

LEHIGH TOWNSHIP BOARD OF SUPERVISORS
1069 Municipal Road • Walnutport, Pa 18088
Phone 610-767-6771
Fax 610-767-1452

May 24, 2016

 ORIGINAL

Kimberly D. Rose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

FILED
SECRETARY OF THE
COMMISSION
2016 MAY 31 P 2:39
FEDERAL ENERGY REGULATORY COMMISSION

Re: Docket No. PF15-1
Penn East Pipeline
Lehigh Township

Dear Secretary Rose:

The Board of Supervisors and residents of Lehigh Township been informed that there may be yet another adjustment made to the path of the proposed pipeline. We have been told that PennEast is considering changing the path to a location further south on the Blue Mountain. The Lehigh Township Board of Supervisors and the residents of Lehigh Township object to the placement of the pipeline in Lehigh Township, particularly if the line is moved further south on the mountain. The further south that this line runs, the closer it will be to the homes that are located along the base of the Blue Mountain. All of these homes are served by on lot well and septic with the wells most commonly being located in the rear yard. The Township still maintains that the implemented restrictions through our Zoning Ordinance, SALDO and building codes help protect our environmentally sensitive areas, including our protected woodlands and waterways. In addition, these regulations are designed to protect the wildlife, which thrive in these natural areas.

The Township further more believes that the environmental impacts of this project have not been thoroughly investigated by the PennEast pipeline as evident by the attached Incomplete Review Letter prepared by PA DEP.

For the above stated reasons, the Lehigh Township Board of Supervisors opposes the construction of this pipeline through our Township. We respectfully urge you to reconsider the

Kimberly D. Rose, Secretary
Federal Energy Regulatory Commission
May 24, 2016
Page 2

need for the pipeline, as well as the current route of the pipeline and eliminate it from Lehigh Township in order to protect the health, safety and welfare of our residents

LEHIGH TOWNSHIP
BOARD OF SUPERVISORS

A handwritten signature in black ink, appearing to read "Alice A. Rehrig". The signature is fluid and cursive, with a large initial "A" and "R".

Alice A. Rehrig, Manager



April 26, 2016

PennEast Pipeline Company LLC
c/o Mr. Anthony Cox
Project Manager
1 Meridian Boulevard
Suite 2C01
Wyomissing, PA 19610

Re: Incompleteness Review Letter
PennEast Pipeline Project
DEP Application No. ESG02000160001
Luzerne County, Carbon County, Northampton County
& Bucks County

Dear Mr. Cox:

The DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) has reviewed the above referenced application and has determined that it is incomplete. The following list specifies the items that must be included in the resubmittal of your application and/or the submission of additional information. The Pennsylvania Erosion and Sediment Pollution Control Program Manual and the Pennsylvania Stormwater Best Management Practices Manual include information that will aid you in responding to some of the items listed below. The items are based on applicable laws and regulations, and the guidance sets forth the DEP's preferred means of satisfying the applicable regulatory requirements.

Please note that pursuant to 25 Pa. Code § 102.6(c), this information must be received within 60 calendar days by June 25, 2016 or DEP may consider the application withdrawn.

Items for Resubmittal or Submission of Additional Information

The following comments are in reference to the Completeness Review for Carbon County Conservation District portion of the project.

- 1) E&S Plan
 - a) Soil Characteristics:
 - i. As submitted, the soil use limitation charts provided do not address all physical soil limitations. (i.e. pH, Depth to high water table, /bedrock, etc.) All soil use limitations and corresponding resolutions should be added to the plan drawings.
 - b) Earth Disturbance Activity:

