Attachment A Consolidated Response to Comments on the Northeast Supply Enhancement Project			
No.	Key Issues	Response	Reference Materials
1.	**Compelling Public Need**	A detailed response to this issue is provided in Attachment B.	June 2019 New Jersey Department of Environmental Protection (NJDEP or Department) Freshwater Wetland (FWW) Application – Section 5, Additional requirements for a non-water dependent activity in exceptional resource value wetlands or trout production waters
2.	**Extraordinary Hardship**	A detailed response to this issue is provided in Attachment B.	June 2019 NJDEP FWW Application – Section 5, Additional requirements for a non-water dependent activity in exceptional resource value wetlands or trout production waters
3.	**Risk of Encountering Contaminated Soil on the Higgins Property**	Commenter claims that there is no proof that Transco would encounter buried material and contaminated soil if it were to expand and use the Higgins Farm access road. However, during construction of the existing Higgins access road to the groundwater treatment plant, the U.S. Environmental Protection Agency (USEPA) discovered buried drums and other containers of hazardous substances. Further, in June of 2017, Transco completed electromagnetic ground conductivity and magnetometer surveys along the proposed Higgins Farm Superfund site access road to determine the likelihood of encountering buried drums or other metallic materials associated with the Superfund site. Transco recorded elevated readings over two thirds of the survey area, mainly next to the existing access road near the groundwater treatment building. Excavation would be required in areas where Transco's access diverges from the existing road in order to provide a suitable base for the new portions of the road. Transco's excavation activities would yield a significant amount of fill, up to approximately 1,800 cubic yards. Further, in order to bring electric service to Compressor Station 206, new poles must be set along the proposed extended access road, necessitating the use of an auger to drill down several feet in order to set the new poles. Given the proximity of soil disturbance to areas of previously identified hazardous waste disposal and soil contamination, there would be a high potential for the unanticipated discovery of impacted soil. Accordingly, there is a high risk that Transco's excavation work and the installation of poles for running electricity to the compressor station would impact these materials and risk further contamination. Importantly, the Federal Energy Regulatory Commission (FERC) rejected the Higgins Farm access road, finding that, despite the greater impacts to wetlands, the road did not "present a significant environmental advantage" over the Trap Rock access road due in part to the risk of encountering contamination at the Superfund site (Final Environmental Impact Statement [FEIS] 3-39). The FERC's findings as to the Higgins access road were set forth in the FEIS. In addition to the significant risk of encountering contaminated soil and buried material, Transco's construction could adversely affect the implementation, integrity, and protection of the remedial measures performed at the site. Specifically, there is a high risk that Transco's excavation work would come into contact with the USEPA's elaborate network of underground monitoring and extraction wells and utilities (water and electric) associated with the ongoing groundwater treatment currently being undertaken by the USEPA. In addition to risking exposure of workers, damaging the underground utilities would interfere with the integrity of the remedy, potentially subjecting Transco to a range of enforcement actions under Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).	July 8, 2019 Letter to NJDEP; August 16, 2019 Response to NJDEP Deficiency Letter; Section 3.0 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project
4.	**Acquisition of an Easement in the Higgins Farm Access Road**	As Transco has repeatedly stated in its permit application and subsequent submittals, Transco cannot condemn property in which the United States or one of its agencies has an interest in the property. Because the USEPA has an interest in the Higgins property, Transco cannot condemn the necessary easement in the property. As the commenter notes, the Higgins have historically and strenuously opposed Transco's Project, having submitted comments in opposition to Transco's permit applications. The Higgins also submitted comments in opposition to Transco's use of the Higgins Farm access road. While recent comments may suggest that the Higgins may now prefer Transco's use of the Higgins Farm access road over the Trap Rock access road, the Higgins have no legal authority to convey an easement to Transco. Moreover, Franklin Township confirmed that, given the Deed of	August 16, 2019 Response to NJDEP Deficiency Letter and correspondence between the Township and Transco attached thereto.

No.	Key Issues	Response	Reference Materials
		Easement, it cannot convey an easement in the property to Transco and it refused to even meet with Transco to discuss Transco's use of the Higgins Farm access road. Since the only legal mechanism by which Transco could obtain an easement to expand and use the Higgins Farm access road is through condemnation, Transco would be unable to acquire the necessary property rights in the Higgins Farm access road. Accordingly, the Higgins Farm access road is not "available and capable of being carried out" and is, therefore, not a practicable alternative under the Freshwater Wetlands Protection Act Rules. New Jersey Administrative Code (N.J.A.C). 7:7A-10.2(c)1.	
5.	**Amendment to the FERC Certificate**	Commenter suggests that Transco has not proven that it exhausted efforts to obtain the Higgins Farm access road by seeking an amendment to its FERC Certificate. However, based on Transco's legal position, which it has consistently argued over the past two years, FERC's amendment of the Certificate would be pointless if Transco cannot legally condemn an easement in the Higgins property. Regardless, it is unlikely that the FERC would approve a certificate amendment to allow Transco to use the Higgins property, given its policy of avoiding placing permanent aboveground facilities on an unwilling landowner's property and the Township's repeated refusal to work with Transco.	July 8, 2019 Letter to NJDEP; Section 3.0 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project
6.	**Barred Owl** • Presence of critical barred owl habitat • Suitability of all forested area as barred owl habitat • Cumulative impacts of forest clearing • Site disturbance will cause species avoidance	The Project will not impact any critical habitat for the barred owl. As an initial screening measure to identify threatened and endangered species near the Project workspaces, Transco assessed state and federal databases. As described in Transco's June 2019 Freshwater Wetlands Individual Permit Application, no state-listed threatened or endangered species were identified during this screening process. In March 2019, a neighboring landowner reported hearing a barred owl in 2018, in the wooded area adjacent to the proposed compressor station. The exact location is unknown. Transco has not observed any audible or visual evidence suggesting presence of a barred owl. In May 2019, NJDEP accepted this report, prompting reclassification of the wetlands at the Compressor Station 206 site from intermediate to exceptional value. NJDEP biologists conducted an inspection of the site and contiguous forested area on April 4, 2019. Transco, along with biologists from Ecology and Environment, Inc., and Amy S. Greene, Environmental Consultants, Inc., were in attendance. During their site visit, NJDEP identified a single tree that was large enough (i.e., >20 inches diameter at breast height) and contained a cavity which had an opening of sufficient size to support barred owls. This tree is located outside the limits of disturbance; it will not be cleared or impacted during construction of the Project. There were no other trees on the site which could support barred owl nesting. As a result, NJDEP concluded that construction of the compressor station would not impact any critical nesting habitat for the barred owl, but the site might provide suitable foraging habitat for this species. Transco does not have access to the private properties surrounding the compressor station site and, therefore, was unable conduct surveys for the purpose of identifying the full extent of potentially suitable habitat for the barred owl. As described in its permit application, in lieu of field surveys, Transco applied the methodology used by New Jersey Landscape Project to identify the area of potentially suitable habitat. When the barred owl sighting is added to the Landscape Project, Transco expects NJDEP will apply the same methodology to identify suitable foraging habitat in this area. In Appendix V of the New Jersey Landscape Project, Version 3.3, 20 different Land Use / Land Classification types have been identified as potentially suitable habitat for the barred owl. Additionally, the appendix notes that the patches should be contiguous as barred owls tend to reside in larger forest patches. The Landscape Project also identifies upland forest types as potentially suitable habitat. Using these methods, Transco determined that the total contiguous area of potentially suitable barred owl habitat surrounding the Compressor Station 206 site is more than 800 acres. The project will only impact a small percentage of this potentially suitable barred owl habitat. The commenter suggests that the opening created by clearing for the proposed Project would reduce the suitability of the larger contiguous area used by the barred owl. Transco disagrees with this assessment. The forest in which the barred owl was reported is already highly fragmented, with several existing openings in the vicinity of the site. As is visible in aerial photography of the site, the central portion of the proposed Project footprint contains a clearing from a former homestead, and there is an open field south of and adjacent to the eastern end of the access road. During the site visit on April 4, 2019, NJDEP biologists indicated that these areas would not be suitable habitat for barred owls. There are also existing clearings east and north of the site from existing pipeline rights-of-way. A commenter stated that operation and maintenance of Compressor Station 206 will jeopardize the continued use of the site by the barred owl. The design of Compressor Station 206 includes measures, such as directional lighting and sound-attenuating insulation, which will minimize disturbance to	June 2019 NJDEP FWW Application – Section 4 Standard Requirements for all Individual Permits, N.J.A.C. 7:7A-10.2(b)4

