

ABBREVIATED ENVIRONMENTAL REPORT
FOR
NJDEP FRESHWATER WETLANDS INDIVIDUAL PERMIT

TRANSCONTINENTAL GAS PIPE LINE COMPANY LLC
NORTHEAST SUPPLY ENHANCEMENT PROJECT
COMPRESSOR STATION 206 – FRANKLIN TOWNSHIP, SOMERSET COUNTY, NJ

January 2020

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SECTION 2

NJDEP DIVISION OF LAND USE REGULATION (DLUR) APPLICATION FORM WITH ATTACHMENTS

Appendix I -Wetland Impact Numbers
Attachment for Item #4 – Block & Lot and Watershed Information
Attachment for Item #5 – Detailed Project Description

APPLICATION FORM - APPENDIX I

Section 1: Please provide the following information for the overall project site. All area measurements shall be recorded **in acres to the nearest thousandth** (0.001 acres).

<u>PROPOSED:</u>	<u>PRESERVED</u>	<u>UNDISTURBED</u>	<u>DISTURBED</u>
RIPARIAN ZONE			2.211
CZMRA FORESTED (CZMRA IP – Only)			
E & T HABITAT Endangered and/or Threatened			
FRESHWATER WETLANDS			6.174

Section 2: Please provide the following information for each permit/authorization requested pursuant to the Freshwater Wetlands Protection Act. All area measurements shall be recorded **in acres to the nearest thousandth** (0.001 acres). Use additional sheets if necessary

PERMIT TYPE	FWW-IP Compressor Station 206	WETLAND TYPE Emergent, Forest, Shrub, Etc.	Forested, Emergent, and Scrub-Shrub	RESOURCE CLASSIFICATION Ordinary, Intermediate, Exceptional, EPA, Etc.	Intermediate and Exceptional
<u>PROPOSED DISTURBANCE:</u>		<u>WETLANDS</u>	<u>TRANSITION AREA</u>	<u>SOW</u>	
FILLED		3.711	3.264		0.006
EXCAVATED					
CLEARED					
TEMPORARY DISTURBANCE		0.149	0.449		

PERMIT TYPE	FWW- IP Madison Loop/Raritan Bay Loop	WETLAND TYPE Emergent, Forest, Shrub, Etc.	Forested, Emergent, and Scrub-Shrub	RESOURCE CLASSIFICATION Ordinary, Intermediate, Exceptional, EPA, Etc.	Intermediate and Exceptional
<u>PROPOSED DISTURBANCE:</u>		<u>WETLANDS</u>	<u>TRANSITION AREA</u>	<u>SOW</u>	
FILLED					
EXCAVATED					
CLEARED		0.327	1.143		
TEMPORARY DISTURBANCE		1.987	4.039		0.157

Existing and Additional Rights Needed for NESE LURP Permitting									
Landowner	Block	Lot	Freshwater Wetlands	Flood Hazard Area	Waterfront Development	Transco’s Existing Rights	Survey Access Obtained?	Additional Rights Obtained for Project	Signed DLUR Form or Consent Letter
Trap Rock Access Road									
Trap Rock	5.02 5.02 5.02 5.02 5.02	1.02 (Formerly 9, 10,12,16 & 17) 11.02	X	X		None	Yes	Option to Acquire Exclusive Permanent Easement (dated April 11, 2017)	Consent Letter dated August 11, 2017

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**ATTACHMENT FOR ITEM #4 OF DLUR FORM
BLOCK & LOT AND WATERSHED INFORMATION**

Block and Lot Information

Compressor Station 206 – Franklin Township, Somerset County, NJ

Block 5.02: Lot 25 (Compressor Station 206 Site)
 Lot 20 (formerly Lot 23) (Transco Pipeline Tie-in)
 Lots 1.02 (formerly Lot 9, 10, 12, 16 & 17), 11.02 (Trap Rock Access Road)

**ATTACHMENT FOR ITEM #5 OF DLUR FORM DETAILED PROJECT
DESCRIPTION**

IMPACTS TO WETLANDS, TRANSITION AREAS, AND STATE OPEN WATERS

The following table details the impacts to regulated areas (i.e. freshwater wetlands, transition areas, and State open waters) by the Project, including the use of the Trap Rock access road in lieu of the Higgins Farm access road associated with access to Compressor Station 206. Detailed breakdowns by vegetation communities are contained in the Wetland Utility Crossing Tabulation tables in the NJDEP Land Use Permit Plan set for the Trap Rock access road (alternate access road) submitted in conjunction with this submittal.

PERMANENT AND TEMPORARY IMPACTS TO FRESHWATER WETLANDS, TRANSITION AREAS AND STATE OPEN WATERS					
COMPRESSOR STATION 206					
Permanent Disturbance (Acres)			Temporary Disturbance (Acres)		
Wetland	Transition Area	State Open Water	Wetland	Transition Area	State Open Water
3.711	3.264	0.006	0.149	0.449	-
MADISON LOOP					
Permanent Disturbance (Acres)			Temporary Disturbance (Acres)		
Wetland	Transition Area	State Open Water	Wetland	Transition Area	State Open Water
0.327	1.143	-	1.987	4.039	0.157
TOTAL IMPACTS					
Permanent Disturbance (Acres)			Temporary Disturbance (Acres)		
Wetland	Transition Area	State Open Water	Wetland	Transition Area	State Open Water
4.038	4.407	0.006	2.136	4.488	0.157

SECTION 3

DESCRIPTION OF FRESHWATER WETLANDS, SPECIAL AQUATIC SITES, ETC. THAT MAY REQUIRE SPECIAL PROTECTION/PRESERVATION

1. Freshwater Wetlands

For information on wetlands identified and delineated within the limits for the proposed Project, please refer to the Supplemental Wetland Delineation Report, as prepared by Ecology and Environment, Inc. of Lancaster, NY, dated October 2019, as attached to Transco's Freshwater Wetlands Individual Permit (FWW IP) application as Appendix H. This report details the vegetation, soils, and hydrology identified during the delineation of wetlands performed within the limits of the proposed Project. Wetlands are discussed further under Section 3 below.

Trap Rock Access Road

The Trap Rock access road will impact one wetland. The portion of the wetland within the limits of disturbance (LOD) for the Trap Rock access road is classified as a PEM/PSS/PFO wetland (W-T09-002). Wetland W-T09-002 is considered an "intermediate/exceptional" resource value wetland because it includes areas with suitable threatened species habitat as well as portions considered to be of intermediate value that do not contain suitable threatened species habitat.

Herbaceous species common in PEM wetlands include redtop, sedges (*Carex spp.*), Pennsylvania smartweed (*Polygonum pensylvanica*), arrowleaf tearthumb (*Persicaria sagittata*), canary reed grass, and common reed (*Phragmites australis*). Within PSS wetlands, the representative species include spotted jewelweed, Japanese stilt-weed, spicebush, and arrowwood. Within PFO wetlands, the representative species include red maple, sweetgum (*Liquidambar styraciflua*), and blackgum (*Nyssa sylvatica*).

NJ Natural Heritage Program (NHP) database letters for the Compressor Station 206 site, dated June 23, 2017 and July 8, 2019 (letter attached to Transco's FWW IP application in Appendix E) identified vernal pool locations adjacent to the Compressor Station 206 site and 1,000-ft dispersal areas from these vernal pools that extend into the LOD for Compressor Station 206. Wetlands that are contained within the dispersal areas from the potential vernal pools may be subject to special protection by the NJDEP. Transco did not identify vernal pools within the delineated wetlands during field survey, and NJDEP staff concurred with this assessment during the site inspection on October 26, 2017. Transco confirmed using the NJ NHP Landscape Project mapping portal version 3.3 that no changes to vernal pool habitat data within the NHP database have occurred in the project area since receipt of the aforementioned letters.

Table 3-1
Freshwater Wetlands Protection Act Classification of Wetlands Crossed by
the Trap Rock Access Road

Wetland ID	Milepost	Wetland Type	FWPA Classification
Compressor Station 206 Trap Rock Access Road			
W-T09-002 ^a	N/A	PEM/PSS/PFO	Intermediate/Exceptional
^a Wetland includes areas of both suitable threatened and endangered species habitat (i.e., Roadway Utility Crossing A) and areas lacking suitable threatened and endangered species habitat (i.e., Roadway Utility Crossing B and C) per guidance from NJDEP (see Appendix E of Transco's FWW IP for copies of this guidance). Key: N/A = Not applicable PEM = Palustrine emergent PFO = Palustrine forested PSS = Palustrine scrub-shrub FWPA = Freshwater Wetlands Protection Act			

SECTION 4

STANDARD REQUIREMENTS FOR ALL INDIVIDUAL PERMITS (N.J.A.C. 7:7A-10.2)

The following is a description of how the proposed Project will comply with the standard requirements for all individual permits:

N.J.A.C. 7:7A-10.2(b) The Department shall issue an individual freshwater wetlands or open water fill permit only if the regulated activity:

- 1. Has no practicable alternative which would meet the requirements at (b)1i and ii below:**
 - i. The alternative would have a less adverse impact on the aquatic ecosystem or would not involve a freshwater wetland or State open water; and**
 - ii. The alternative would not have other significant adverse environmental consequences, that is, it shall not merely substitute other significant environmental consequences for those attendant on the original proposal.**

Please refer to the New Jersey Alternatives Analysis for the Northeast Supply Enhancement Project which describes the robust site selection process Transco undertook to identify the locations for the proposed facilities as attached under Transco's FWW IP Appendix A. Please note that Transco's Alternatives Analysis includes a discussion of, and responses to comments and recommendations made by NJDEP to evaluate alternatives to the Project.

As described in Transco's January 2020 FWW IP Application, Transco's proposed access road is the Higgins Farm access road. As such, Transco is seeking the necessary authorizations to use the Higgins Farm access road instead of the access road across property owned by Trap Rock Industries, Inc. (Trap Rock access road) which is described within this Abbreviated Environmental Report.