- i. Past land uses for the main pipeline right-of-way portion of the project are not clearly identified. Only existing and proposed land uses are provided on pages 5 through 12 of the E&S narrative. Please revise.
 - c) Project Site Runoff:
 - i. Project proposes the use of temporary roadside swales, pipes, and rock apron outlets. Although typical details for each are provided, the design criteria/calculations used to size these best management practices are not provided. Please clarify
- 2) Complete PCSM/SR Plans
- a) Soil Characteristics:
 - i. As submitted, the soil use limitation charts provided do not address all physical soil limitations. (ie pH, Depth to high water table /bedrock, etc.) All soil use limitations and corresponding resolutions should be added to the PCSM plan drawings.
 - b) Earth Disturbance Activity Characterization:
 - i. Past land uses for the main pipeline right-of-way portion of the project are not clearly provided. Section 10 of the PCSM report covers past land uses for the compressor station sites, but not for the main pipeline. Has an investigation of past land uses been completed for the entire length of the pipeline? Please explain.
 - c) Plan Drawings
 - i. County locations in the title block of several PCSM drawings do not match the corresponding location map on the same page. For example, sheet# 023A-03-01-001 for the Kidder Compressor Station has Luzerne County in the title block but it is actually in Carbon County. Please check all PCSM sheets to verify locations.
 - ii. Location maps on PCSM sheets do not accurately show the location of the proposed compressor/pad sites. Please revise.
 - iii. As per the NOI checklist, the site restoration plan is a part of the PCSM plan. However, as submitted, the site restoration plan (SR plan) is included in the E&S plan binder. Since the E&S and PCSM need to be two separate plans, it is recommended to either incorporate the SR plan into the PCSM plan or make the SR plan a separate document.

The following comments are in reference to the Completeness Review for Northampton County Conservation District portion of the project.

- 1) General –Notice of Intent
 - a) Fully completed, properly signed and notarized Notice of Intent Form (1 original and 2 copies):

- i. In accordance with the Notice of Intent (NOI) Administrative Checklist; 1 original and 2 copies of the NOI application, Erosion & Sedimentation Control Plans, and Post Construction Stormwater Management Plans should be submitted for review.
- ii. Section C. Project Information
 1. Section C. 3 Project Description
 - i. The provided reference should refer to the appropriate section within the narrative, i.e.: Section 2, Attachment A.
 2. Section C.7 Previous Land Use
 - i. Please provide a list of existing & previous land uses for the past 5 years.
 3. Section C.18
 - i. Indian Creek & the East Branch of the Monocacy Creek are not Chapter 93 Designated watercourses.
- iii. Section D. Erosion and Sediment Control Plan BMPs
 1. Section D. 2-D Riparian Buffer Information
 - i. Section should include the buffer waiver request that has been submitted in Narrative Section 2 Attachment D.
- iv. Section E. Site Restoration (SR) Plan BMPs
 1. Section E. 2 Riparian Buffer Information
 - i. Section should include the buffer waiver request that has been submitted in Narrative Section 2 Attachment D.
 2. Section E. 4 Summary Description of Site Restoration BMPs
 - i. Volume of Stormwater treated and acreage treated are not provided for the proposed BMPs, i.e.: UGI LEH/TCO Metering Station and Hellertown Launcher Site.
- v. Section F. Post Construction Stormwater Management (PCSM) Plan BMPs
 1. Section F.1 Post Construction Stormwater Management Plan Information
 - i. The Act 167 plan Verification Reports are not sealed by a licensed professional and do not appear to include all of the required items per the NOI instructions.
 2. Section F.3 Summary Table for Supporting Calculations
 - i. Supporting information is not provided for volume of Stormwater runoff with planned Stormwater BMPs; i.e. UGI LEH/TCO & Hellertown Launcher Sites.
 3. Section F.5 Offsite Discharge Analysis
 - i. An Offsite Discharge Analysis should be provided for each discharge location.
- vi. (6) Section G Antidegradation Analysis
 1. Section G. Part 1 Nondischarge Alternatives Evaluation

- i. The sections referenced (Section 8 for E&S Plan & Section 2(h) for PCSM/Site Restoration Plan) in the NOI did not provide an explanation of why non-discharge BMPs are not utilized.

2) Complete Erosion and Sediment Control Plans

- a) In accordance with the Notice of Intent (NOI) Administrative Checklist; 1 original and 2 copies of the NOI application, Erosion & Sedimentation Control Plans, and Post Construction Stormwater Management Plans should be submitted for review.
- b) NOI Checklist #2
 - i. 2.c Earth Disturbance Activity
 1. Past Land Uses not found where specified in checklist.
 - ii. 2.g BMP Installation Sequence Narrative
 1. Sequence consistent with the drawings not provided in the narrative.
 - iii. 2. h Supporting Calculations and Measurements.
 1. Supporting calculations for all proposed BMPs not provided.
 - iv. 2. j Maintenance Program
 1. A maintenance Program for E&S could not be located in the narrative location provided.
 - v. 2.n E&S Plan and PCSM/SR Plan Consistency
 1. Please provide restoration (SR) plan for PCSM consistency.

