEP Staff, and the public comment and response matrix.

To facilitate NJDEP's review of these applications, a table summarizing the previous submittals specifically referenced in this new application package is included as Attachment A to this letter. Also enclosed is Transco's Responses to Notice of Denial on the Northeast Supply Enhancement Project dated June 5, 2019, which details Transco's technical response to each item of deficiency. The information provided in these applications will allow NJDEP to complete its review in accordance with NJDEP's regulations and issue the requested authorizations in alignment with the proposed schedule.

If you require any additional information that will facilitate NJDEP's review, please contact Karen Olson at (713) 215-4232 or at Karen.Olson@williams.com, or Scott Horner at (713) 215-4953 or at Scott.Horner@williams.com. Alternatively, you can contact Sara Mochrie, Project Manager at Ecology and Environment, Inc., at (716) 684-8060 or via email at smochrie@ene.com.

³ Transco is maintaining its Tidelands Utilities License application (1200-17-0006.1 TDI 170001), which was submitted to the Bureau of Tidelands Management (BTM) on July 18, 2017.

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Sincerely,



Joseph Dean
Manager, Environmental Health and Safety

cc (via e-mail): Ginger Kopkash, Assistant Commissioner, NJDEP
 Diane Dow, Director DLURP NJDEP
 Matthew Resnick, NJDEP
 Stephen Kellogg, Transco
 Blake Clements, Transco
 Scott Horner, Transco
 Karen Olson, Transco
 Brian Ham, Transco
 Su-Lin Jaaskelainen, Transco
 Daniel Merz, Esq. Transco
 Sara Mochrie, E & E
 Megan Eakin, E & E
 Steven MacLeod, E & E