Under the Freshwater Wetlands Protection Act (FWPA) rules, an alternative is practicable "if it is available and capable of being carried out after taking into consideration cost, existing technology, and logistics in light of overall project purposes". N.J.A.C. 7:7A-(c)1. Transco is in the process of requesting approval from the Federal Energy Regulatory Commission (FERC) to use the Higgins Farm access road. Assuming FERC approves Transco's use of the road, Transco would seek to condemn the necessary rights across the Higgins property. In the event that either (1) the FERC does not authorize the use the Higgins Farm access road or (2) Transco cannot acquire the rights needed to construct the Higgins Farm access road through condemnation, Transco would be unable use the Higgins Farm access road. In such a scenario, the Higgins Farm access road would not be a practicable alternative as it would not be available or capable of being carried out by Transco, and the Trap Rock access road would be the only

practicable alternative with the least impacts to freshwater wetlands. As such, Transco is providing this Abbreviated Environmental Report for NJDEP FWW IP describing impacts to regulated features associated with the Trap Rock access road.

2. Will result in the minimum feasible alteration or impairment of the aquatic ecosystem including existing contour, vegetation, fish and wildlife resources, and aquatic circulation of the freshwater wetland and hydrologic patterns of the HUC 11 in which the activity is located.

The Project has been designed to minimize impacts to the greatest extent practicable while still achieving the Project goals and objectives. Reduction of wetland and transition area impacts makes the current proposed plan the most environmentally responsible and practicable alternative (refer to the Alternatives Analysis included in Transco's FWW IP Appendix A). Impacts to wetlands and transition areas associated with the Trap Rock access road have been minimized by reducing disturbance areas to the greatest extent practicable while still allowing for activities necessary for successful implementation of the proposed Project.

Trap Rock Access Road

In compliance with this rule and in response to previous consultations with the NJDEP regarding the proposed Project, Transco has evaluated avoidance measures to reduce wetland impacts along the Trap Rock access road for Compressor Station 206. In doing so, Transco has redesigned the access road such that the stormwater controls originally proposed along the southern boundary of the proposed access road will now be incorporated into the design of the road. This has decreased the road construction width from approximately 120 to less than 100 feet along most of the length of the access road.

In response to NJDEP Division of Fish and Wildlife (DFW) Endangered Species and Nongame (ENSP) Program's acceptance of a report of the barred owl (*Strix varia*), which resulted in the reclassification of palustrine forested (PFO) wetlands as exceptional resource value wetlands, Transco undertook additional detailed engineering to further reduce the impacts to the exceptional value forested wetland transition areas for construction of Compressor Station 206. Specifically, adjustments to the limits of disturbance along the southern boundary of the access road resulted in impact reduction to the exceptional value wetland transition area associated with wetlands W-T09-002C-2 and W-T09-002C-3.

In the event the Higgins Farm access road is determined to not be practicable, Transco has established in its FWW IP application and Alternatives Analysis for the Project that it has reduced impacts to regulated features along the only other practicable alternative, the Trap Rock access road to the greatest extent practicable.

3. **Will not destroy, jeopardize or adversely modify a present or documented habitat for threatened or endangered species; and shall not jeopardize the continued existence of a local population of a threatened or endangered species, as defined at N.J.A.C. 7:7A-1.3; and**
4. **Will not be likely to result in the destruction or adverse modification of a habitat which is determined by the Secretary of the United States Department of the Interior or the Secretary of the U.S. Department of Commerce, as appropriate, to be a critical habitat under the Endangered Species Act of 1973, 16 U.S.C. §1531 et seq.**

No endangered or threatened species were identified by the NHP on the proposed Compressor Station 206 site in Franklin Township (letter dated July 8, 2019 and contained in Transco's FWW IP Appendix E). However, in response to a report of a State-threatened barred owl near Compressor Station 206, NJDEP biologists conducted an inspection of the site and contiguous forested area on April 4, 2019. The site visit resulted in NJDEP's acceptance of the sighting report as valid due to the presence of suitable forested habitat conditions on site and the larger contiguous forested area. Transco has conducted additional detailed engineering to reduce the impacts to the potential onsite habitat for the barred owl which comprises the exceptional value forested wetlands and transition areas. As a result, Transco has reduced the impacts to exceptional resource value forested wetland transition areas by 1.882 acres.

In total, the construction and operation of the Compressor Station 206 will result in the removal of 1.587 acres of suitable forested wetland barred owl foraging habitat. To calculate the total area of suitable forested wetland habitat surrounding the Compressor Station 206 site, Transco utilized the Land Use/Land Cover wetland types identified for barred owl in Appendix V of the New Jersey Landscape Project, Version 3.3. This resulted in approximately 381 acres of forested wetlands as suitable barred owl foraging habitat within the contiguous area surrounding the proposed Compressor Station 206 site. Given the placement of the compressor station site on the western edge of the potential habitat, the removal of 1.587 acres of habitat is unlikely to destroy, jeopardize or adversely modify the overall available habitat for the barred owl as the habitat removal will occur along the very edge of the potential habitat. Additionally, the removal of the 1.587 acres of foraging habitat will not jeopardize the continued existence of the local population of the barred owl, as approximately 379 acres of adjacent contiguous habitat will remain available to foraging owls. As described above, Transco has gone through a detailed engineering design process to minimize impacts on PFO wetlands and potential barred owl habitat to the maximum extent practicable.

The U.S. Fish and Wildlife (USFWS), in a letter dated April 17, 2017, indicated that the federally endangered Indiana bat could occur within the Compressor Station 206 Project area during the active season (April 1 through September 30). Therefore, to avoid impacts to the Indiana bat Transco will not clear trees ≥ 5 inches diameter at breast height during the active season. The federally threatened northern long-eared bat could occur within the Compressor Station 206 Project area. However, no documented northern long-eared bat maternity roosts or hibernacula occur near the Project area. Therefore, under the

northern long-eared bat 4(d) rule, the Project will not cause prohibited take of the northern long-eared bat. Additionally, the time-of-year restriction for Indiana bats at Compressor Station 206 will also reduce potential impacts on the northern long-eared bat.

10. Will not violate the Flood Hazard Area Control Act, N.J.S.A. 58:16A-50 et seq., or implementing rules at N.J.A.C. 7:13.

The proposed Project will not violate the Flood Hazard Area Control Act rules. As part of this Project, Transco is also submitting an Abbreviated Environmental Report to NJDEP for a Flood Hazard Area Individual Permit concurrently with this Abbreviated Environmental Report to NJDEP for a FWW IP to obtain authorization to disturb flood hazard areas and riparian zones for activities related to construction of the Trap Rock access road on the Compressor Station 206 site.

12. Is in the public interest, as determined by the Department in consideration of the following:

- i. The public interest in preservation of natural resources and the interest of the property owners in reasonable economic development.**
- ii. The relative extent of the public and private need for the proposed activity;**
- iii. Where there are unresolved conflicts as to resource use, the practicability of using reasonable alternative locations and methods, to accomplish the purpose of the proposed activity;**
- iv. The extent and permanence of the beneficial or detrimental effects which the proposed activity may have on the public or private uses for which the property is suited;**
- v. The quality and resource value classification pursuant to N.J.A.C. 7:7A-3.3 of the wetland which may be affected and the amount of freshwater wetlands to be disturbed;**
- vi. The economic value, both public and private, of the proposed regulated activity to the general area; and**
- vii. The functions and values provided by the freshwater wetlands and probable individual and cumulative impacts of the regulated activity on public health and fish and wildlife.**

As set forth in detail in Transco's January 2020 FWW IP Application, the Project is in the public interest. Transco submits the following information as it relates to the Trap Rock access road.

- i. The public interest in preservation of natural resources and the interest of the property owners in reasonable economic development.**

The Project was designed to avoid impacts to wetlands and other regulated features. Where Transco could not reasonably avoid impacts to regulated features, Transco minimized impacts to the greatest extent practicable.

Specifically, Transco has continued to refine its Project design to further minimize impacts where impacts could not be avoided. By way of example, Transco designed the access road to incorporate stormwater controls, thereby decreasing the road construction width from 120 feet to less than 100 feet, thereby minimizing impacts to the wetlands leading to the compressor station site.

As a result of the last-minute barred owl determination by the Department in connection with Transco's previous permit application, the intermediate resource value wetlands that were present at the Compressor Station 206 site were "upgraded" to exceptional resource value, thereby substantially impacting the proposed access road by increasing the width of transition areas at these wetlands. In response Transco reduced the access road LOD along the southern boundary.

Given the significant lengths that Transco has taken to avoid and minimize impacts, and the significant public and private need for the natural gas to be conveyed by the Project (as set forth in Transco's January 2020 FWW IP Application), Transco respectfully submits that it has addressed the first public interest factor.

ii. The relative extent of the public and private need for the proposed regulated activity;

See Transco's January 2020 FWW IP Application for a discussion of the extent of the public and private need for the Project. This Abbreviated Environmental Report submittal does not impact the explanation provided therein.

iii. Where there are unresolved conflicts as to resource use, the practicability of using reasonable alternative locations and methods, to accomplish the purpose of the proposed regulated activity;

See Appendix A to Transco's January 2020 FWW IP Application for the robust Alternatives Analysis, which addressed different options for avoiding and minimizing impacts to regulated features. As described in the Alternatives Analysis for the Project and in Transco's January 2020 FWW IP application, Transco is seeking authorization to construct the Higgins Farm access road to Compressor Station 206 which would eliminate impacts on wetlands and waterbodies associated with access to Compressor Station 206. However, should Transco not receive the necessary authorizations to construct the Higgins Farm access road, the Trap Rock access road would be the only practicable alternative.

Thus, Transco has sufficiently addressed the practicability of using other alternative locations and methods in connection with the construction of the access road for Compressor Station 206.

- iv. The extent and permanence of the beneficial or detrimental effects which the proposed regulated activity may have on the public and private uses for which the property is suited;**

Transco considered both the temporary and permanent impacts of the Project and, specifically, the Trap Rock access road. Both permanent and temporary impacts to freshwater wetlands have been substantially reduced by Transco to the greatest extent practicable and will result in little to no detrimental effect on the public and private uses for which the property is suited.

As noted in Transco's January 2020 FWW IP Application, Transco's commitment to implementing BMPs, such as soil erosion and sediment control measures and the timely restoration of vegetated areas following construction activities, are anticipated to reduce the potential for significant short- or long-term adverse impacts resulting from the Project. See Del. Riverkeeper Network v. Sec'y, Pa. Dep't of Envntl. Prot., 833 F.3d at 382 (holding that the NJDEP appropriately considered this factor where the pipeline company was required to implement BMPs during construction and restoration).