Attachment A Consolidated Response to Comments on the Northeast Supply Enhancement Project			
No.	**Key Issues**	**Response**	**Reference Materials**
		wildlife. Additionally, human and vehicle activity associated with the operation and maintenance of the site are not expected to have a significant impact on the barred owl and are consistent with activities on the surrounding residential, commercial, and industrial properties.	
7.	**Vernal Pools** • Presence of vernal pools and support for obligate species at Compressor Station 206	Transco has conducted numerous field surveys for wetlands and waterbodies since 2016, and the NJDEP has visited the site to validate survey results. No vernal pools have been documented on the Compressor Station 206 site during any of these surveys or site visits. No vernal pools will be impacted by construction of the Trap Rock access road or the compressor station. Vernal pools have been identified near the disturbance area for the proposed compressor station, and the dispersal areas surrounding these off-site vernal pools may extend into the compressor station site. Transco has minimized impacts to these dispersal areas to the extent possible. For example, the width of the Trap Rock Access road has been reduced and utilities for the compressor station have been relocated underneath the access road to minimize disturbance. The compressor station facility footprint has also been reduced and shifted to further minimize impacts on wetlands and transition areas. The Project has been designed to ensure fauna have access to the off-site vernal pools. A contiguous patch of forest will be maintained to the east and northeast of the existing vernal pool on the Higgins property. This will provide fauna uninhibited access to the vernal pool and its dispersal areas. Access to the dispersal area for the vernal pool located to the east of the suction discharge tie-in will also be maintained in all directions except for directly northwest of the pool. The commenter suggests that impacts to vernal pools will reduce foraging opportunities for the barred owl. Transco disagrees with this assessment. As noted above, the Project will not have any direct or indirect impacts on the off-site vernal pools and will only affect a small percentage of the suitable foraging habitat available to the barred owl.	June 2019 NJDEP FWW Application – Section 3 Description of Freshwater Wetlands, Special Aquatic Sites, Etc. That May Require Special Protection/Preservation
8.	**Environmental Justice** • Executive Order 23 • Impacted communities • Inadequate public hearings	Transco is committed to environmental justice and strives to promote these values in the development and implementation of its projects. Transco recognizes and accepts our responsibility to the communities it serves, through acting as a good neighbor and through involvement with and support for community activities. Clean Ocean Action (COA) asserts in its written comments, dated August 2, 2019, that there are significant environmental justice issues concerning the impacted communities associated with the Project. See COA at pp. 20. In support of its position, COA relies on Executive Order No. 23 to urge NJDEP to consider certain environmental justice concerns associated with the Project, namely the Raritan Bayshore communities. In addition, COA claims that NJDEP has "failed to adequately publicize this issue through outreach and has not conducted a single public hearing in the area." See COA at pp. 21. COA's reliance on Executive Order No. 23 is misguided. Contrary to COA's assertions, Executive Order No. 23 does not establish any regulatory, legislative, or statutory authority for environmental justice and it does not obligate NJDEP to perform outreach or hold a public hearing. In fact, Executive Order No. 23 simply directs the NJDEP to take the lead, in consultation with other departments, in developing guidance to implement environmental justice policies in the state. Significantly, Executive Order No. 23 is clear that executive agencies will not be required to consider and assess the issue of environmental justice until after NJDEP has published its final guidance. NJDEP issued a draft guidance plan in January 2019 and invited public comment on that guidance until March 22, 2019. However, NJDEP has not issued any such final guidance to date. Accordingly, COA's claim that NJDEP has failed to adequately consider environmental justice concerns is premature. It should be noted that, although not raised in COA's written comments, there is proposed legislation (Senate Bill No. 1700) that would require NJDEP and other agencies to consider environmental justice concerns in issuing permits (including the requirement of the preparation of a report and the holding of a hearing). This is proposed legislation that has not been signed into law to date. With that being said, even if the bill was enacted during the pendency of NJDEP's review, Transco's Project would not be implicated as the legislation only applies to permits for a new "facility" or expansion of an existing "facility" within a "burdened community." None of the Project components in New Jersey would fall within the definition of a "facility" and, thus, would not be implicated by the proposed legislation.	Reference Material Not Applicable

Attachment A Consolidated Response to Comments on the Northeast Supply Enhancement Project			
No.	**Key Issues**	**Response**	**Reference Materials**
		The FERC already addressed environmental justice concerns within the FEIS, dated January 2019, and found that there would not be "high and adverse" impacts on existing environmental justice communities near Project facilities. Although the FERC found that there are two environmental justice communities near Station 206 (due to % of total minority population) and two tracts near the Madison Loop and onshore segment of the Raritan Bay Loop, the FERC concluded that any potential adverse environmental effects associated with the Project on these environmental justice communities would be "minimized and/or mitigated, as applicable." Furthermore, FERC, in the FEIS, also determined that the Project would not "result in disproportionately high and adverse impacts on minority and low-income populations." Accordingly, COA's assertions that NJDEP has failed to adequately consider environmental justice concerns are premature. Even so, Transco has demonstrated that there are no environmental justice concerns associated with the Project.	
9.	**Stormwater Management** • Application of curve numbers	The commenter suggests that Transco used the incorrect curve numbers in its stormwater management analysis, specifically with respect to gravel which the comment states should use a curve number (CN) value of 96. Chapter 5 of the New Jersey Stormwater Best Management Practices Manual lists utilizing U.S. Department of Agriculture Natural Resources Conservation Service "Technical Release 55 – Urban Hydrology for Small Watersheds (TR-55)." Table 2-2 and Worksheet 2 from this document were consulted to determine the appropriate CN values for gravel, which varies from 85 to 91 dependent upon the hydrologic soil group, which can be found in Appendix D.2 of the Stormwater Management Report. This information was previously addressed in response to NJDEP's comment 3.c in their technical review letter dated September 27, 2018, and has been included in subsequent submissions. TR-55 does not list a CN value of 96 for gravel, rather the commenter references information provided within HydroCAD software to come up with this assumption. Furthermore, this same information referenced within the HydroCAD software continues to state this value would only be reasonable for highly compacted gravel, and that for gravel that is not fully compacted or contains significant voids, that a lower CN value would be computed using the SCS equation for the potential maximum retention, which is: CN = 1000 / (S + 10) where the S is the available voids (in inches) in the gravel. Since the gravel for the Project is proposed to be 10-inch-thick open-graded (i.e., contains voids rather than fines) and not highly compacted (i.e., utilizes reinforcing grids), results in an S value of 4 and a CN value of 71. Therefore, not only is the commenter's CN value of 96 inaccurate, the Transco design utilizing the TR-55 CN values of 85 to 91 is highly conservative.	June 2019 NJDEP FWW Application – Appendix K Stormwater Management Report
10.	**Stormwater Management** • Quantity Control	The commenter states that peak discharge rates within Point of Interest (POI) #2 are not being met because rather than meeting one of the requirements in this section, it is meeting two of the requirements. POI #2 is the smaller of the two drainage areas associated with the Project and contains only a portion of workspace associated with the access road. Since most of this area contains wetland and riparian areas at its low point, NJDEP indicated in prior discussions that rather than increase disturbance to these environmental features to construct additional stormwater measures, that non-structural stormwater management strategies should be utilized to the extent practicable to minimize the amount of runoff. As such, Transco's design included reducing the limit of disturbance, particularly in wetlands areas where it was narrowed, utilizing an open-graded gravel surface for the access road rather than asphalt, and revegetating proposed pervious areas with a dense brush type of vegetation. Additionally, two (2) small detention basins were added in upland areas to capture and detain runoff from a portion of the access road. The result of this, post-construction peak discharge rates are less than pre-construction peak runoff rates for all storm events, post-construction runoff hydrographs for the 2- and 10-year storm events do not exceed the pre-construction runoff hydrographs for the same storm events, and post-construction peak runoff rates for the 100-year storm event are less than and 80% of the pre-construction rate. Additionally, as noted above in response to Comment #1, with respect to gravel curve numbers, the hydrologic modeling which determined the peak discharge rates utilized conservative (higher) CN values for the open-graded gravel; therefore using the lower computed CN value would result in further reductions to the post-construction peak rates.	June 2019 NJDEP FWW Application – Appendix K Stormwater Management Report
11.	**Stormwater Management** • Access Road Drainage Area	The commenter suggests that runoff from the proposed gravel access road, which is shown as being routed to the proposed infiltration basin (POI #1), does not reach the infiltration basin and rather discharges through bypass culverts off site.	June 2019 NJDEP FWW Application – Appendix K Stormwater Management Report

