



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CATHERINE R. McCABE
Commissioner

SHEILA Y. OLIVER
Lt. Governor

Division of Land Use Regulation
Mail Code 501-02A
P.O. Box 420
Trenton, New Jersey 08625-0420
www.nj.gov/dep/landuse

CERTIFIED
June 25, 2019

Transcontinental Gas Pipe Line Co.
c/o Mr. Tim Powell
2800 Post Oak Blvd., Suite 900
Houston, TX 77056

RE: Coastal Wetlands Individual Permit, Flood Hazard Individual Permit, Freshwater Wetlands Individual Permit, Waterfront Development Upland Individual Permit, Waterfront Development In-Water Individual Permit Applications – Technical Deficiency Letter
LUR File No.: 0000-01-1001.3; LUP 190001
Applicant: Transcontinental Gas Pipe Line Co. (Transco)
Project: Transco Northeast Supply Enhancement Project

Dear Mr. Powell,

This letter is in response to the above referenced application submitted to the Division of Land Use Regulation (Division) on June 21, 2019 for the Transco Northeast Supply Enhancement Project located in the Township of Franklin, Somerset County, and the Township of Old Bridge and Borough of Sayreville, Middlesex County. Pursuant to N.J.A.C. 7:7-26.2(a)2, N.J.A.C. 7:7A-19.2(b)2, and N.J.A.C. 7:13-21.2(a)2, please be advised that the applications are considered administratively complete, but technically incomplete. In order for the Division to declare the applications technically complete, additional information is required as noted below. The requested information shall be submitted to the Division for review within 30 days of receipt of this letter.

1. A modeling analysis for any parameters that exceeded ER-M values for saline water sediment as described in the Division's June 5, 2019 denial decision issued to Transco.
2. As discussed in the June 20, 2019 meeting between Transco and the Division, the submitted Environmental Report For NJDEP Freshwater Wetlands Individual Permit Report dated June 2019, stated that Transco will not propose impacts to exceptional value transition areas, except for the access road, and suction and discharge piping tie-in assembly. However, based on a review of the submitted plan entitled, "Flood Hazard Area Verification and Wetland Permit Plan, Northeast Supply Enhancement Project Proposed Compressor Station 206, Block 5.02, Lot 25, Township of Franklin, Somerset County, New Jersey" (Sheet 4 of 9), dated June 8, 2018, last revised June 7, 2019, and prepared by PS&S, there are proposed impacts to an exceptional resource value transition area adjacent to the southern corner of the compressor station. This impact to an exceptional resource value transition area at that location is not related to the access road or the tie-in assembly. Therefore sheet 4, and any other plans that depict the same disturbance, should be revised to eliminate this particular transition area disturbance.

3. Please provide the technical information identified in the Division's June 20, 2019 email from Magda Usarek-Witek to Transco.

Please be advised that the following items are not considered technical deficiencies. However, as discussed in the June 20, 2019 meeting between Transco and the Division this information is necessary to further the review of the application.

1. Higgins Farm

- Provide additional information that addresses whether Transco has considered eminent domain and condemnation for access through the Higgins Farm site, and if not, Transco should provide a detailed and thorough discussion of why that option is not being considered.
- Correspondence from the Township of Franklin addressing their position for Transco to gain access through Higgins Farm;
- If Transco cannot obtain a response from the Township of Franklin, then please provide evidence that Transco had acted in good faith and effort in pursuing this option with the Township of Franklin; and
- If Transco determines that Higgins Farm access is not an option, then additional and robust information is required to demonstrate how the hardship standards at N.J.A.C. 7:7A-10.4(a)2 are met.

2. Compelling Public Need

- Transco shall further address the compelling public need requirement at 7:7A-1.3 and 7:7A-10.4(a)1. By stating that the proposed project has demonstrated compelling public need due to the issuance of FERC's Certificate of Public Convenience and Necessity (Certificate) is insufficient. Transco shall demonstrate compelling public need based on the need for the State of New Jersey and affected municipalities, and how they will benefit from the proposed project.
- During the June 20, 2019 meeting, Transco mentioned that the proposed project will add resiliency to the State of New Jersey. Please further elaborate on the resiliency assessment and how it benefits the State of New Jersey and the referenced local municipalities.

If you have any questions concerning this letter, please do not hesitate to contact Joslin Tamagno via email at Joslin.Tamagno@dep.nj.gov or via telephone at (609) 984-6216. Please be sure to indicate the Division's file number in all correspondence.

Sincerely,



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

cc: Mr. Joe Dean, Transco, Agent
Township of Franklin Construction Official
Township of Old Bridge Construction Official
Borough of Sayreville Construction Official