- v. The quality and resource value classification pursuant to N.J.A.C. 7:7A-3.3 of the wetland, which may be affected and the amount of freshwater wetlands to be disturbed;**

Transco addressed the resource value classification of the impacted wetland in this Abbreviated Environmental Report. As described above, there is one wetland and its associated transition areas that would be impacted by Transco's proposed use of the Trap Rock access road. This wetland is considered to be an intermediate/exceptional value wetland. Transco has identified and thoroughly documented these resources within the Supplemental Wetland Delineation Report in Appendix H of Transco's FWW IP. Transco has minimized impacts on this wetland and wetland transition areas as a result of Transco's use of the Trap Rock access road to the maximum practicable as described throughout this Abbreviated Environmental Report.

- vi. The economic value, both public and private, of the proposed regulated activity to the general area; and**

See Transco's January 2020 FWW IP Application for a discussion of the public and private economic value of the Project to the general area. This Abbreviated Environmental Report does not impact the explanation provided therein.

- vii. The functions and values provided by the freshwater wetlands and probable individual and cumulative impacts of the regulated activity on public health and fish and wildlife;**

Transco thoroughly addressed the functions and values of the wetlands impacted by the Project and impacts on the public health and fish and wildlife in this Abbreviated Environmental Report.

Alteration to habitat functions provided by the wetland and transition areas impacted by construction and operation of the Trap Rock access road will occur due to disturbances of these wetland communities. Such alterations will result in changes such as vegetation composition and structure, increased exposure to wind, light, and temperature fluctuations. These changes may modify the species composition of wildlife using these areas.

Transco has sought to minimize impacts to wetlands and transition areas by avoiding and/or reducing disturbance areas to the greatest extent practicable. While the disturbance of wetlands may have negative impacts on wetland functions and other secondary impacts, Transco has demonstrated that it designed the Trap Rock access road to avoid and minimize these impacts to the greatest extent practicable. Transco will implement BMPs such as soil erosion and sediment control measures, which are anticipated to reduce the potential for significant short or long-term adverse impacts resulting from the Project.

As to impacts on fish and wildlife, Transco consulted with NJDEP and U.S. Fish and Wildlife Service (USFWS) to determine potential impacts to certain threatened and endangered species. These impacts and any timing restrictions are discussed above.

Additionally, as discussed in Transco's January 2020 application, assuming the Project is constructed, Transco has committed to implement long term emission reduction projects to more than offset short term construction emissions in Northern New Jersey. These long-term emissions reduction projects will reduce diesel-related emissions in the immediate region of the Project and will more than offset the air emissions associated with construction and operation of the Project, improving local air quality and benefitting public health. In fact, these voluntary long-term emissions reduction projects, coupled with Transco's retiring of Emission Reduction Credits, would result in more than double the permanent offset of temporary construction emissions and the ongoing operational emissions at Compressor Station 206.

For the reasons set forth above and in Transco's January 2020 FWW IP Application, Transco respectfully submits that the Project is in the public interest.

15. In accordance with N.J.A.C. 7:7A-2.7, is part of a project that in its entirety complies with the Stormwater Management rules at N.J.A.C. 7:8.

The Compressor Station 206 portion of the project is classified as "major development" under the Stormwater Management Rules. Measures to address stormwater management for Compressor Station 206 have been developed and are outlined in the Stormwater Management Report prepared by AECOM, dated January 2020 and provided to NJDEP along with this submittal (Appendix K). The proposed Project is in compliance with the Stormwater Management Rules.

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SECTION 5

ADDITIONAL REQUIREMENTS FOR A NON WATER-DEPENDENT ACTIVITY IN A WETLAND OR SPECIAL AQUATIC SITE (N.J.A.C. 7:7A-10.3) OR IN EXCEPTIONAL RESOURCE VALUE WETLANDS OR TROUT PRODUCTION WATERS (N.J.A.C. 7:7A-10.4)

N.J.A.C. 7:7A-10.3(c):

- 1. The project purpose cannot reasonably be accomplished using one or more other sites in the general region that would avoid or reduce the adverse impact on an aquatic ecosystem.**

As discussed in Transco's Alternatives Analysis, Transco performed a comprehensive siting analysis for Compressor Station 206. Transco evaluated three access road alternatives for Compressor Station 206 and as described in its January 2020 application, is proposing the Higgins Farm access road which would result in the fewest impacts to wetlands. However, should Transco not receive the necessary authorizations to construct the Higgins Farm access road, the Trap Rock access road would be the only practicable alternative with the fewest impacts on the aquatic ecosystem. There are no other sites in the region that would both satisfy the basic Project purpose and avoid or reduce the adverse impact on the aquatic ecosystem.

- 2. The basic project purpose cannot reasonably be accomplished if there is a reduction in the size, scope, configuration, or density of the project as proposed.**

Since Transco's initial application for the Project in June 2017, Transco has undertaken multiple engineering design revisions to reduce the size, scope and configuration of the proposed Project to the maximum extent practicable while still meeting the needs of the Northeast Supply Enhancement Project. See above for a description of the changes that have been made in response to environmental constraints and comments made by the NJDEP. Further reductions to the size and/or configuration of currently proposed Project components, including the Trap Rock access road, would be such that the basic purpose of the Project could not be reasonably accomplished. Measures to avoid, reduce and/or minimize impacts to regulated areas have been employed to the greatest degree practicable while still allowing for successful Project implementation.

- 3. The basic project purpose cannot reasonably be accomplished by an alternative design that would avoid or reduce the adverse impact on an aquatic ecosystem.**

As described in the Alternatives Analysis for the Project and in Transco's January 2020 FWW IP application, Transco is seeking authorization to construct the Higgins Farm access road to Compressor Station 206 which would eliminate impacts on wetlands and waterbodies associated with access to Compressor Station 206. However, as described in this Abbreviated Environmental Report, should Transco not receive the necessary authorizations to construct the Higgins Farm access road, the Trap Rock access road would be the only practicable alternative. There are no alternate designs to the Trap

Rock access road that would avoid or reduce the adverse impact to regulated areas while still accomplishing the basic needs and purpose of the proposed Project. Impacts to wetlands, wetland transition areas and State open waters are unavoidable due to the required location, configuration, and size of the proposed Project and its related elements. Alternatives and avoidance and minimization measures have been considered as discussed above in Section 4 and Transco's Alternatives Analysis.

Transco has made the following workspace modifications to reduce impacts on regulated features:

Associated with Compressor Station 206 Trap Rock Access Road:

- Sited the new water and power utility lines for Compressor Station 206 beneath the new permanent access road for the compressor station, thereby reducing the access road width. This workspace modification has resulted in a reduction of 0.924 acre of wetland impacts and a reduction of 0.909 acre of wetland transitional area impacts along the access road.
- Modified the limits of disturbance along the southern boundary of the access road and reduced the limits of disturbance along the southeast corner of the facility to reduce impacts to exceptional value wetland transition areas by 1.807 acres and impacts to PFO wetlands by 0.021 acres.

- 4. In cases where the applicant has rejected alternatives to the project as proposed due to constraints such as inadequate zoning, infrastructure or parcel size, the applicant has made reasonable attempts to remove or accommodate such constraints.**

Please refer to Transco's January 2020 application for FWW IP and Transco's Alternatives Analysis for the Northeast Supply Enhancement Project which describes the attempts made by Transco to remove and accommodate constraints that led Transco to reject alternatives to the proposed Project (Appendix A).

- 5. If any of the portion of the proposed activity will take place in an exceptional resource value wetland or in trout production waters, the requirements of N.J.A.C. 7:7A-10.4 are met.**

The Trap Rock access road will impact exceptional resource value wetlands. As the set forth in more detail below, Transco has demonstrated that the access road, and Project as a whole, satisfy a compelling public need and that denial of the permit would impose an extraordinary hardship on Transco due to the lack of alternate access to the Compressor Station 206 site.

7:7A-10.4 Additional requirements for a non-water dependent activity in exceptional resource value wetlands or trout production waters

- (a) If an applicant proposes a non water-dependent activity in wetlands of exceptional resource value or in trout production waters, the applicant, in**

addition to complying with all other requirements in this subchapter, shall also demonstrate either:

- 1. That there is a compelling public need for the proposed activity greater than the need to protect the freshwater wetland or trout production water, and that the need cannot be met by essentially similar projects in the region which are under construction or expansion, or which have received the necessary governmental permits and approvals; or**

By letter, dated November 27, 2019, NJDEP acknowledged Transco's withdrawal of its applications for a Freshwater Wetlands Individual Permit, Flood Hazard Area Individual Permit and Verification, and Waterfront Development Individual Permit, and set forth statutory and regulatory deficiencies associated with the withdrawn applications that Transco would need to address in the event Transco reapplied for these same permits. Among these deficiencies, NJDEP stated that, in order to establish a compelling public need for the Project, Transco would need to demonstrate concurrence from New York that the additional natural gas capacity to be supplied by the Project is needed.

Importantly, the Rules require only that an applicant establish either a compelling public need or extraordinary hardship. Transco's application establishes both.

A. The FERC's Issuance of A Certificate Of Public Convenience And Necessity Conclusively Established A Compelling Public Need For The Project

The Department has historically relied on FERC's issuance of a Certificate of Public Convenience and Necessity (Certificate) to satisfy the requirement set forth in N.J.A.C. 7:7A-10.4, that there be a compelling public need for the regulated activity. For instance, on Transco's Leidy Southeast Expansion Project, the Department specifically relied on the FERC Certificate, stating:

FERC has issued an Order dated December 18, 2014 which determined that 'the project is required by the public convenience and necessity,' therefore, there is need for the project. The Department concurs that there is a compelling public need for the project that cannot be met with similar projects in the region. [April 6, 2015 Staff Summary Report, DLUR File No. 0000-13-0012.1.]

This determination was challenged at the U.S. Court of Appeals for the Third Circuit and was ultimately upheld. See Del. Riverkeeper Network v. Sec'y Pa. Dept. of Env'tl. Prot., 833 F.3d 360, 380 (3d Cir 2016)(holding that NJDEP appropriately determined that the compelling public need for the project outweighed the impact on exceptional resource value wetlands).