Attachment A Consolidated Response to Comments on the Northeast Supply Enhancement Project			
No.	Key Issues	Response	Reference Materials
		The commenter does not specify the location within POI #1 where they believe the gravel access road discharges off site rather than to the infiltration basin; however, Transco believes they are misinterpreting the gravel access road grading. From its highpoint, the access road has been graded to drain from north to south such that all runoff is captured in a vegetated swale (Swale 4) which ties into Swale 7A, Swale 7B, and, ultimately, the infiltration basin. The details for this configuration are shown not only in the site grading, but in the 'Reinforced Gravel Access Road' detail, as well. The bypass culverts through the road (3, 3A, 3B and 3C) do not collect or convey access road runoff—rather they traverse beneath the access road and swale and convey upslope off-site runoff (i.e., not from proposed gravel areas).	
12.	**Stormwater Management** • Infiltration and Recharge	The commenter states that a clay core within the basin embankment will intercept bedrock and restrict flow in all directions except upgradient of the basin. The design plans and details do not specify that the core material will be clay. To clarify, the core and underlying cut-off trench will be constructed using the on-site, predominately sandy silt material that will need to be excavated to achieve the proposed basin grades. Soil particle size is the key factor governing soil permeability. Because the cut-off trench (and overlying core) will be constructed of on-site soil material and, therefore, possess gradation (particle size) and permeability similar to the adjacent in-situ soils that will underlie the basin floor, lateral flow through the cut-off trench will not be impeded. It should be noted that the primary purpose of the cut-off trench is to mitigate the potential for highly permeable zones within the in-situ soils caused by frost (freeze-thaw) effects and root mass. Furthermore, regarding the thickness of in-situ soils that will underlie the basin embankment and cut-off trench, the commenter utilizes bedrock elevations from two (2) test pits TP-8 and TP-9, which are the furthest upgradient, and omits information from the remaining six (6) test pits (TP-1A, TP-1B, TP-3, TP-4, TP-5 and TP-10) that are all downgradient, and all have significantly deeper bedrock elevations (or none at all), which the core will not intercept, and, therefore, not restrict flow as the commenter suggests.	June 2019 NJDEP FWW Application – Appendix K Stormwater Management Report
13.	**Stormwater Management** • Mounding analysis	The commenter questions the validity of the mounding analysis completed for the infiltration basin at Compressor Station 206, again asserting that the core of the embankment will restrict lateral flow. As discussed above, the cut-off trench and core material, in conjunction with the elevation/thickness of the in-situ soils that will underlie the cut-off trench, will not restrict lateral groundwater flow. Additionally, the mounding analysis was performed in accordance with "Simulation of Groundwater Mounding Beneath Hypothetical Stormwater Infiltration Basins", U.S. Geological Survey Scientific Investigations Report 2010-5102, prepared in cooperation with the NJDEP, Carlton, G.B., 2010, as referenced in Chapter 9.5 of the Best Management Practices (BMP) Manual, which can be found in Appendix D.6 of the Stormwater Management Report. It should also be noted that within the provided mounding analysis, in addition to following the methodology outlined in USGS/NJDEP document, an additional iteration was performed at the request of NJDEP with more conservative (i.e., stringent) parameters utilizing the highest field measured recharge rate, lower specific yield, and lower horizontal (lateral) hydraulic conductivity. This information was previously addressed in response to NJDEP's comment 3.j in their technical review letter dated September 27, 2018, and has been included in subsequent submissions since that time.	June 2019 NJDEP FWW Application – Appendix K Stormwater Management Report
14.	**Stormwater Management** • Outlet structure discrepancies	The commenter states there is discrepancy in the outlet structure (inlet box) dimensions shown on the plans and those used in the routing (HydroCAD) calculations. There is no discrepancy between the plans and calculations for the outlet structure (inlet box) dimensions. Both sets of information utilize 48-inch by 22-inch interior dimensions, which account for the thickness of the concrete (which is shown on the plans as an additional 6 inches on each side) and is consistent with New Jersey Department of Transportation (NJDOT) standard construction details CS-602-2 for a Type 'A' inlet.	June 2019 NJDEP FWW Application – Appendix K Stormwater Management Report
15.	**Stormwater Management** • Detention basin side slopes	The commenter suggests that the side slopes for the proposed detention basins are too steep to provide for stability. The majority of the basin side slopes will be formed by cut slopes excavated within the existing site soils, with shallow embankment fill proposed to form only the western portion of each basin. The in-situ site soils are comprised of predominately stiff to very stiff sandy silt. These soils possess favorable shear strength (both internal friction and cohesion) that will provide for long-term stability within the proposed 2H:1V cut slopes of relatively low height (maximum height is approximately 3 feet). The embankment fill (maximum height of 4 feet) will also be formed of these same soils, excavated and placed	June 2019 NJDEP FWW Application – Appendix K Stormwater Management Report

Attachment A Consolidated Response to Comments on the Northeast Supply Enhancement Project			
No.	Key Issues	Response	Reference Materials
		in a compacted manner, to provide for similarly favorable internal shear strength and long-term stability. It should be noted that the basins will not contain permanent pools. Additionally, the gravel access road does contain a vegetated shoulder (contrary to what the commenter states) and contains additional reinforcement for stability, as indicated on the plan drawings.	
16.	**Stormwater Management** • Scale Bars	The commenter notes that the scale noted in the page corners of sheets 6, 12 and 13 is 1 inch = 50 feet, and that the basins are shown larger on sheets 12 and 13 than on sheet 6, and, as such, the plan discrepancy should be reviewed to confirm proper areas were being used. The 1 inch = 50 feet scale note is correct on Sheet 6 and is an error on Sheets 12 and 13; however, the dimensions and areas used for the basin design and all calculations are correct and consistent throughout the plans and calculations.	June 2019 NJDEP FWW Application – Appendix K Stormwater Management Report
17.	**Stormwater Management** • Soil Erosion and Sediment Control Compliance	The commenter states that the proposed development of Compressor Station 206 requires compliance with the Standards for Soil Erosion and Sediment Control in New Jersey. The Soil Erosion and Sediment Control Plan (SESCP) was reviewed, approved, and certified by the Somerset-Union Soil Conservation District (SCD) for compliance with the Standards for Soil Erosion and Sediment Control. In particular, an off-site stability analysis was prepared within the SESCP for the basin discharge in accordance with the standards to demonstrate stability at both the discharge point and downstream of the discharge point. Furthermore, in the pre-application meeting for the Project, the SCD requested that the basin be utilized for sediment control, and, as such, procedures were incorporated into the design to account for the construction use for sediment control and the post-construction use for stormwater management. Specifically, such procedures include avoidance measures to prevent compaction through utilizing low-ground pressure equipment, scarification to loosen the basin bottom, installation of 12 inches of sand media in the basin bottom, and maintenance programs, including tilling operations to maintain infiltration capacity.	June 2019 NJDEP FWW Application – Appendix K Stormwater Management Report
18.	**Offshore Noise** • Noise impacts to marine mammals during construction • Noise impacts to Fish	Transco has analyzed potential impacts to marine mammals and fish from noise generated during offshore construction activities. The analysis regarding marine mammals is included in the draft Incidental Harassment Authorization (IHA) application submitted to National Oceanic and Atmospheric Administration (NOAA) Fisheries Office of Protected Resources (OPR) in June 2019. The anticipated public release of the application is September 2019. Transco is in consultation with NOAA OPR regarding the mitigation required under the IHA authorization. These requirements include collision avoidance measures that NOAA OPR deems sufficient and effective. The analysis regarding fish is included in the "Latest Noise Modeling on Fish and Sea Turtles – June 2019 (Northeast Supply Enhancement Project)," submitted in June.	June 2019 NJDEP Waterfront Development (WFD) Application – Appendix M Fish and Sea Turtle Noise Modelling Information and Section A, 7:7-9.5 Finfish migratory pathways
19.	**Air Quality** • Hazardous air pollutants from operation of Compressor Station 206	While not relevant to the pending permit applications before NJDEP, air quality associated with operation of Compressor Station 206 has been addressed in the context of Transco's FERC Certificate and Transco's pre-construction authorization to operate Compressor Station 206, issued by NJDEP. Air pollutants that could potentially impact human health or air quality from the Project are below applicable federal and New Jersey air quality thresholds. Air emissions from the Project would be dispersed into the atmosphere and are not anticipated to result in deposition of pollutants into a water or land habitat.	FEIS, NJDEP Pre-construction authorization
20.	**Pre-construction Air Permits** • NJDEP should withdraw pre-construction authorization	While not relevant to the pending permit applications before NJDEP, COA and others have requested the Department withdraw the air permit as to require an evaluation under the new requirements for hazardous air pollutant (HAPs). N.J.A.C. 7:27-8.16(b)(1) states that "The Department may withdraw its approval of a preconstruction permit or permit revision, if the permittee does not begin the activities authorized by the permit or permit revision within one year from the date of its approval..." This regulation does not require the withdrawal of an approval under this condition. Transco has been in constant communication with the Department, conveying the schedule and demonstration the Project's progress towards the goal of implementation as soon as possible.	NJDEP Pre-construction authorization
21.	**Compliance with the Shore Tourism and Ocean Protection (STOP) Act**	The STOP Act does not apply to Transco's Project. The STOP Act prohibits offshore oil or natural gas exploration, development, and production in state waters, and the leasing of tidal or submerged lands in state waters for those purposes. In addition, the STOP Act prohibits the Department from permitting, approving, or otherwise authorizing any oil or natural gas exploration, development, or production in state waters, and from developing, adopting, or endorsing any plans for the exploration, development, or production of oil and natural gas in state waters. The STOP Act defines "development" to mean "pipeline or infrastructure that transports oil or natural gas from production facilities located in federal waters or other coastal	Reference Material Not Applicable