3) Municipal Notifications

- a) NOI Checklist #4
 - i) 4.a Proof of Receipt of municipal notifications.
 1. Lehigh Valley Planning Commission notification letter was not sent/no proof or receipt of it being sent.

4) Pennsylvania Natural Heritage Program(PNHP)

- a) NOI Checklist #5
 - i. PNHP
 1. PNHP Disturbed search area is inconsistent with the NOI.

5) Complete PCSM/SR Plans

- a) In accordance with the Notice of Intent (NOI) Administrative Checklist; 1 original and 2 copies of the NOI application, Erosion & Sedimentation Control Plans, and Post Construction Stormwater Management Plans should be submitted for review.
- b) NOI Checklist # 6
 - i. 6.a Topographical Features
 1. UGI LEH/TCO Metering Station PCSM/SR drawings not provided.

- ii. 6.e Surface Water Classification
 - 1. Surface Water Classification could not be found in the location provided.
- iii. 6.f BMP Description Narrative
 - 1. It appears that Alternative BMPs are being proposed, i.e.: vegetated compost filter sock infiltration berms; please refer to ESPC Manual Chapter 12 for alternative design.
- iv. 6.i Plan Drawings
 - 1. Checklist should not reference E&S drawings for PCSM/SR
 - 2. UGI LEH/TCO Metering Station PCSM/SR drawings not provided.

6) PCSM Plan Stormwater Analysis

- a) NOI Checklist # 7
 - i. Clarification is requested on the response of No to the question Do the regulated activities require site restoration or reclamation; it appears restoration is proposed.
- ii. 7.f Antidegradation Requirements
 - 1. Antidegradation Requirements not found in location provided.

The following comments are in reference to the Completeness Review for Luzerne County Conservation District portion of the project.

- 1) Please provide 2 copies of the NOI.
- 2) Supporting calculations and measurements §102.4 (b)(5)(viii)
 - a) Please provide calculations for level spreaders, rip rap aprons and channels.
- 3) Supporting calculations §102.8(f)(8)
- 4) No calculations have been provided in the PCSM report to justify the reduction of the increase in the 2-year 24-hour storm event for infiltration BMPs. These calculations should be in the PCSM report which correlate the proposed infiltration /reuse rate for the BMP's to the infiltration / reuse rates of the receiving soils on the project site. Please provide.
- 5) Supporting calculations §102.8(g)(1)
 - a. The information data does not include the actual logs/test pit data that typically provides the test elevations, the depths to limiting zones such as bed rock, mottling and other indicators of seasonal high water tables. Please provide.

The following comments are in reference to the Completeness Review for Bucks County Conservation District:

- 1) Complete Erosion and Sediment Control Plans
 - a) NOI Checklist #2

- i. 2b. Soil Characteristics: Sheets 000-03-01-001 through 000-03-01-156 are not all included in this submission. Page numbers on plan sets are required for submission.
- ii. 2c. Earth Disturbance Activity: The past land uses are not present in ESCGP-2 Section 3: pages 5-12
- iii. 2d. Project Site Runoff: The volume and rate of runoff from the project site are not present in ESCGP-2 Section 3: page 16
- iv. 2e. Surface Water Classification: Sheets 000-03-01-001 through 000-03-01-156 are not all included in this submission. Page numbers on plan sets are required for submission.
- v. 2g. BMP installation Sequence Narrative: Page numbers on plan sets are required for submission.
- vi. 2i. Plan Drawings: Page numbers on plan sets are required for submission. 000-01-01-001 through 000-03-10-001 does not make sense.
- vii. 2j. Maintenance Programs: Page numbers on plan sets are required for submission.
- viii. 2o. Riparian Forest Buffers: Page numbers on plan sets are required for submission.

2) Complete PCSM/SR Plans

a) NOI Checklist No. 6

- i. 6b. Soil Characteristics: ESCGP-2 Section 10, PCSM report Section 2.1.1 is not present in submission.
- ii. 6c. Earth Disturbance Activity Characterization: Past land uses are not present in ESCGP-2 section 9; page 3. ESCGP-2 Section 10, PCSM report Section 2.1.1 is not present in submission.
- iii. 6d. Net Change in Volume and Rate of Runoff: ESCGP-2 Section 10, PCSM report Section 2.1.1 is not present in submission.
- iv. 6e. Surface Water Classification: ESCGP-2 Section 10, PCSM report Section 2.1.1 is not present in submission.
- v. 6f. BMP description Narrative: ESCGP-2 Section 10, PCSM report Section 2.1.1 is not present in submission.
- vi. 6g. BMP installation sequence narrative: ESCGP-2 Section 10, PCSM report Section 2.1.1 is not present in submission.