The Department's historic reliance on the FERC Certificate is not limited to the review of applications for Land Use Regulation Program permits. The Department has also relied on FERC's issuance of a Certificate in the context of Green Acres diversions for interstate natural

gas pipeline projects. Similar to the FWPA Rules, the Green Acres Rules require that a project for which a disposal or diversion of parkland is proposed fulfill a compelling public need. N.J.A.C. 7:36-26.1(d). For over the past 10 years, the Department has pointed to FERC's issuance of a Certificate as satisfying this requirement. See e.g. December 29, 2014 State House Commission Summary of Montgomery Township's diversion request in connection with Transco's Leidy Southeast Expansion Project (conditioning approval of the diversion on FERC's issuance of a Certificate to Transco); May 14, 2012 State House Commission Summary of Ringwood Borough's diversion request in connection with Tennessee Gas Pipeline Company, L.L.C.'s Northeast Upgrade Project (same).

On May 3, 2019, FERC issued a Certificate to Transco finding that "the public convenience and necessity requires approval of the project." Certificate at ¶18. Accordingly, FERC's determination should be all that is required to satisfy the compelling public need requirement under N.J.A.C. 7:7A-10.4 since it is consistent with the Department's longstanding interpretation of its regulations and reliance on the FERC Certificate in satisfaction of the applicable regulations.

However, the Department is now arbitrarily requiring that New York concur with FERC's finding of need to ensure that the Project is not constructed in New Jersey without an endpoint for the proposed additional capacity. We believe this requirement is contrary to the law and a break from precedent.

Every issued permit includes a standard condition that the permittee must obtain all applicable federal, state and local permits. N.J.A.C. 7:7A-20.2(b)3. This condition would address the Department's concerns regarding construction occurring in New Jersey before New York has acted on Transco's request for federal authorizations. The Department could also require, through a pre-construction permit condition, that Transco not begin construction in New Jersey without having received the necessary federal authorizations from New York.

To the extent the Department is requiring New York's concurrence for the Department to issue a permit, such a requirement is outside the bounds of well-established law. FERC has exclusive authority to determine whether an interstate natural gas pipeline project is in the public convenience and necessity, and FERC has spoken. See Schneidewind v. ANR Pipeline Co., 485 U.S. 293, 300-301 (1988) (holding that where state regulation affects the ability of the FERC to regulate interstate natural gas, the state regulation will be preempted); See also Islander East Pipeline v. Conn. Dept. of Env'tl. Prot., 467 F.3d 295, 305 (2d Cir.2006) ("Congress wholly preempted and completely federalized the area of natural gas regulation by enacting the NGA"); and National Fuel Gas Supply Corp. v. Public Service Com'n of State of N.Y., 894 F.2d 571, 579 (1990)(holding that issues sought to be regulated by the New York Public Service Commission, including the basis for the need for the proposed facilities, were "directly considered by the FERC [and] [u]nder Schneidewind, such direct consideration is more than enough to preempt state regulation").

In fact, "FERC may reasonably rely on the pipeline company's binding contracts as evidence of market need and proof that the Project is self-supporting." Twp. of Bordentown v. FERC, 903 F.3d 234, 262-63 (3rd. Cir. 2018). As numerous courts have held, FERC need not "look beyond

the market need reflected by the applicant's existing contracts with shippers.” *Id.* at 263 (citation and quotations omitted). Here, FERC relied on the binding agreements between Transco and National Grid in finding a public need for the gas. FERC's word on this issue is conclusive. New York's questioning the need for the gas is not relevant to whether there is a need for Transco's Project, and amounts to a collateral attack on FERC's finding of need in issuing the Certificate. Similarly, the Department's requirement that New York concur with the need for the gas transported by the Project is also a collateral attack on the Certificate. It is well established that disputes over the validity of the FERC's issuance of a Certificate, as well as the procedures used for its issuance, must be brought to the FERC via an application for rehearing. Tennessee Gas Pipeline v. 104 Acres in Prov. Cty., 749 F.Supp. 427, 430 (D.R.I. 1990) citing 15 U.S.C. §717r(a). Notably, neither New York nor New Jersey have filed a request for rehearing challenging the FERC's finding of need. The Department requirement that New York concur with the need for the gas undermines FERC's determination of need and is arbitrary and capricious.

For these reasons, FERC's issuance of the Certificate to Transco established that there is a compelling public need for the Project, consistent with the Department's longstanding interpretation of its regulations.

B. The FWPA Rules are Preempted to the Extent they Exceed New Jersey's Authority Under the Clean Water Act

In addition, the Department Rules pertaining to compelling public need exceed the scope of its authority under the Clean Water Act and are preempted to the extent they conflict with the FERC Certificate.

In passing the Energy Policy Act of 2005 (EPAct), Pub. L. No. 109-58, 119 Stat. 594 (2005), Congress amended the Natural Gas Act to, among other things, grant federal Courts of Appeals jurisdiction to review permitting decisions over actions taken by State administrative agencies acting pursuant to federal law to issue, condition or deny a permit or other approval required under federal law for interstate natural gas pipeline projects. Furthermore, as amended by the EPAct, the Natural Gas Act designates FERC as “the lead agency for purposes of coordinating all applicable Federal authorizations and for the purposes of complying with the National Environmental Policy Act of 1969.” 15 U.S.C. § 717n(b)(1). However, Congress made clear that, except as specifically provided for in the Natural Gas Act, the law would not affect “the rights of States” under the Coastal Zone Management Act, Clean Air Act or the Clean Water Act. 15 U.S.C. §717b(d). This “savings clause” effectively exempts States from the preemptive effect of the Natural Gas Act if they are acting pursuant to their authority under these federal laws. See Del. Riverkeeper Network v. Sec'y Pa. Dept. of Env'tl. Prot., 833 F.3d 360, 368 (3d. Cir. 2016) citing 15 U.S.C. §717b(d).

The NJDEP's authority to review this portion of Transco's Project derives from Sections 401 and 404 of the Clean Water Act. While a State's environmental review under the Clean Water Act is "carved out" from the preemptive effect of the Natural Gas Act, regulations that exceed that authority would be preempted. See Del. Riverkeeper Network v. Sec'y Pa. Dept. of Env'tl. Prot., 833 F.3d at 368, citing 15 U.S.C. §717b(d). See also AES Sparrows Point LNG, LLC v. Smith,

527 F.3d 120, 127 (4th Cir. 2008) (Williams, concurring)(expressing doubt about whether a local law that bans liquified natural gas terminal siting “can ever be a ‘right of States under’ the Coastal Zone Management Act”, even if incorporated into the State’s federal program).

During the Department’s review of Transco’s previous permit applications, the Eastern Environmental Law Center (EELC) argued that the FWPA regulations are not preempted since federal regulations governing New Jersey’s assumption of authority under Section 404 of the Clean Water Act give NJDEP the discretion to impose more stringent requirements than federal law, citing 40 C.F.R. § 233.1(c). Specifically, the EELC relied upon language in the federal regulation which provides that “[n]othing in this part precludes a State from adopting or enforcing requirements which are more stringent or from operating a program with greater scope, than required under this part.” As Transco previously noted, the EELC cherry-picked this language and ignored the order in which this language appears in the regulation. In other words, the EELC failed to read 40 C.F.R. § 233.1(c) in its entirety and in the correct sequence.

Specifically, 40 C.F.R. § 233.1(c) provides in its entirety that “[n]othing in this part precludes a State from adopting or enforcing requirements which are more stringent or from operating a program with greater scope, than required under this part. Where an approved State program has a greater scope than required by Federal law, the additional coverage is not part of the Federally approved program and is not subject to Federal oversight or enforcement.” (emphasis added). Thus, the federal regulation makes clear that while a State may adopt requirements that are more stringent than a federal program, these requirements are not part of the State’s delegated federal authority.

Again, while a State program may have a greater scope than the federal program, "the additional coverage is not part of the Federally approved program". [40 C.F.R. § 233.1(c).] While the federal 404 program requires the Corps to perform a similar public interest review to the one performed by the Department, compare 33 C.F.R. § 320.4(a) with N.J.A.C. 7:7A-10.2(b)12, nowhere is the Corps required to find a benefit to the municipality in which a project is located in order to approve a permit. Similarly, regulations pertaining to transition areas are not part of the federal program.

Furthermore, whether a project or regulated activity benefits the municipality is irrelevant to whether the project or activity complies with New Jersey's water quality standards. The Department's review of whether the Project serves the municipality in which it is located therefore exceeds the scope of its authority under Section 401 of the Clean Water Act.

Accordingly, the Department's regulations are preempted to the extent they exceed its authority under the Clean Water Act.

C. The Compelling Public Need Requirement, as Defined Under the FWPA, Constitutes an Undue Burden on Interstate Commerce.

The Commerce Clause provides that Congress has the power “to regulate Commerce...among the several States...” U.S. Const. art. I, §8, cl. 3. The Commerce Clause not only authorizes Congress to enact laws for the protection and encouragement of commerce among the states,

but also prevents interference by states on matters pertaining to interstate commerce. Under the negative or dormant implications of the Commerce Clause, “a state is...precluded from taking any action which may fairly be deemed to have the effect of impeding the free flow of trade between the states.” Western Oil & Gas Assoc. v. Cory, 726 F.2d 1340, 1342 (9th Cir. 1984) quoting Hughes v. Oklahoma, 441 U.S. 322, 325-26 (1979)(internal quotations omitted).

The analysis of whether a state regulation violates the dormant Commerce Clause has been set out by the Supreme Court in Pike v. Bruce Church, Inc., 397 U.S. 137, 142 (1970). Under the “two- tiered approach,” a state regulation that directly regulates or discriminates against interstate commerce, or has the effect of favoring in-state economic interests over out-of-state economic interests, will be struck down. If, however, a state statute has only indirect effects on interstate commerce and regulates evenhandedly, the court looks to whether the state’s interest is legitimate and whether the burden on interstate commerce clearly exceeds the local benefits. Id. Determining whether a State law “discriminates” for purposes of the negative Commerce Clause analysis turns on whether the law gives “differential treatment of in-state and out-of-state economic interests that benefits the former and burdens the latter.” Oregon Waste Sys. v. Dep’t. of Env’tl. Prot., 511 U.S. 93, 99 (1994). “If a restriction on commerce is discriminatory, it is virtually *per se* invalid” unless the state can show that the law “advances a legitimate local purpose that cannot be adequately served by reasonable nondiscriminatory alternatives.” Id. at 99, 100. Furthermore, even if there is no overt discriminatory purpose, a law that has a discriminatory effect must also meet this higher level of scrutiny. Maine v. Taylor, 477 U.S. 131, 138 (1986).