Attachment A Consolidated Response to Comments on the Northeast Supply Enhancement Project			
No.	Key Issues	Response	Reference Materials
		waters in the Atlantic Ocean through New Jersey State waters, and any land-based support facilities for offshore oil or natural gas production facilities located in the Atlantic Ocean." The STOP Act does not apply to the Project, as Transco is not proposing to engage in offshore natural gas exploration, development, or production. The Project would not transport oil or natural gas from production facilities located in federal, state, or coastal state waters, nor would Transco be leasing tidal or submerged lands in state waters for the purposes of oil or natural gas exploration, development, or production. The purpose of the STOP Act is to limit offshore drilling, exploration, and production in New Jersey's waters; clearly this is inapplicable to the Project.	
22.	**Impacts to Shellfish Habitat** • The Project Would Unlawfully Impact and Impair Shellfish Habitat	Pursuant to the Coastal Zone Management Rules, N.J.A.C. 7:7-9.2(b), an area contaminated by toxins and on the List of Water Quality Limited Segments (the 303(d) list) is excluded from the definition of shellfish habitat. As noted in Transco's permit application, given the designation of the areas crossed by the Raritan Bay Loop on New Jersey's 303(d) list, Transco's Project would not impact shellfish habitat. Contrary to commenter's claim, Transco relied on the current 303(d) list, and its findings have been confirmed by the Department.	June 2019 NJDEP WFD Application – Section 2 Project Compliance with the Rules on Coastal Zone Management, 7:7-9.2 Shellfish habitat
23.	**Contaminant Transport Modeling Results and BMPs** • The Project Will Pollute the Raritan Bay and Ocean, and is Likely to Violate New Jersey Water Quality Standards	Transco will conduct the offshore dredging activities in accordance with the Management and Regulation of Dredging Activities and Dredged Material in New Jersey's Tidal Waters, set forth in Appendix G of the Coastal Zone Management Rules. Transco has committed to implementing Best Management Practices (BMPs) and has demonstrated that, through use of these BMPs, contaminants introduced into the water column during construction will not have an adverse impact on water quality. It is unclear what commenter means by moral or ethical obligation, but Transco has satisfied its legal obligation of establishing that construction of the Project will comply with New Jersey's water quality standards.	June 2019 NJDEP WFD Application – Appendix F Hydrodynamic and Sediment Transport Modeling Results – Base Case Simulations, Addendum 1, Addendum 2, and Addendum 3.
24.	**Labor-Intensive Economic Development** • The development of an offshore pipeline through dredging, horizontal directional drilling, and other processes clearly constitutes "labor intensive economic development"	There is no support for the contention that the Project constitutes "labor intensive economic development" so as to invoke any special considerations under the Coastal Zone Management Rules. Regardless, Transco provided detailed and appropriate mitigation measures designed to protect the public health and safety as part of its Coastal Wetlands and Waterfront Development Permit Application. Specifically, Transco will adhere to its Unanticipated Discovery of Contamination Plan to appropriately manage and dispose of sediment. Transco also identified general procedures and site-specific requirements for addressing and minimizing worker exposure and handling of encountered excavation materials and backfill during planned construction activities, in accordance with its Materials Management Plans for the Madison and Raritan Bay Loop that were part of Transco's June 2019 applications.	June 2019 NJDEP WFD Application – Appendix G Materials Management Plan
25.	**Impacts to Horseshoe Crab** • Location, abundance and population of the species potentially impacted by construction • Request for species specific mitigation measures	Transco acknowledges the potential for Project-related impact on horseshoe crab. In addition to construction BMPs identified in the comment, Transco will avoid disturbance of the intertidal zone and nearshore area in New Jersey waters between Mile Post (MP) 12.1 and MP 12.5 by using the horizontal direction drilling (HDD) method (FEIS 4.5.2.8). Transco has provided sediment modeling results that indicate construction-related total suspended solids (TSS) concentrations will not exceed 50 milligrams per liter (mg/L) above ambient more than 328 feet from the HDD pit at MP 12.5, and associated deposition will not exceed 0.3 cm (0.12 inch) more than 102 feet from the HDD pit at MP 12.5 (See Appendix F-3 to Transco's Supplement to the Waterfront Development Permit application, dated June 28, 2019. Juvenile and adult horseshoe crab are relatively mobile and would likely temporarily vacate turbid areas that cause them discomfort or stress (FEIS 4.5.2.8). Further, the U.S. Fish and Wildlife Service (USFWS) has concurred with the FERC determination that the Project is not likely to adversely affect the red knot (*Calidris canutus rufa*) (FEIS 4.6.3.2).	June 2019 NJDEP WFD Application – Section 7:7-9.36 Endangered and threatened wildlife or plant species habitats and Section 7:7-9.37 Critical wildlife habitat

Attachment A
Consolidated Response to Comments on the Northeast Supply Enhancement Project

No.	Key Issues	Response	Reference Materials
26.	**Time of Year Restrictions** • Compliance with species time of year restrictions • Acceptance of agreed upon restrictions on construction with resource agencies	Transco acknowledges the potential for Project impact on fish, particularly river herring, Atlantic sturgeon, and winter flounder. Project construction will adhere to time of year restrictions (TOYR) for these species, with exceptions for low-impact activities approved by the Department and NOAA Fisheries (FEIS 4.6.3.5). Transco understands that the Department will condition its approval of the Project's Water Quality Certification on Transco's compliance with all time TOYRs required by the Department, in consultation with NOAA Fisheries. Given the relatively short duration of sediment-disturbing activities and rapid pace at which resuspended sediments are expected to settle out of the water column, impacts of sedimentation and turbidity on fish species and other living aquatic resources (e.g., shellfish) are anticipated to be temporary and minor (FEIS 4.5.3.2). Considering the extent of the offshore impact relative to the area of similar habitat available in the New York Bight, as well as the rate of recovery by the affected species, no significant, long-term impacts on the benthic community and other offshore resources are expected from the sediment-disturbing activities (FEIS 4.5.2.8). However, to verify that affected benthic communities recover as expected, Transco has committed to a 5-year post-construction benthic sampling and monitoring program.	June 2019 NJDEP WFD Application – Section 7:7-9.5 Finfish migratory pathways
27.	**Surface Water Quality Impacts from Offshore Construction** • Sediment exceedances of applicable criteria for metals and polychlorinated biphenyl (PCBs) • Potential impact on water quality of suspended sediment during construction and implementation of Best Management Practices (BMPs)	In response to the NJDEP Notice of Denial letter dated June 5, 2019, Transco conducted contaminant dispersion modeling (see Appendix F-5 to Transco's Supplement to the Waterfront Development Permit application dated June 28, 2019). The results indicate that the contaminant levels in the water column associated with Project construction would not exceed the applicable chronic or acute toxicity criteria presented at N.J.A.C. 7:9B for saline waters outside a 500-foot mixing zone. This includes the criteria for total mercury; currently there is no numeric water quality standard for methylmercury at N.J.A.C. 7:9B. In addition, Transco has modeled the dispersion of sediment due to offshore Project dredging/trenching in terms of TSS (see Table 2-4 and Appendix F-1 through F-4 to Transco's Supplement to the Waterfront Development Permit application dated June 28, 2019). Since 2017, amendments to Transco's "base-case" TSS modeling report reflect refinements to proposed construction methodologies based on contractor input and application of several BMPs to reduce TSS levels. These results demonstrate the effectiveness of BMPs in reducing Project-related TSS concentrations. For example, the latest modeling results show that concentrations of 50 mg/L are not expected to extend more than 500 feet from the dredging location in New Jersey waters when using a clamshell dredge with an environmental bucket (assuming 0.5% to 2.5% loss to the water column depending on the scenario). These predicted plumes are substantially smaller than "base-case" modeling results for scenarios using a conventional clamshell bucket and barge overflow (assuming 10% loss to the water column), which are not applicable to Transco's current offshore construction plan in New Jersey waters. The numerical relationship between TSS (measured in mg/L) and turbidity (measured in Nepholometric Turbidity Units [NTUs]) varies widely depending on site-specific sediment characteristics, and has been observed to range up to approximately 6 mg/L per 1 NTU for previous dredging projects (Anchor Environmental 2003). Assuming a ratio of 2 mg/L per 1 NTU, a concentration of 50 mg/L would yield a result of roughly 25 NTU. Assuming a ratio of 6 mg/L per 1 NTU, a concentration of 50 mg/L would yield a result of roughly 8 NTU. In comparison, the turbidity standard listed in N.J.A.C. 7:9B is a maximum of 30 NTUs at any time for Class SE1/SE2 saline waters and 10.0 NTUs for Class SC saline waters. Therefore, the Department considers use of the modeling results for TSS concentrations of 50 mg/L to be a reasonable proxy for identifying the distance at which compliance with the NJDEP surface water quality standard for turbidity would be achieved. While the presence of offshore construction equipment may temporarily preclude use of the active work area for other activities (e.g., recreational fishing), the predicted temporary increases in TSS and turbidity in the immediate vicinity of the work area would not render the water unsuitable for designated uses. Transco will implement several BMPs during offshore construction, such that the Department does not expect the Project to cause an exceedance of water quality standards, accounting for Department-approved mixing zones. These BMPs include the following: • Use of HDD for the Morgan Shore crossing, which reduces disturbance of contaminated nearshore sediments. • Use of an environmental bucket for all clamshell dredging in New Jersey waters • No side-casting of dredged material. • No barge scow overflow in areas with sediments that have contaminant concentrations exceeding ER-M guidance values. • Adjustment of dredging rate as necessary to meet water quality standards. • Development of a water quality monitoring plan, to be reviewed and approved by NJDEP prior to commencement of offshore construction. • Backfill material will be clean, sandy material, with a limited amount of fine-grained material (i.e., silt and clay). • During backfilling, the clamshell bucket will be lowered below the water line before releasing any material.	Transco's submittal dated June 28, 2019 in response to the NJDEP Notice of Denial dated June 5, 2019 NJDEP WFD Application Table 2-4 and Appendix F-5