- vii. 6h. Supporting Calculations: ESCGP-2 Section 10, PCSM report Section 2.1.1 is not present in submission.
 - viii. 6i. Plan Drawings: ESCGP-2 Section 10 drawings are not present in submission.
 - ix. 6j. Long Term Operation and Maintenance Schedule: ESCGP-2 Section 10, PCSM report Section 2.1.1 is not present in submission.
- 3) PCSM Plan Stormwater Analysis
- a) NOI Checklist No. 6
 - i. 7a. Site Characterization and Assessment: ESCGP-2 Section 10, PCSM report Section 2.1.1, 3.1, and 3.2 are not present in submission.
 - ii. 7b. Volume Reduction and water Quality Requirements: ESCGP-2 Section 10, PCSM report Section 2.1.1, 3 and 4 are not present in submission.
 - iii. 7c. Rate Requirements: ESCGP-2 Section 10, PCSM report Section 2.1.1, 3 and 4 are not present in submission.
 - iv. 7d. Calculation Methodologies: ESCGP-2 Section 10, PCSM report Section 2.1.1 is not present in submission.
 - v. 7e. Construction Techniques: ESCGP-2 Section 10, PCSM report Section 2.1.2 is not present in submission.
 - vi. 7f. Anti-degradation Requirements: ESCGP-2 Section 10, PCSM report Section 2.1.2 is not present in submission.

General Comments:

1. All plan drawings require plan numbers that match up to each other in the submitted set.
2. The submitted checklist should only be referencing plans and narratives that are shown in Bucks County. All plans and narratives referenced on the checklist must be submitted with the application.

You may request a time extension, in writing, before June 25, 2016 to respond to the deficiencies beyond the sixty (60) calendar days. Requests for time extension will be reviewed by DEP and considered. You will be notified in writing of the decision either to grant or deny, including the specific due date to respond if the extension is granted. Time extensions shall be in accordance with 25 Pa. Code § 102.6(c).

PennEast Pipeline Company LLC

-8-

April 26, 2016

As stipulated in 25 Pa. Code § 102.6(c) of DEP's Chapter 102 rules and regulations (regarding complete applications) information requested by this office must be received within sixty (60) calendar days from the date of this letter, on or before June 25, 2016, or DEP will consider the application to be withdrawn by the applicant and no further action will be taken on the application. Fees are not refunded when an application is considered to be withdrawn.

If you have questions about your application, please contact Michael Luciani, Application Manager, at 570-830-3089 and refer to ESG02000160001.

Sincerely,



Pamela R. Dobbins, P.E.
Environmental Group Manager
Waterways & Wetlands Program

cc: AECOM
Luzerne County Conservation District
Carbon County Conservation District
Northampton County Conservation District
Bucks County Conservation District
Dallas Township
Kingston Township
West Wyoming Borough
Wyoming Borough
Jenkins Township
Plains Township
Laflin Borough
City of Easton
Williams Township
Riegelsville Borough
Bear Creek Township
Kidder Township
Penn Forest Township
Towamensing Township
Lower Towamensing Township
Moore Township
Lehigh Township
East Allen Township
Upper Nazareth Township
Lower Nazareth Township
Bethlehem Township
Lower Saucon Township
Durham Township



April 26, 2016

PennEast Pipeline Company LLC
c/o Mr. Anthony Cox
Project Manager
1 Meridian Boulevard
Suite 2C01
Wyomissing, PA 19610

Re: Incompleteness Review
PennEast Pipeline Project – Northampton County
APS ID# 893363, AUTH ID# 1111983
DEP Application No. E48-435
Lehigh Township, Moore Township, East Allen Township,
Upper Nazareth Township, Lower Nazareth Township, Bethlehem Township,
Easton City, Lower Saucon Township & Williams Township
Northampton County

Dear Mr. Cox:

The Department of Environmental Protection (DEP) has reviewed the above referenced application package and has determined that it is incomplete. The following list specifies the items missing from the submission which must be included in the resubmittal of your application and/or the submission of additional information. **Chapter 105 Dam Safety and Waterway Management regulations** includes information that will aid you in responding to some of the items listed below. The items are based on applicable laws and regulations, and the guidance sets forth DEP's preferred means of satisfying the applicable regulatory requirements.