During the Department’s review of Transco’s previous permit applications, the EELC disagreed with Transco’s position that the compelling public need requirement of N.J.A.C. 7:7A-10.4(a)1 constitutes an undue burden on interstate commerce. Specifically, EELC argued that the burden on interstate transportation of natural gas from N.J.A.C. 7:7A-10.4(a)1 is incidental, and not affirmative. Transco disagrees.

At first glance, the additional burden placed on permittees proposing non-water dependent activity within an exceptional resource value wetland is evenhanded and requires, among other things, a showing that the compelling public need for the regulated activity outweighs impacts to the wetlands. However, the FWPA Rules define “compelling public need” to mean that “the proposed regulated activity will serve an essential health or safety need of the municipality in which the proposed regulated activity is located, that the public health and safety benefit from the proposed use and that the proposed use is required to serve existing needs of the residents of the State.” N.J.A.C. 7:7A-1.3. The EELC itself notes that “‘compelling public need’ is only satisfied if the proposed project will serve the health or safety need of the particular municipality in which the regulated activity is located.” See EELC August 2, 2019 comment at p. 6.

Contrary to the EELC’s characterization of the FWPA Rules, N.J.A.C. 7:7A-10.4(a)1 is not meant to protect the public health and safety of the state, but to ensure that exceptional resource value wetlands are not impacted by development without good reason. The regulations limit the instances that justify impacts to exceptional resource value wetlands to those that have essential local benefits and serve the needs of the State. And therein lies a violation of the Commerce

Clause. The EELC claims that the Rule regulates all natural gas pipelines the same way, but this is clearly not correct. Several commenters have argued that the Project does not serve the existing needs of the residents of the State and, therefore, cannot fulfill a compelling public need. If this interpretation were correct, only those pipeline projects that service the state or municipality would be able to satisfy the “compelling public need” requirement of N.J.A.C. 7:7A-10.4(a)1, meaning interstate natural gas pipeline companies that transport gas to states other than New Jersey are treated differently than those regulated by the New Jersey Board of Public Utilities, which only provide natural gas for consumption in New Jersey. The Rule therefore has a discriminatory effect on interstate commerce and must pass “strict scrutiny”, i.e. it must advance a legitimate local purpose that cannot be adequately served by reasonable nondiscriminatory alternatives.” Oregon Waste Sys. v. Dep’t. of Env’tl. Prot., 511 U.S. at 100.

While the protection of exceptional resource value wetlands may be a legitimate local purpose, there are other reasonable nondiscriminatory alternatives that could be employed to adequately protect these resources. For one, the definition of “compelling public need” under the FWPA Rules can easily be revised to remove the references to the municipality and state without sacrificing the protections for exceptional resource value wetlands. There is simply no need for such limiting language.

Even assuming, as the EELC argues, that N.J.A.C. 7:7A-10.4(a)1 regulates evenhandedly, the Rule’s burden on interstate commerce clearly exceeds the local benefits. Courts have held that state and local regulations that prohibit facilities authorized under the Natural Gas Act constitute an undue burden on interstate commerce.

For instance, in Transcontinental Gas Pipe Line Corp. v. Hackensack Meadowlands Development Commission, 464 F.2d 1358 (3d Cir. 1972), the Third Circuit held that the Hackensack Meadowlands Development Commission’s (“Commission”) outright prohibition of Transco’s proposed Liquefied Natural Gas (“LNG”) facilities pursuant to a regional master plan was an “unlawful interference with interstate commerce”. Id. at 1363. In that case, Transco sought to construct facilities for the processing and storage of LNG within an area designated as the “Planning Area” on the Commission’s Master Plan and, pursuant to the Hackensack Meadowlands Reclamation and Development Act, was required to obtain a building permit from the Commission prior to beginning construction. Id. at 1361. However, the Commission refused to issue the building permits to Transco, as Transco’s proposed facilities were not a “permitted use.” Transco sought a variance, but the Commission denied the variance, concluding that Transco’s construction would “seriously restrict the range of possible uses in the surrounding areas” and that it would “fail to meet applicable planning and safety regulations.” Id. at 1362. Transco brought suit in the U.S. District Court for the District of New Jersey to enjoin the Commission from interfering with Transco’s project. Id. The District Court issued an order enjoining the Commission from interfering with construction and the Commission appealed.

On appeal, the Third Circuit noted that “[i]t is well established that the interstate transmission and sale of natural gas is within the regulatory ambit of the Commerce Clause of the constitution.” Id. The Court reasoned that “[a]lthough the states are not precluded from imposing reasonable restraints and restrictions on interstate commerce, and although the authority to enact zoning ordinances under the state’s police power is clear, it is equally settled

that a state may not exercise that police power where the necessary effect would be to place a substantial burden on interstate commerce.” Id. (internal citations omitted). The Court noted that “[a]lthough we are cognizant of the tremendous importance of sound community and regional planning, we must also consider the needs of the New York-New Jersey metropolitan area for the adequate and efficient supply and delivery of natural gas.” Id. at 1363 (internal citation omitted). The Court ultimately affirmed the District Court’s findings that Transco’s facilities would be built in accordance with all current federal safety standards and the District Court’s determination that the Commission’s denial was “‘arbitrary’, and ‘an unwarranted imposition upon interstate commerce.’” Id.

N.J.A.C. 7:7A-10.4(a)1 would prohibit a federally authorized interstate natural gas pipeline project simply because the gas being transported would not be consumed in New Jersey. New Jersey cannot prevent impacts to exceptional resource value wetlands on the grounds that the regulated activity does not benefit the State. This is repugnant to the Commerce Clause.

In addition, the Department Rules pertaining to compelling public need exceed the scope of its authority under the Clean Water Act and are preempted to the extent they conflict with the FERC Certificate. The NJDEP’s authority to review this portion of Transco’s Project derives from Sections 401 and 404 of the Clean Water Act. While a State’s environmental review under the Clean Water Act is “carved out” from the preemptive effect of the Natural Gas Act, regulations that exceed that authority would be preempted. See Del. Riverkeeper Network v. Sec’y Pa. Dept. of Env’tl. Prot., 833 F.3d at 368, citing 15 U.S.C. §717b(d).

Federal regulations governing a State’s assumption of authority under Section 404 of the Clean Water Act provide that, while a State program may have a greater scope than the federal program, “the additional coverage is not part of the Federally approved program”. [40 C.F.R. § 233.1(c).] The federal 404 program does not have a similar requirement that a project perform a public interest review that is similar to the one performed by the Department, compare 33 C.F.R. § 320.4(a) with N.J.A.C. 7:7A-10.2(b)12, nowhere is the Corps required to find a benefit to the municipality in which a project is located in order to approve a permit. Similarly, regulations pertaining to transition areas are not part of the federal program.

Furthermore, whether a project or regulated activity benefits the municipality is irrelevant to whether the project or activity complies with New Jersey’s water quality standards. The Department’s review of whether the Project serves the municipality in which it is located therefore exceeds the scope of its authority under Section 401 of the Clean Water Act.

Accordingly, the Department’s regulations are preempted to the extent they exceed its authority under the Clean Water Act.

D. The Project As A Whole Serves A Compelling Public Need That Outweighs The Minor Impacts To Wetlands

Under the Freshwater Wetlands Protection Act (FWPA) regulations (N.J.A.C. 7:7A), “compelling public need” means:

that based on specific facts, the proposed regulated activity will serve an essential health or safety need of the municipality in which the proposed regulated activity is located, that the public health and safety benefit from the proposed use and that the proposed use is required to serve existing needs of the residents of the State, and that there is no other means available to meet the established public need. [N.J.A.C. 7:7A-1.3]

Transco establishes that its Project satisfies a "compelling public need" as that term is defined under the FWPA regulations.

As described in the Alternatives Analysis for the Project and in Transco's January 2020 FWW IP application, Transco is seeking authorization to construct the Higgins Farm access road to Compressor Station 206 which would eliminate impacts on wetlands and waterbodies associated with access to Compressor Station 206. However, should Transco not receive the necessary authorizations to construct the Higgins Farm access road, there is no practicable alternative to the location of the access road to Compressor Station 206 that would have fewer impacts to regulated features than the Trap Rock access road. Without an access road, Transco cannot access the Compressor Station 206 site. The road is necessary for Transco to safely operate and maintain its pipeline and facilities in accordance US Department of Transportation safety regulations. The access road will serve an essential safety need of the municipality in which the proposed regulated activity is located, and the public health and safety would benefit from Transco's ability to access its facilities to safely construct, operate and maintain them in accordance with federal law.

Although the capacity is fully subscribed to serve peak day requirements in downstate New York, the Project will provide an important benefit to natural gas shippers and consumers in New Jersey. The Project will enhance the reliability of the local, state, and regional natural gas supply system and is designed to improve public health and enhance the environment by improving existing air quality, replacing less environmentally friendly fuels such as heating oil, and integrating an impact avoidance and minimization premise into all Project component siting and design while mitigating any remaining impacts to the surrounding environment. The existing Transco system delivers one half of the natural gas consumed in the Garden State and the Project improves the reliability/resiliency of the system in New Jersey, and therefore benefits local residents and businesses. The system has reliably served New Jersey since 1951 providing fuel to heat and cool homes, cook food, and address other basic public needs.

- The New Jersey facilities will provide redundancy during planned and unplanned maintenance activities on Transco's natural gas infrastructure within the State.
 - The Project is designed to provide 400,000 Dth/d under peak conditions, however, shippers (especially LDC type shippers) do not typically require their full contractual volume except during an abbreviated time period during extreme weather conditions. Under normal conditions, the facilities constructed as part of the Project will enable Transco to manage maintenance outages and repairs; thus,

minimizing impacts or interruption to all shippers on the system, especially those in New Jersey.