Attachment A Consolidated Response to Comments on the Northeast Supply Enhancement Project			
No.	Key Issues	Response	Reference Materials
		• Where appropriate, a jet trencher will be used, reducing the area of sediment disturbance compared to clamshell dredging and minimizing or avoiding backfill activities along these segments. Transco will provide offshore water quality monitoring to ensure compliance with New Jersey surface water quality standards at N.J.A.C. 7:9B. *Reference:* Anchor Environmental. 2003. Literature Review of Effects of Resuspended Sediments Due to Dredging Operations. June 2003. Prepared for Los Angeles Contaminated Sediments Task Force.	
28.	**Contaminated Sediment in Raritan Bay** • Presence of contaminated sediments along Raritan Bay Loop • Modeled contaminants and screening against applicable sediment criteria	In response to the NJDEP Notice of Denial letter dated June 5, 2019, Transco conducted contaminant dispersion modeling for six offshore sites located within 2 miles of the New Jersey shoreline (MP 12.2 to MP 14.2) where sediment samples were collected during Fall 2018 had indicated an exceedance of ER-M guidance thresholds for sediment toxicity (see Appendix F-5 to Transco's Supplement to the Waterfront Development Permit application dated June 28, 2019). Transco sampled six other sites between MP 12.2 and MP 14.2 in Fall 2018 where ER-M exceedances were not detected. The Fall 2018 sampling was conducted in accordance with an NJDEP-approved Sediment Sampling and Analysis Plan (SSAP). Therefore, the Department has determined the Fall 2018 samples are reasonably representative of the contaminant concentrations for sediments that would be disturbed between MP 12.2 and MP 14.2. While the presence of offshore construction equipment may temporarily preclude use of the active work area for other activities (e.g., recreational fishing), the predicted temporary increases in suspended contaminant concentrations in the immediate vicinity of the work area would not render the water unsuitable for designated uses. Transco considered bioaccumulation of sediment contaminants in the document *Evaluation of Risks to Ecological Receptors due to Resuspended Contaminants* (see Appendix I to Transco's Supplement to Waterfront Development Permit application dated June 28, 2019). The report concluded that that there is a low risk of adverse effects on ecological receptors from exposure to metals and organic contaminants in sediment that will be suspended in the water column and redeposited during Project-related dredging/jetting activities. In particular, the results of Total Bioaccumulation Potential modeling using maximum PCB concentrations measured along the offshore route in 2016 suggest that the entrainment and redeposition of even the most contaminated sediments along the route will not adversely affect local biota or food webs. The ER-M and ER-L guidance values are not water quality standards; the identified exceedances pertain to the potential for toxicity to benthic organisms in the existing (pre-construction) sediment. Results of Transco's contaminant dispersion modeling indicate that the contaminant levels in the water column associated with Project construction would not exceed the applicable chronic or acute toxicity criteria presented at N.J.A.C. 7:9B for saline waters outside a 500-foot mixing zone. It is reasonable to expect modeling of sediments with lower (ER-L) concentrations would also indicate compliance with the applicable chronic or acute toxicity criteria outside a 500-foot mixing zone. Additionally, sediment with higher contaminant levels will be mixed with adjacent less-contaminated material and dispersed away from the point of sediment disturbance, resulting in dilution of the contaminants. The diluted contaminant levels in the redeposited material are expected to be similar to ambient contaminant concentrations in surface sediments at the depositional locations. Further, contaminated dredged material would be removed and backfill will consist of clean, sandy material, thereby reducing overall sediment contamination in Raritan Bay, resulting in a long-term benefit to natural aquatic biota.	Transco's submittal dated June 28, 2019 in response to the NJDEP Notice of Denial dated June 5, 2019 NJDEP WFD Application Table 2-4 and Appendix F-5
29.	**HARS Disposal** • Suitability of HARS disposal • Validity of laboratory data to support HARS disposal	On September 13, 2017, and December 20, 2017, Transco filed a permit application with the U.S. Army Corps of Engineers (USACE) – New York District (NYD) under Section 103 of the Marine Protection, Research, and Sanctuaries Act (MRPSA) seeking authorization to dispose of suitable dredged material at the Historic Area Remediation Site (HARS) located in the Atlantic Ocean. In support of the application, Transco collected sediment and water samples between February and May 2018 to evaluate the physical, chemical, and biological characteristics of sediment along the 23.33-mile-long offshore portion of proposed Raritan Bay Loop route. Samples were collected in accordance with the SSAPs provided to Transco by USACE on December 7, 2017, and January 18, 2018. A detailed description of this offshore sampling campaign including an evaluation of sediment for HARS suitability and all relevant	June 2019 NJDEP WFD Application – Section 7:7-9.49 Dredged material management areas

No.	Key Issues	Response	Reference Materials
	• Status of Section 103 Permit review	sampling and analysis results were submitted to USACE in a report titled *Report on the Sampling and Testing of Material from the Northeast Supply Enhancement Project for Dredging and HARS Placement - New Jersey, New York (November 2018)* on November 5, 2018. Since the submittal of this report, Transco has responded to multiple requests for data and clarification from USACE NYD and USEPA Region 2. On March 5, 2019, Transco received a letter containing the results of USEPA's Quality Assurance/Quality Control (QA/QC) review of Transco's HARS suitability data. Transco responded to this letter with a supplementary data submittal on April 25, 2019. As of August 2019, Transco has been notified that the results of USEPA's secondary QA/QC review taking into account this supplementary data and the USACE NYD determination regarding the applications are forthcoming and continues to respond to requests to support review of the applications.	
30.	Alternatives Analysis • Suitable consideration of compressor station siting alternatives • Avoidance and minimization • Consideration of energy efficiency alternatives and energy conservation measures • Siting of Raritan Bay Loop and consideration of resources within Raritan Bay and routing evaluation	<u>Compressor Station Alternatives</u> To satisfy the regulatory requirements set forth by the FERC and the New Jersey Freshwater Wetlands Protection Act Rules, Transco used a multi-tiered approach to identify the most suitable site for Compressor Station 206. The siting criteria consisted of engineering constraints, site availability, and natural resources. Transco undertook an exhaustive study to identify and evaluate potential compressor station locations. In accordance with the definitions outlined at N.J.A.C. 7:7A-1.3 and rules outlined at N.J.A.C. 7:7A-10.2 and N.J.A.C. 7:7A-10.3, alternatives were identified as practicable when available and capable of being carried out after taking into consideration cost, existing technology, and logistics in light of overall project purposes. Transco considered alternative sites practicable that were not owned by Transco, but which could reasonably have been or be obtained, utilized, expanded, or managed in order to fulfill the basic purpose of the proposed activity. Based on these criteria, Transco selected the most practicable alternative site with the least impacts to wetlands, pursuant to the Freshwater Wetlands Protection Act. Upon completion of the alternatives analysis summarized above and described in detail in Transco's Alternatives Analysis for the Project, Transco acquired the selected site. As detailed in Transco's June 2019 Freshwater Wetlands Individual Permit Application, Transco also evaluated avoidance and minimization measures at individual wetland, waterbody, and transition area crossings at the compressor station site and along the Madison Loop and accordingly reduced workspaces to the maximum extent practicable to minimize and avoid wetland buffer and wetland impacts. Transco minimized impacts by co-locating the pipeline facilities with Transco's existing right-of-way to the maximum extent practicable, reducing habitat fragmentation. Due to the disturbed nature of this area, presence of pine barren communities is unlikely. Additionally, the proposed Project is located outside of the regulatory jurisdiction of the Pinelands Commission and its rules and regulations. Transco evaluated the potential for other energy sources to meet the purpose and need of the Project. Energy sources were separated into two broad categories: renewable energy sources (biofuel/biomass, hydroelectric, solar, tidal, and wind) and traditional energy sources (coal, nuclear, and oil). Following a review of energy source alternatives to meet the purpose and need of the Project, no other energy source would satisfy the increased demand for natural gas in the service territory. Electrical energy produced by traditional energy sources, such as coal-fired plants or nuclear plants, are not viable alternatives. Primarily because of environmental concerns, the capacity of these energy sources is not increasing, and the timeline to permit new facilities is not expected to be sufficient to meet the projected energy demand in the service territory within the timeframe proposed. Current regulations are phasing out fuel oil No. 4 and No. 6, due to emission rates of nitrogen oxides and sulfur dioxide. Therefore, increasing the use of fuel oil to meet the projected energy demand in the service territory would not be viable. Sufficient renewable energy sources are not currently available and cannot be available on a timely basis for large-scale application to the point where they would be viable energy alternatives to the Project. In addition, in-home natural gas energy systems would require conversion for the delivery and use of the electricity generated by the alternative energy sources discussed above. For these reasons, and because no other energy source would directly satisfy the increased demand for natural gas in the service territory, other traditional and renewable energy sources are not considered viable alternatives to satisfying the Project's purpose and need. Transco recognizes the importance of energy efficiency and conservation measures in building a comprehensive energy portfolio and did not evaluate energy efficiency or energy conservation programs, as the stated purpose and need for the Project is to transport natural gas to meet National Grid's needs and therefore such conservation efforts would not meet the Project purpose and need.	June 2019 NJDEP FWW Application – Appendix A Alternatives Analysis Section 3.0 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project