Please note that this information must be received within sixty (60) calendar days from the date of this letter, on or before **June 25, 2016**, or DEP will consider the application withdrawn.

Items Missing from Submission

All Requested Information Below Must Be Submitted in Triplicate:

1. When considering the appropriateness of the applicant's land use notifications pursuant to the Department's Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances (Document No. 012-0200-0001 August 19, 2009), we need to know if a county or multi-county or a municipal or multi municipal comprehensive plan exists. Since the project is located in multiple counties/municipalities, the Department would

need the answer to each one of those questions for each municipality and each county. Please provide Land Use Information for each municipality and county. [§105.14(b)(9)]

2. Please provide the results of the Bog Turtle Habitat Screening. [§105.13(e)(1)(x)]
3. Please provide the resolution of potential impacts to threatened and endangered species from Pennsylvania Department of Conservation and Natural Resources, Pennsylvania Fish & Boat Commission, Pennsylvania Game Commission and U.S. Fish & Wildlife Service. Please request/provide county specific letters from the agencies indicating that county specific impacts are resolved. [§105.13(e)(1)(x)]
4. An Act 167 Stormwater Management Plan has been prepared/adopted for Northampton County under the Stormwater Management Act. Please provide an analysis of the project's impact on the Stormwater Management Plan and a letter from the municipality or county commenting on the analysis, in accordance with §105.13(e)(1)(v).
5. Please provide the municipality and the USGS Quadrangle map within the Waterbody Crossed and Wetlands Crossed Tables. [§105.13(e)(1)(x)]
6. It does not appear that the access road crossings to wetlands and waterbodies have been provided within the Tables. Please provide accordingly. [§105.13(e)]
7. Should there be any new permanent above ground structures that are being located within a FEMA delineated floodway, please include an analysis of the project's impact on the floodway delineation and water surface profiles and a letter from the municipality commenting on the analysis §105.13(e)(1)(vi).
8. If the stormwater or the floodplain management analysis conducted indicates increases in peak rates of runoff or increases in flood elevation, please include a risk assessment describing the property and land uses which may be affected and an analysis of the degree of increased risk to life, property and the environment. [§105.13(e)(vii)]

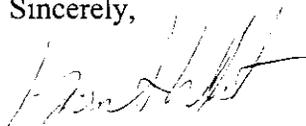
You may request a time extension, in writing, before **June 25, 2016** to respond to the deficiencies beyond the sixty (60) calendar days. Requests for time extensions will be reviewed by DEP and considered. You will be notified in writing of the decision either to grant or deny, including a specific due date to respond if the extension is granted. Time extensions shall be in accordance with 25 Pa. Code §105.13a(b).

DEP has developed a standardized review process and processing times for all permits or other authorizations that it issues or grants. Pursuant to its Permit Review Process and Permit Decision Guarantee Policy (021-2100-001), DEP guarantees to provide permit decisions within the published time frames, provided applicants submit complete, technically adequate applications/registrations that address all applicable regulatory and statutory requirements, in the first submission. Since you did not submit a complete and/or technically adequate application, DEP's Permit Decision Guarantee is no longer applicable to your application.

As stipulated in 25 Pa. Code §105.13a of DEP's Chapter 105 Rules and Regulations (regarding Complete applications) information requested by this office must be received within sixty (60) calendar days from the date of this letter, on or before **June 25, 2016**, or DEP will consider the application/registration to be withdrawn by the applicant and no further action will be taken on the application/registration. Fees are not refunded when an application/registration is considered to be withdrawn.

If you have questions about your application, please contact Michael Luciani, Application Manager, at 570-830-3089, and refer to Application No. E48-435, Authorization No. 1111983.

Sincerely,



Kevin S. White, P.E.
Environmental Group Manager
Waterways & Wetlands Program

cc: AECOM
Northampton County Conservation District
Lehigh Township
Moore Township
East Allen Township
Upper Nazareth Township
Lower Nazareth Township
Bethlehem Township,
Easton City
Lower Saucon Township
Williams Township
U.S. Army Corps of Engineers, Philadelphia District
PA. Fish & Boat Commission, Division of Environmental Services

Document Content(s)

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