- In the event that the permits for the Project are denied and the Project is not constructed, the anticipated increase in the average deliveries off of the Transco system could result in material degradation of delivery pressures at existing delivery points and challenges associated with delivering existing firm shipper entitlements in New Jersey.
 - Without the Project, utility providers would continue signing up customers to their service territory because they are obligated by the New York State Public Service Commission to provide safe, reliable energy service upon request.
 - This could, in turn, result in an increase in the normal load from the interstate pipeline transmission grid, resulting in an overall increase in average deliveries off of the Transco pipeline system in New Jersey.
 - An increase in the average load would lead to operational challenges related to the scheduling of maintenance activities and a greater chance of impacts to all shippers in the northeast region, including those in New Jersey. As noted in Transco's Alternatives Analysis for the Project (see Appendix A of Transco's FWW IP), the purpose of the new Compressor Station 206 is to offset the pressure drop associated with transporting the additional volume of natural gas flowing through the pipeline.

The Project would also have economic benefits to the State and local communities. Transco's formal economic impact study concludes that the Project would:

- Generate approximately \$240 million in additional economic activity (GDP) in New Jersey,
- Support more than 2,400 local New Jersey jobs and 3,186 regional jobs during the project construction period. Generating approximately \$172 million in potential income for New Jersey workers,
- Add \$418,300 in local tax revenues in Somerset County and \$16 million total in new local and state tax revenue,
- Have minimal impact on surrounding neighbors and the environment. In its proposed location the facilities will be largely out of sight, with virtually zero impact on noise or air quality.

FERC analyzed these economic impacts of the Project and concluded in the Final Environmental Impact Statement (FEIS) that the Project would have beneficial economic effects on state and local economies. FERC specifically found that the Project will create "a short-term stimulus to the affected areas through payroll expenditures, local purchases of consumables and project-specific materials, and sales tax" and that "operation of the Project would result in long-term property tax and submerged land easement fee benefits in the counties and localities in New Jersey and New York in the Project area." Final EIS, p. 4-278.

In addition, the Project will result in more than double the permanent offset of temporary construction emissions and the ongoing operational emissions at Compressor Station 206, a significant health and safety benefit to the surrounding area in New Jersey:

- According to National Grid, the conversions that will occur as a result of the Project will displace 900,000 barrels of oil per year and reduce CO₂ emissions by more than 200,000 tons per year. This is the equivalent of removing 500,000 cars from the road. National Grid 3/14/19 Letter to NYSDEC. Specifically, the project will displace the use of No. 4 fuel oil in New York City and Long Island, significantly reducing ozone precursors of nitrogen oxides (NO_x), sulfur dioxide (SO₂), and particulate matter (PM). Reducing emissions of these compounds will improve air quality within the Northern New Jersey-New York-Connecticut air quality control region. These emissions reductions and associated public health benefits will be shared across this airshed.
- In addition, assuming the Project is constructed, Transco has committed to implement long term emission reduction projects to more than offset short term construction emissions in Northern New Jersey by providing grants and financial assistance for the purchase of new and more fuel-efficient trucks to eligible owners of existing drayage trucks that transport goods at the New Jersey ports, and additionally to provide financial assistance to New Jersey Transit in order that it may retrofit locomotive engines or electrify its buses. Transco will commit to replacing up to 450 of the worst emitting drayage trucks around the Port of Newark and replacing them with 2014 or newer models that are virtually zero emissions. The truck replacement program will result in a potential NO_x reduction of more than 121 tons annually- a tremendous step forward for Newark and other communities impacted by port emissions. Transco will also commit to upgrade and/or modify for increased efficiency up to 33 of NJ Transit's worst polluting diesel engines and replacing them with vastly cleaner EPA certified Tier 3 engines – resulting in a potential NO_x reduction of 1,282 tons annually. A capital investment of millions of dollars, these long-term emissions reduction projects will reduce diesel-related emissions in the immediate region of the Project and will more than offset the air emissions associated with construction and operation of the Project, improving local air quality and benefitting public health. In fact, these voluntary long-term emissions reduction projects, coupled with Transco's retiring of Emission Reduction Credits, would result in more than double the permanent offset of temporary construction emissions and the ongoing operational emissions at Compressor Station 206.

For these reasons, the Project will serve a compelling public need as defined under the FWPA Rules.

E. The Access Road Serves A Compelling Public Need For The State And Municipality

Transco has avoided and minimized impacts to wetlands to the maximum extent practicable such that the only remaining unavoidable impacts to exceptional value wetlands and exceptional value wetland transition areas are due to the access road and suction and discharge piping tie-in assembly for Compressor Station 206, and minor areas of Madison Loop (see Section 4 of Transco's January 2020 FWW Application).

Transco cannot access the Compressor Station 206 site without the proposed access road through the Trap Rock properties. There is no practicable alternative to the location of the access road that would have lesser impacts to wetlands and regulated features, and the road is

necessary for Transco to safely operate and maintain its pipeline and facilities in accordance US Department of Transportation safety regulations. The access road will serve an essential safety need of the municipality in which the proposed regulated activity is located, and the public health and safety would benefit from Transco's ability to access its facilities to safely construct, operate and maintain them in accordance with federal law.

2. That denial of the permit would impose an extraordinary hardship on the applicant brought about by circumstances peculiar to the subject property.

The denial of the permit imposes an extraordinary hardship on Transco due to the circumstances peculiar to the Compressor Station 206 site. N.J.A.C. 7:7A-10.4(a)2.

- As described in the Alternatives Analysis for the Project and in Transco's January 2020 FWW IP application, Transco is seeking authorization to construct the Higgins Farm access road to Compressor Station 206 which would eliminate impacts on wetlands and waterbodies associated with access to Compressor Station 206. However, as described in this Abbreviated Environmental Report, should Transco not receive the necessary authorizations to construct the Higgins Farm access road, the Trap Rock access road would be the only practicable alternative. The access road is necessary for the construction, operation, and maintenance of Compressor Station 206 and, therefore, the Project as a whole.
- Without the access road, Transco cannot access the property on which Compressor Station 206 would be built.
- The road is necessary for Transco to safely operate and maintain its pipeline and facilities in accordance US Department of Transportation safety regulations, and the only other alternative, the Higgins access road, is not a practicable alternative.

Accordingly, the location of Transco's existing pipelines on the Compressor Station 206 site and the landlocked nature of the property, coupled with the fact there are no practicable alternatives that would have lesser environmental impacts, necessarily requires the limited impacts to these wetlands and transition areas. Transco has established that it has avoided and minimized impacts to regulated areas, including wetlands and transition areas, to the greatest extent practicable.

In addition, the State of New Jersey will suffer a hardship without the Project with impacts to system reliability and a loss of opportunity to realize the economic and air quality benefits from the construction and operation of the Project.

On May 3, 2019, Federal Energy Regulatory Commission (FERC) issued to Transco, in its Docket No. CP17-101-000, a Certificate authorizing Transco to construct, operate, and maintain the Project. Given that nearly two years have passed since Transco first applied for these permits, it is imperative that the Department process and issue these permits as soon as possible so that Transco can comply with various time-of-year constraints

established for onshore and offshore construction and meet its contractual in-service date in the fourth quarter of 2021.

Transco is suffering an extraordinary hardship as a result of the Department's denial of the permit as it will be unable to construct and operate Compressor Station 206 and meet the need of its customer for natural gas, which FERC has determined to be in the public convenience and necessity.

SECTION 6

ADDITIONAL REQUIREMENTS SPECIFIC TO AN APPLICATION FOR AN INDIVIDUAL PERMIT (N.J.A.C. 7:7A-16.9)

7:7A-16.9 Additional requirements specific to an application for an individual permit.

(b) An application for an individual permit shall include the following:

- 1. A line delineation LOI issued under N.J.A.C. 7:7A-4.4 or a line verification LOI issued under N.J.A.C. 7:7A-4.5, if an LOI of either type has been issued. A presence/absence LOI issued under N.J.A.C. 7:7A-4.3 is not sufficient. If no LOI has been issued for the site, or if only a presence/absence LOI has been issued, the application shall include all information required for an application for a line delineation LOI or line verification LOI;**

An LOI has not been issued for this Project. As required under N.J.A.C. 7:7A-16.7 this Abbreviated Environmental Report to NJDEP for a FWW IP contains all information required regarding the location and area of wetlands, transition areas, and/or State open waters that will be disturbed and the limits of disturbance. For information on wetlands identified and delineated within the limits for the proposed Project, please refer to the Supplemental Wetland Delineation Report for the Northeast Supply Enhancement Project in Middlesex and Somerset Counties, New Jersey, as prepared by Ecology and Environment, Inc. of Lancaster, NY, dated October 2019 and provided with this Abbreviated Environmental Report submission. The report details the vegetation, soils, and hydrology identified during the delineation of wetlands performed within the limits of the proposed Compressor Station 206. Trap Rock access road (alternative access road) permit plans as submitted with this Abbreviated Environmental Report contain the locations of wetland, transition areas, and State open waters identified within the Project limits.

- 2. The total area of wetlands and State open waters, in acres, on the site before the regulated activity is performed, and the total area, in acres, of wetlands and State open waters on the site that will remain after the regulated activity is performed.**

For the Compressor Station 206 parcel (Lot 25 in Block 5.02) and associated limits of disturbance (LOD) beyond Lot 25, the total area of wetlands identified is 21.451 AC of which 3.711 AC will be disturbed and 17.74 AC will remain following proposed activities, which includes the reestablishment of 0.149 AC of temporarily disturbed wetlands.

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SECTION 9

MITIGATION

The Project spans two major drainage basins and three Watershed Management Areas (WMA) including the Raritan WMA09 which includes the lower Raritan River, as well as portions of the South River and Lawrence River basins; the Monmouth WMA12 which includes the Atlantic Coastal basin; and the Millstone WMA10 which also includes the Raritan River watershed. The Project will result in permanent disturbance to 4.038 acres of wetland and to 0.006 acres of State open water as currently proposed (assuming the use of the Trap Rock access road). The Project predominantly impacts freshwater forested wetlands (73%) (Table 9-1). The majority of impacts are within the Millstone WMA10 (92%). Riparian Zone mitigation will also be required in accordance with the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13.