No.	Key Issues	Response	Reference Materials
		<u>Raritan Bay Loop Alternatives</u> Transco evaluated an onshore alternative (Alternative 7 in Transco's NJDEP FWW Application, Appendix A Alternatives Analysis) for the Raritan Bay Loop. Transco did not select to onshore alternative due to the following constraints: • Alternative 7 would disrupt traffic patterns throughout the duration of onshore construction, which would likely extend over multiple years. • Alternative 7 includes 186 road crossings. • Substantive increases in noise impacts would occur because of the proximity of the route to local residences and businesses. • Alternative 7 is approximately 5 to 8 miles longer than all other presented alternatives, increasing the duration of construction and associated impacts.	
31.	**Hydrostatic Test** • Hydrostatic testing will result in negative impacts to fisheries • Rate and depth of the intake and discharge need to be taken into consideration to minimize impacts to fishery	Water required for testing will be taken from a total of 5 locations along the alignment within New Jersey State waters, and therefore the total 3.5 million gallons will not be taken from one concentrated location; which will aid in minimizing impacts compared to one isolated intake area. Transco has selected the hydrostatic test water intake location and depth to allow for a water source that has minimal sedimentation or aquatic organisms, as standard practice is to minimize the presence of this undesirable material in test water used within a pipeline. The proposed depth of the intake within the mid-depth of the water column allows for the lowest potential for sedimentation and aquatic impact. Also, the intake rate will be monitored and managed to minimize sedimentation and aquatic biota uptake. Transco's practice is to ensure the intake rate is monitored and set at a rate that avoids the situation where flows would overwhelm the 0.07-millimeter mesh screen with sediment or material to the point that would incapacitate its ability to intake water. At the depth and intake rate Transco is proposing, this will allow for this activity to occur in such a manner that will decrease the potential for sedimentation, aquatic intake and re-suspension of toxic sediment and allow for the safe testing of the pipeline with water that does not contain such material.	June 2019 NJDEP WFD Application – Response to Rule 7:7-16.4
32.	**Raritan Bay Slag** • Potential Excavation of material in Raritan Bay Slag site	The Raritan Bay Slag site (NJDEP Program Interest Number 514709), which is on the USEPA National Priorities List, is located along the southern shore and in the Raritan Bay in Old Bridge Township and Sayreville, New Jersey. The USEPA National Priorities List identifies lead as the single contaminant of concern for the site (USEPA 2019). Associated Study Areas 7 and 11 (Jetty Sector) overlap with the proposed Project temporary workspace in Raritan Bay. However, locations that would be disturbed by the Project (e.g., the Morgan Shore Approach HDD exit pit) are outside the areas currently planned for remediation by the USEPA, based on lead concentrations. Transco considered results from USEPA's site investigation (CDM 2011) and conducted additional sampling in the area of the Morgan Shore Approach HDD exit pit to further investigate the extent of contamination near Area 7 (see Appendix D to Transco's Supplement to the Waterfront Development Permit application dated June 28, 2019). Based on these results, sediments that will be disturbed during construction of the Raritan Bay Loop have concentrations of lead lower than the remediation goal identified in the USEPA's 2013 Record of Decision (USEPA 2013) for the designated remediation areas. Additionally, Transco proposes to implement several BMPs during offshore construction, such that the Department does not expect the Project to cause an exceedance of water quality standards, accounting for Department-approved mixing zones. These BMPs include the following: • Use of HDD for the Morgan Shore crossing, which reduces disturbance of contaminated nearshore sediments. • Use of an environmental bucket for all clamshell dredging in New Jersey waters. • No side-casting of dredged material. • No barge scow overflow in areas with sediments that have contaminant concentrations exceeding ER-M guidance values. • Adjustment of dredging rate as necessary to meet water quality standards. • Development of a water quality monitoring plan, to be reviewed and approved by NJDEP prior to commencement of offshore construction. • Backfill material will be clean, sandy material, with a limited amount of fine-grained material (i.e., silt and clay). • During backfilling, the clamshell bucket will be lowered below the water line before releasing any material.	Transco's submittal dated June 28, 2019 in response to the NJDEP Notice of Denial dated June 5, 2019

No.	Key Issues	Response	Reference Materials
		Further, all material dredged during construction of the Raritan Bay Loop within Study Areas 7 and 11 will be disposed of at appropriately permitted upland facilities in accordance with Transco's draft Raritan Bay Loop Materials Management Plan (Appendix G to Transco's June 2019 WFD supplement). Because all Project-related offshore dredged areas will be backfilled with clean, sandy material from Department-approved sources, overall sediment contamination in Raritan Bay will be reduced. *Reference:* CDM. 2011. *Final Remedial Investigation Report: Raritan Bay Slag Superfund Site*. Final. Prepared for U.S. Environmental Protection Agency. 2019. Superfund National Priorities List (NPL) Sites – by State. Available at: https://www.epa.gov/superfund/national-priorities-list-npl-sites-state. Accessed August 30, 2019. _____. 2013. *Record of Decision - Raritan Bay Slag Superfund Site, Townships of Old Bridge/Sayreville, New Jersey*. USEPA Region 2. May 2013. CERCLIS ID NJN000206276. Available at: https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.docdata&id=0206276. Accessed August 30, 2019.	
33.	**Construction Schedule** • Insufficient time to construct the project taking into consideration all time of year restrictions	Project construction will adhere to TOYRs for several species, including river herring, Atlantic sturgeon, and winter flounder, with exceptions for low-impact activities approved by the Department and NOAA Fisheries (FEIS 4.6.3.5). As described in the project record, the TOYR (with Department-approved exceptions) allow offshore construction activities to occur during Transco's scheduled execution window beginning May 1, 2020, through December 31, 2020. Transco has provided sufficient assurances to the Department that this construction schedule is feasible, and that suitable contingency has been built into the schedule to accommodate potential downtime and delays during offshore construction, as discussed below. Transco has carefully planned construction activities within Raritan Bay to comply with the various TOYR based on both the construction activity and its associated location within the bay to which they apply. In order to ensure that the offshore construction schedule will comply with the TOYR, Transco engaged multiple offshore construction contractors with recent experience performing dredging, pile driving, pipelay, diving, and backfill activities within Raritan Bay. These experienced contractors provided Transco with conservative rates of performance that form the basis of the execution plan. The construction execution plan represented in the project record captures contingency built into the schedule based on these conservative rates of performance to accommodate operational and/or mechanical issues and expected progress rates while still achieving compliance with the TOYR. The schedule reflects both the number of days anticipated to complete each construction activity and potential operational and mechanical downtime. Operational and mechanical downtime allowances included in the schedule varies by activity and range from 8% to 24% depending on the activity. Another key element of the construction execution plan is that the critical-path dredging activities are scheduled from May to August when weather conditions are historically most favorable, and risk of delay is at its lowest. According to the current construction schedule, Transco would complete the offshore portion of the Project by November 25. Given that construction may continue through December 31, the schedule includes an additional 36 days to account for unanticipated downtime and weather delays while complying with the TOYR. These 36 days are in addition to the downtime allowance referenced in the above paragraph. If the schedule is further delayed due to factors such as mechanical issues or adverse weather, Transco will continue to observe all TOYR discussed above, accounting for Department-approved exceptions. Transco will continuously track progress against the planned offshore construction schedule and is committed to providing the construction resources necessary to complete the Project within the defined time period while also maintaining compliance with water quality standards and TOYR. The dredging rates that are proposed to sustain compliance with water quality standards based on sediment modeling are consistent with the rates anticipated as part of the construction execution plan, so the Department does not anticipate that these rates will conflict with any species TOYR. The	June 2019 NJDEP WFD Application Section 4.3.6.5 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project