Table 9-1
Transco Gas Pipeline Company NESE Projected Permanent Wetland Impacts

Project (WMA)	Permanent Wetland Impact (ac) by Cowardin Class				Total Impact (ac)
	PFO	PSS	PEM	SOW	
Compressor Station 206 (WMA 10)	2.622	0.308	0.781	0.006	3.717
Madison Loop (WMA 9)	0.283	-----	-----	-----	0.283
Madison Loop (WMA 12)	0.044	-----	-----	-----	0.044
TOTAL	2.949	0.308	0.781	0.006	4.044

The proposed Project is considered a larger disturbance (i.e., >1.5 acres) as defined at NJAC 7:7A-11.10. The Project spans the two major drainage basins in WMA09 and WMA12 on the Madison Loop. Since 87% of the wetland impacts on the Madison Loop are located within WMA9, Transco understands that there is a compelling need to provide compensatory mitigation within WMA9. The compensatory mitigation hierarchy defined at NJAC 7:7A-11.10 provides some flexibility for applicants to consider credit purchase from mitigation banks, onsite mitigation, or mitigation projects within the watershed / drainage basin with Department consideration of size, habitat value, location and interaction with nearby resources. Transco will purchase wetland mitigation credits to satisfy the compensatory mitigation required for the project from existing NJDEP approved banks within WMA9 and in WMA12 as needed for the Madison Loop and in WMA 10 for the Compressor Station 206 portion of the project.

Through consultation with NJDEP (see Agency Correspondence, Appendix E) Transco has initially determined the number of FWW mitigation credits that must be purchased to satisfy the compensatory mitigation requirements for the project as it is currently proposed. Transco has already identified NJDEP approved mitigation banks with enough available FWW credits for purchase and has provided an initial deposit to the Cranbury Mitigation Bank which services both WMA 9 and WMA 10 to secure these required credits based on the initial set of impact calculations that have been submitted to the NJDEP to date. Although the Cranbury bank does not service WMA12, 87% of the total wetland impacts on the Madison Loop are located within

WMA9 and 99% of the total project impacts are located in WMA9 and WMA10. The Cranbury Bank is also approved by NJDEP for the sale of Riparian Zone credits for the project.

No coastal wetland credits currently exist for purchase within WMA 9 or WMA 12 as compensatory mitigation for the proposed Madison Loop tidal wetland impacts associated with the project. Transco will request that the NJDEP allow the purchase of coastal wetland credits from an adjoining WMA if they are available and once the mitigation and restoration plans are approved by NJDEP and the final credit requirements are calculated for the project. As an alternative mitigation approach to coastal wetland impacts, Transco may request that a monetary contribution be made in lieu of a credit purchase if they are not available in another WMA that is acceptable to the NJDEP.



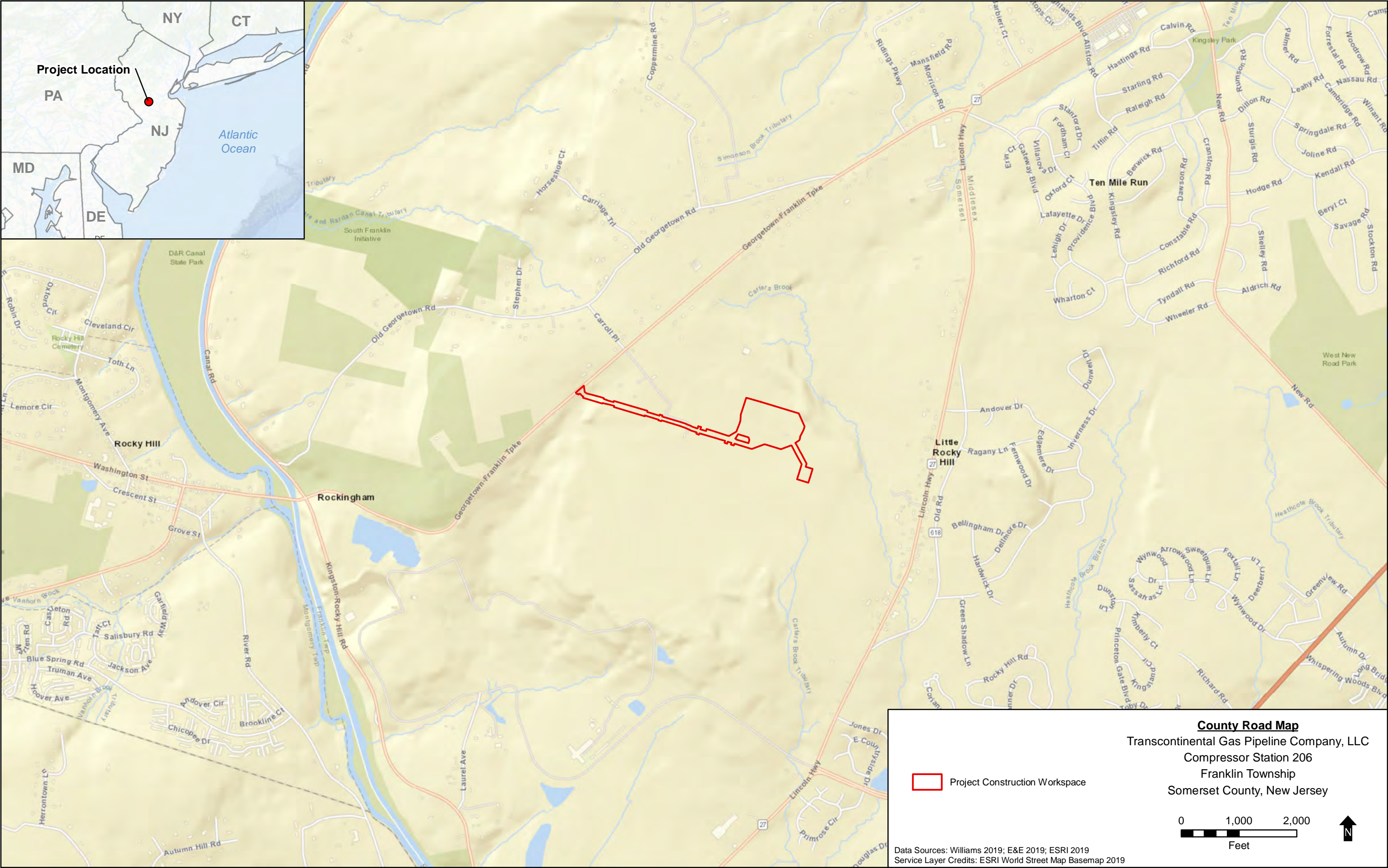
TRANSCONTINENTAL GAS PIPE LINE COMPANY, LLC