Attachment A Consolidated Response to Comments on the Northeast Supply Enhancement Project			
No.	**Key Issues**	**Response**	**Reference Materials**
		Department will condition its approval of the Project's Water Quality Certification on Transco's compliance with all TOYR required by the Department, in consultation with NOAA Fisheries.	
34.	**Side-casting** • Suitable locations for side-casting • Backfill source material	Transco is no longer proposing to side-cast dredged material. For any supplemental offshore backfill activities, Transco will use select commercially available material that is compatible and will consist of predominantly sandy and have only a limited amount of silt and clay, which will help ensure stability and minimize deposition outside of the target backfill area.	June 2019 NJDEP WFD Application – Section 2.3.2
35.	**Temporary vs. permanent Impacts** • Mis-representation of impacts in waterbodies along the Madison Loop • Acid-producing soils and groundwater discharge • Inadvertent fluid return	Proposed construction activities will not cause or exacerbate bank erosion as the Project does not propose any significant modification to any of the stream channels within the Project area. All disturbed sections of the stream channels will be properly stabilized in accordance with the SESCP and following construction, the banks will be stabilized via seeding and/or by installing erosion control matting. Immediately following construction trenched sections of the stream will be restored to pre-construction grade. The slope of the channel will be restored to match pre-construction conditions but shall not exceed 2:1 slope. Typical backfill cover requirements will be met and a minimum cover of four (4) feet will be provided below the channel invert. The channel bottom will be restored to pre-construction elevations following channel protection installation. Restoration activities including stabilization, grading, backfill, and the planting of vegetative cover associated with the watercourses described above will be completed within 6 months of disturbance. Potential impacts associated with acid-producing soils have been planned for and will be mitigated through Transco's Erosion and Sediment Control Plans as approved by the county SCDs. Further, Transco's Onshore HDD Contingency Plan, submitted as Appendix L to its June 2019 Freshwater Wetlands Individual Permit application, describes the methods that Transco's HDD contractor will employ to reduce the risk of an inadvertent return of drilling fluids as well as the contingency plan for containment, restoration, and mitigation in the event of an inadvertent return of drilling fluids. Prior construction, a specific scope of work will be developed for each HDD crossing that will outline any site-specific conditions and specifications necessary to ensure successful restoration and mitigation in the event of an inadvertent return.	June 2019 NJDEP Flood Hazard Area (FHA) Application – SESCP; June 2019 NJDEP FWW Application – Appendix L
36	**Fluid Additives** • Drilling fluids • Hydrostatic test water additives	As described in the FEIS, drilling fluids and cuttings will be deposited within the HDD entry and exit pits as drilling progresses. Transco has sized the offshore HDD pits to accommodate the entire volume of drilling fluids and cuttings and a 25% overage to reduce the potential that the fluid and cuttings will leave the pits. Further and because of the density of the drilling fluids is greater than seawater, the drilling fluid and cuttings are expected to settle to the bottom of the pits and not escape into the water column. Transco will use water-based drilling fluids and will not use petroleum-based drilling fluid additives. Transco will provide information on all HDD fluid additives to NJDEP for approval prior to use. The additives would be National Sanitation Foundation/American National Standards Institute 60 (NSF/ANSI 60) approved. Upon selecting the HDD contractor, Transco would file on the FERC docket the safety data sheets for all drilling fluid additives for review and approval prior to construction. Hydrostatic testing of the Raritan Bay Loop will involve flooding the pipeline with filtered seawater. A non-toxic fluorescent dye (Hydro Tag Clear) will be added to allow easier detection of any underwater pipe leaks during the test(s). If water is to remain in the pipeline for an extended period of time, Transco may control internal corrosion by chemical treatment using CORRTREAT 15316 based on the results of an analysis of three corrosion inhibitor options. The results of the analysis indicated CORRTREAT 15316 to be both biodegradable and a better corrosion inhibitor than the other alternatives evaluated. Furthermore, FERC concluded in its FEIS that given CORRTREAT's relatively rapid degradation in seawater, the proposed critical dilution for the discharge, and the results of Transco's bioassays, the use of CORRTREAT 15316 in the hydrostatic test water would not be expected to bioaccumulate in aquatic food webs or result in adverse impacts on aquatic organisms.	June 2019 NJDEP WFD Application – Section 2.3.3.6 Section 4.5.2.8 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project

Attachment A Consolidated Response to Comments on the Northeast Supply Enhancement Project			
No.	**Key Issues**	**Response**	**Reference Materials**
		The selected additives will be used at concentrations that do not cause adverse effects on the receiving waterbody at the time of test water discharge, accounting for any permit-approved mixing zone. Treatment and discharge of the hydrostatic test water will meet applicable NJDEP regulatory requirements. Transco will submit an application to the NJDEP for a National Pollution Discharge Elimination System permit in advance of the commencement of offshore construction activities. No other additives are planned to be used during hydrostatic testing of the Raritan Bay Loop. During final pre-commissioning, Transco would use other additives, however those materials would be captured and not discharged.	
37.	**Transco's Safety Record**	While not relevant to the pending applications before the NJDEP, safety is Transco's top priority when constructing and operating natural gas pipeline projects and associated facilities. While the FERC has oversight in ensuring that the facilities are designed according to the latest U.S. Department of Transportation (USDOT) – Pipeline and Hazardous Materials Safety Administration (PHMSA) safety standards and are safely constructed, once the natural gas is flowing through the new facilities, the USDOT-PHMSA assumes oversight responsibility during the operational life of the pipeline and supporting appurtenances such as compressor stations. Transco meets or exceeds existing safety standards of the USDOT-PHMSA and the Occupational Safety and Health Administration (OSHA), and the guidelines of industry organizations such as the Interstate Natural Gas Association of America (INGAA). This will include compliance with applicable design standards and codes, construction provisions as mandated, and operation procedures and standards, such as participation with the New Jersey one-call system. FERC analyzed reliability and safety in its FEIS. Transco notes that, in connection with its Garden State Expansion Project, NJDEP acknowledged FERC and USDOT-PHMSA's expertise in and authority over pipeline safety, and its lack of jurisdiction over these matters, stating: The operations regulations include stringent requirements from FERC, and under the U.S. Department of Transportation's (DOT) Minimum Federal Safety Standards. As review of these practices are outside the Division's jurisdiction, the Division defers to the FERC and the Federal Department of Transportation for oversight. The Division notes that the FERC issued a Certificate of Public Convenience and Necessity for the proposed natural gas delivery on April 7, 2016. The Department has no authority over industry construction standards or specifications and defers to the federal agencies with expertise in these areas.	Section 4.11 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project
38	**Applications must be reviewed as new applications**	Transco assumes that the Department is treating the FWW, FHA, and WFD applications submitted in June 2019 as new applications.	Reference Material Not Applicable
39.	**Requests for comment extension and another hearing**	The original 30 day-comment period ended on August 2, 2019 and was extended by the Department to August 23, 2019. Two public hearings were held for the previous applications, which have not changed substantively since those hearings.	Reference Material Not Applicable
40.	**Impact to fisherman, recreational boaters, and whale-watching businesses**	In its WFD Application, Transco concluded that the Project complies with Coastal Zone Consistency Rules. FERC's January 25, 2019 FEIS concluded that impacts to fisherman, recreational boaters, and whale-watching businesses would be temporary and minor and would resolve upon completion of construction.	June 2019 WFD Application – Sections 7:7-9.4 (prime fishing areas), 7:7-9.38 (Public Open Space), 7:7-16.2 (Marine fish and fisheries), and 7:7-16.10 (Scenic resources and design) Sections 4.7 and 4.8 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project

Attachment A Consolidated Response to Comments on the Northeast Supply Enhancement Project			
No.	Key Issues	Response	Reference Materials
41.	**Impacts in New York State Waters**	Comments relating to impacts in New York State waters and New York State water quality standards are not relevant to Transco's the pending permit applications before the NJDEP. Impacts in New York State waters have been addressed in the context of Transco's pending applications before the New York State Department of Environmental Conservation (NYSDEC) and New York State Department of State (NYSDOS).	Reference Material Not Applicable
42.	**The alleged benefits will only improve the air quality of New York and will have no effect on New Jersey** • Air quality benefits should be in municipality where wetlands are being impacted	While not relevant to the pending permit applications before NJDEP, air pollutants that could potentially impact human health or air quality from the Project are below applicable federal National Ambient Air Quality Standards (NAAQS) and New Jersey air quality thresholds. Air emissions from the Project would disperse in the atmosphere and are not anticipated to result significant deposition of pollutants into a water or land habitat. Use of natural gas in place of fuel oil in New York will result in reductions in direct emissions of NOx and particulate matter (PM), as well as fine PM precursors of SO_2 and NOx, leading to regional air quality improvements for ozone and PM in New York as well as northern New Jersey.	Section 4.10 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project NJDEP Pre-construction Authorization
43.	**Emissions from 206 will result in significant health and environmental impacts to the area** • HAP emissions will degrade the air quality in New Jersey • Emissions are unlawful	While not relevant to the pending permit applications before NJDEP, Compressor Station 206 is a minor source of emissions and air dispersion modeling results demonstrate the station is not predicted to cause or contribute to exceedances of the NAAQS, which address human health and the public welfare. Both criteria pollutant and HAP emissions are below applicable federal NAAQS and New Jersey air quality thresholds.	Section 4.10 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project NJDEP Pre-construction Authorization
44.	**The applicant has vastly overstated the air quality benefits which will be felt in New York**	The response is based on interpretation of the independent documents referenced in the footnotes of the Clean Ocean Action comment letter. While not relevant to the pending permit applications before NJDEP, as a result of the additional natural gas capacity, the air quality benefits will be felt in New York as systems are converted from fuel oil to natural gas. Current New York and New York City energy and climate goals target avoiding prolonged fuel (heavy) oil usage. Alternatives to the NESE project were previously evaluated as required by NEPA and FERC. Transco recognizes that renewable energy will have an increasing role in meeting the region's energy needs. However, the environmental impact, technical details, and economic feasibility of potential alternative energy resources are not presented or documented in the comment. Based on existing environmental initiatives, it is anticipated that natural gas will be utilized in place of fuel oil, although the exact level of adoption is unknown. It is always possible to refine estimates based on additional data, but this would not be expected to result in a significant change in the overall impact assessment. Compressor Station 206 is a minor source of emissions and modeled operational emissions meet the NAAQS. The station lifecycle emissions are below federal and state thresholds protective of human health and public welfare. • Use of natural gas in place of fuel oil has the potential to improve air quality as consumption of natural gas results in approximately 80 percent less PM and lower emissions of other pollutants. Detailed fugitive and construction-related air emissions were presented in the FEIS.	Section 4.10 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project

No.	Key Issues	Response	Reference Materials
		• Greenhouse gas (GHG) emissions associated with the construction and operation of the NESE project within the region, including methane leakage, are identified and quantified in the Air Quality Technical Report (AQTR) and documented in the FEIS. Transco has also addressed the Project's direct and downstream GHG emissions in separate, supplemental FERC filings. • Biodiesel currently displaces only 5% of the No. 2 and/or No. 4 fuel oil and is anticipated to displace up to 10% by 2024. This percentage of fuel oil blending with biodiesel is not expected to result in significant emissions reductions.	
45.	**Transco's analysis of the net greenhouse gas emissions associated with the Project make several flawed assumptions that overstate the emissions of alternatives to the pipeline and understate the pipeline's emissions impacts**	Transco previously addressed NYSDEC public comments related to GHG emissions, and the adoption level of natural gas in place of fuel oil. Those comments reference a report by M.J. Bradley & Associates entitled "Life Cycle Analysis of the Northeast Supply Enhancement Pipeline". The report is an independent study and contains calculations to measure the Project's GHG emissions and impact on climate change. The study takes into account expected conversion of existing oil-fired heating systems to natural gas as well as considering projected low and high new construction scenarios. The assumptions behind the calculations are documented in the report, and the underlying values tend toward conservativism. In addition, GHG emissions associated with the construction and operation of the NESE project are identified and quantified in the AQTR and documented in the FEIS. Transco has also addressed the Project's direct and downstream GHG emissions in separate, additional FERC filings. Current New York State and New York City energy and climate goals target avoiding prolonged fuel (heavy) oil usage. Alternatives to the NESE project were previously evaluated as required by NEPA and FERC. Transco recognizes that renewable energy will have an increasing role in meeting the region's energy needs. However, the environmental impact, technical details, and economic feasibility of potential alternative energy resources are not presented or documented in the comment. Based on existing environmental initiatives, it is anticipated that natural gas will be utilized in place of fuel oil, although the exact level of adoption is unknown. It is anticipated that the Project has the potential to run at capacity throughout the year, either as a replacement or supplement to meet existing and future energy demand.	Section 4.10 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project
46.	**Endangered Species Act Section 7 Consultation** • Offshore Species • Onshore Species	As summarized in Transco's application(s) and in coordination with the USFWS, NOAA, and New Jersey Natural Heritage Program, Transco evaluated potential impacts to threatened and endangered species from construction and operation of the Project. As described in the FEIS, USFWS concurred with FERCs onshore findings in the FEIS (i.e. not likely to adversely affect). Consultation is complete for onshore species under the USFWS jurisdiction. Consultation for offshore species is ongoing and will be complete prior to construction of the Project. However, the Project will not adversely affect threatened and endangered marine species, to the degree that the populations of such species will not be negatively affected, and their habitat will benefit in the long term from replacement of contaminated sediment with clean, sandy backfill.	Section 4.6.3 of FERC's January 25, 2019 FEIS for the Northeast Supply Enhancement Project FERC's August 27, 2019 Supplemental Biological Assessment for the Northeast Supply Enhancement Project
47.	**Impacts to Regulated Areas** • Grading/Steep Slopes • Use of timber mats	Disturbances to wetlands and wetland transition areas include both temporary and permanent impacts as described in Transco's FWW application. To the extent practical, Transco will restore the right-of-way to existing contours, including steep slopes, in a manner that maintains slope stability and promotes revegetation. These areas will be restored in accordance with the soil and erosion and sediment control plan for the Project and will restore functions and values impacted during construction of the proposed Project. In addition to providing a safe and stable working area, the use of timber mats minimizes compaction by dispersing equipment weight over a larger surface area. Timber mats also avoid excessive disruption of wetland soils and the native seed and rootstock within the wetland. Temporarily impacted wetlands will be restored in accordance with the Erosion and Sediment Control Plan and monitored in accordance with N.J.A.C. 7:7A-11.12.	June 2019 FWW Application – Sections 3, 4

No.	Key Issues	Response	Reference Materials
48.	**Impacts to Regulated Areas** • Groundwater movement/recharge • Dewatering	It is possible that the pumping of groundwater from certain excavation elements will temporarily reverse the hydraulic gradient that may ordinarily allow for shallow groundwater to discharge into nearby wetlands and surface waterbodies (when present). Therefore, the potential exists that the water table across some of the nearby wetland areas may be temporarily lowered and that the mapped surface water bodies may experience a short-term decrease in flow as a result of dewatering. None of these effects are considered to be severe or long-term in nature, as the dewatering is anticipated to be short in duration and relatively minor in volume. In addition, a large number of the mapped surface waterbodies along the Project alignment have intermittent flow, suggesting that the ambient discharge to these streams is not continuous and dependent on precipitation events or temporarily perched water table conditions. Finally, dewatering will not occur simultaneously across the entire Project, but will occur in increments, and only as needed as construction progresses. The incremental and temporary nature of construction dewatering will prevent lowering the water tables beneath some or all of the Project area. The proposed construction and dewatering activities could have a minor impact on the groundwater resources as described above. However, much of the potential impacts will be avoided or minimized by utilizing both industry standard and specialized construction techniques. Since there is an expectation that limited amounts of groundwater will be encountered during trenching, Transco will adhere to the requirements and conditions of the NJDEP Temporary Dewatering and Water Allocation permit, in addition to the FERC Upland Erosion Control, Revegetation, and Maintenance Plan and the Wetland and Waterbody Construction and Mitigation Procedures guidelines for all dewatering activities: • The upper water-bearing unit could sustain minor effects from temporary changes in overland water flow or recharge caused by clearing and grading of the proposed Project areas. In addition, near-surface soil compaction that may be caused by heavy construction vehicles has the potential to reduce the ability of soils to absorb water. These minor impacts will be localized, temporary and will not adversely affect groundwater resources in the Project vicinity. • It is anticipated that construction dewatering will be necessary along a portion of the pipeline trench, either as a result of controlling perched water table conditions or because the excavation base will be near or below the regional water table. The effects of the proposed temporary water withdrawal to manage water infiltration into the excavations are expected to be minor, as the construction activities will be typically completed over period of no more than a few days and the localized lowering of the water table will be temporary. • In order to locally recharge the water-bearing units, Transco proposes to discharge the dewatering fluids (after removal of fines by a combination of installed filter fabric in the construction sumps and/or subsequent filtration via portable, skid-mounted cartridge filters) into well-vegetated upland areas, or into hay bale/dissipation structures in those areas where dense vegetation is absent. • The construction activities and final land use of the Project are not anticipated to generate long-term degradation of the volume and quality of groundwater resources, as they do not involve conversion to a long-term land use that would threaten the quality of groundwater.	June 2019 FWW Application – Section 4 and June 2019 FHA Application – Section 4