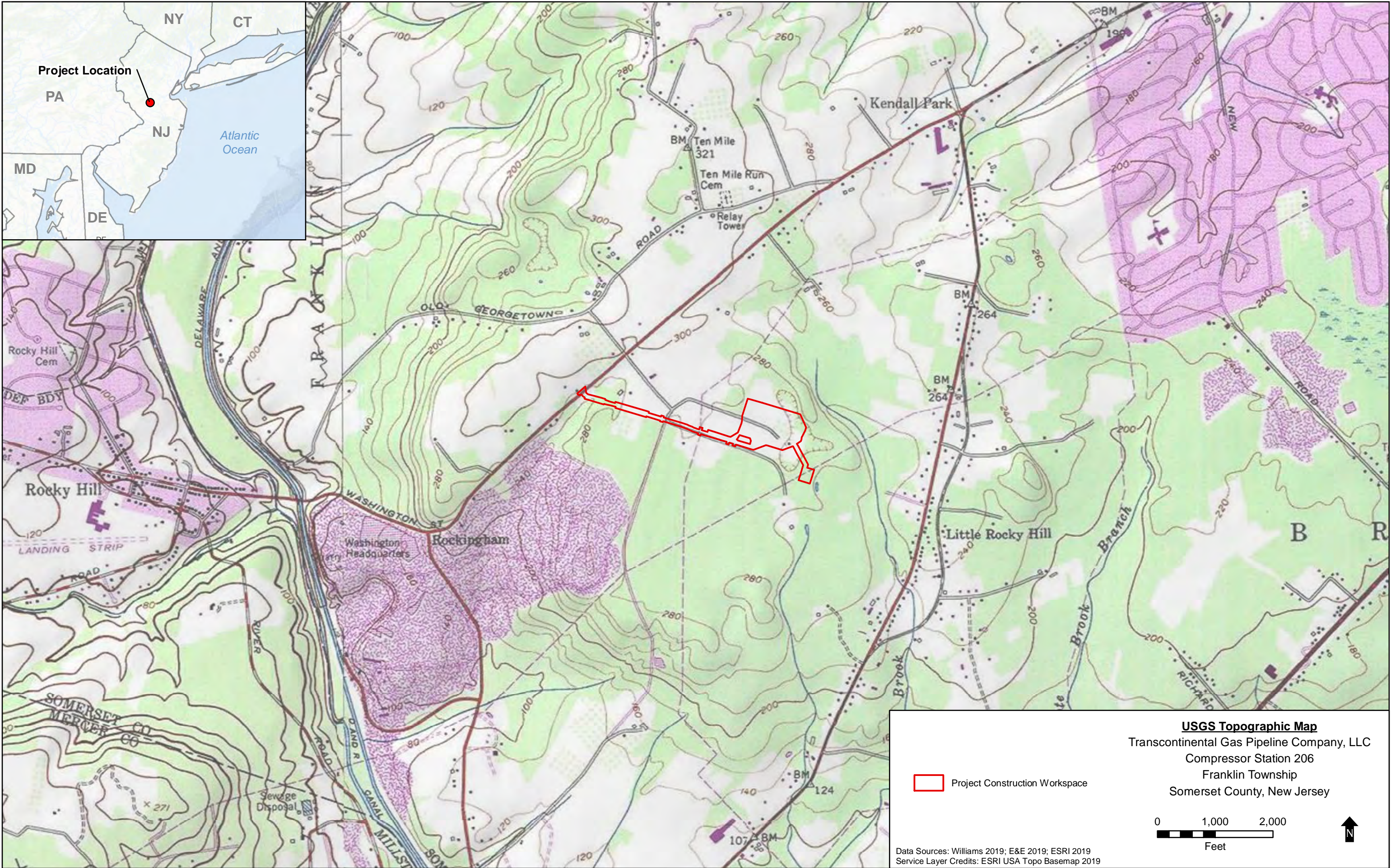
APPENDIX B
FIGURES

NORTHEAST SUPPLY ENHANCEMENT PROJECT

JANUARY 2020

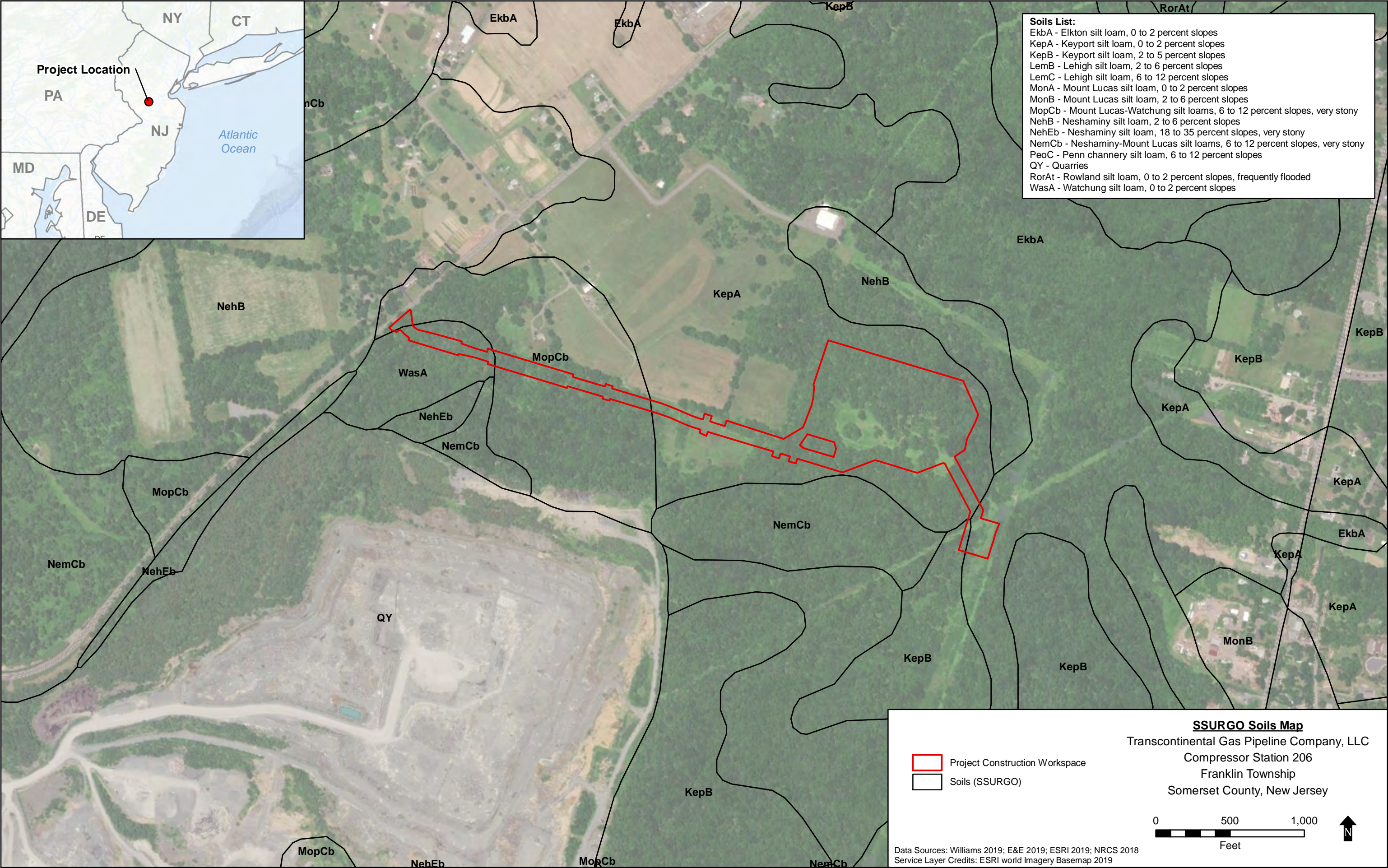
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- Soils List:**
- EkbA - Elkton silt loam, 0 to 2 percent slopes
 - KepA - Keyport silt loam, 0 to 2 percent slopes
 - KepB - Keyport silt loam, 2 to 5 percent slopes
 - LemB - Lehigh silt loam, 2 to 6 percent slopes
 - LemC - Lehigh silt loam, 6 to 12 percent slopes
 - MonA - Mount Lucas silt loam, 0 to 2 percent slopes
 - MonB - Mount Lucas silt loam, 2 to 6 percent slopes
 - MopCb - Mount Lucas-Watchung silt loams, 6 to 12 percent slopes, very stony
 - NehB - Neshaminy silt loam, 2 to 6 percent slopes
 - NehEb - Neshaminy silt loam, 18 to 35 percent slopes, very stony
 - NemCb - Neshaminy-Mount Lucas silt loams, 6 to 12 percent slopes, very stony
 - PeoC - Penn channery silt loam, 6 to 12 percent slopes
 - QY - Quarries
 - RorAt - Rowland silt loam, 0 to 2 percent slopes, frequently flooded
 - WasA - Watchung silt loam, 0 to 2 percent slopes





TRANSCONTINENTAL GAS PIPE LINE COMPANY, LLC

**APPENDIX E
CORRESPONDENCES**

NORTHEAST SUPPLY ENHANCEMENT PROJECT

JANUARY 2020

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Albers, Meghan

From: Albers, Meghan
Sent: Monday, June 24, 2019 10:40 AM
To: Eakin, Megan
Subject: FW: Errata from discussion this morning.
Attachments: TRANSCO.PDF; 20190502 EELC to DEP re NESE comments.pdf; 20190502 Princeton Hydro NESE Comment.pdf

From: Mochrie, Sara
Sent: Friday, May 3, 2019 12:23 PM
To: Eakin, Megan <MEakin@ene.com>; Albers, Meghan <MAlbers@ene.com>; Perry, Katharine <KPerry@ene.com>
Subject: FW: Errata from discussion this morning.

From: Resnick, Matthew <Matthew.Resnick@dep.nj.gov>
Sent: Friday, May 3, 2019 11:02 AM
To: Mochrie, Sara <SMochrie@ene.com>; Dean, Joseph (Joseph.Dean@Williams.com) <Joseph.Dean@Williams.com>; Olson, Karen (Karen.Olson@williams.com) <Karen.Olson@williams.com>
Cc: Dow, Diane <Diane.Dow@dep.nj.gov>; Jones, Christopher <Christopher.Jones@dep.nj.gov>
Subject: Errata from discussion this morning.

Good Morning Transco Team, as discussed, here are the documents;

1. Transco.PDF. This is Christina's comments to Jeffery Mason regarding the location of what would be considered suitable habitat for Barred Owl, and as a result Exceptional Resource. Exceptional Resources are in Green. Intermediate/ordinary are in purple.
2. Summary letter from EELC to DEP.
3. Summary Letter from Princeton Hydro raising technical and legal objections to the project as it currently stands.

Lastly, please look at other alternatives for utility connection D at CS 206.

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NOTES ON USE OF PLANS:

- UNLESS THESE PERMIT DRAWINGS ARE SPECIFICALLY DESIGNATED AS "CONSTRUCTION ISSUE," THESE DRAWINGS SHALL NOT BE USED FOR PERMITTING ASSOCIATED WITH CONSTRUCTION OR THE IMPROVEMENTS DEPICTED HEREIN. CONTRACTORS SHALL NOTIFY THE DESIGN ENGINEER TO OBTAIN PERMITTING DOCUMENTS. THESE PLANS ARE FOR NJDEP PERMITTING ONLY, NO CONSTRUCTION IS TO BE BASED UPON THESE PLANS.
- ALL DIMENSIONS MUST BE VERIFIED IN THE FIELD DURING CONSTRUCTION BY THE CONTRACTOR. NOTIFY PAULUS, SOKOLOWSKI AND SARTOR, LLC OF ANY CONFLICTS, ERRORS, AMBIGUITIES OR DISCREPANCIES IN THE CONTRACT DRAWINGS OR SPECIFICATIONS BEFORE PROCEEDING WITH CONSTRUCTION.
- ALL DIMENSIONS SHALL BE AS NOTED IN WORDS OR NUMBERS ON THE CONTRACT DRAWINGS. DO NOT SCALE THE DRAWINGS TO DETERMINE DIMENSIONS.
- THESE CONTRACT DRAWINGS CONTAIN DATA INTENDED SPECIFICALLY FOR THE NOTED PROJECT AND CLIENT. THEY ARE NOT INTENDED FOR USE ON EXTENSIONS OF THIS PROJECT OR FOR REUSE ON ANY OTHER PROJECT.
- THE COPYING AND/OR MODIFICATION OF THIS DOCUMENT OR ANY OTHER PORTION THEREOF WITHOUT THE WRITTEN PERMISSION OF PAULUS, SOKOLOWSKI, AND SARTOR, LLC IS EXPRESSLY PROHIBITED.
- INFORMATION FOR DESIGN LAYOUT IS CONTAINED SOLELY IN THE WRITTEN DIMENSIONS, BEARINGS, AND ANGLES CONTAINED ON THE DRAWINGS.
- THIS DIMENSIONAL INFORMATION IS NOT WARRANTED NOR SHOULD IT BE CONSIDERED AS COMPLETE FOR EVERY ASPECT OF THE LAYOUT. STANDARD PRACTICE REQUIRES THAT THE LAYOUT PERSON CHECK THE DIMENSIONAL DATA CONSISTENCY AND TO PERFORM SURVEY CALCULATIONS WHICH ARE CUSTOMARY FOR CONSTRUCTION LAYOUT. IN THE EVENT THAT A QUESTION OR INCONSISTENCY IS DISCOVERED, THE INSTALLER SHALL IMMEDIATELY NOTIFY THE DESIGN ENGINEER, PAULUS, SOKOLOWSKI, AND SARTOR, LLC.
- THE GRAPHICAL INFORMATION CONTAINED IN ELECTRONIC FILES IS INTENDED AS DRAWING DATA ONLY. IT IS NOT INTENDED TO SERVE AS SURVEY LAYOUT DATA.
- ALL PROPOSED FITTING ANGLES ARE APPROXIMATE. CONTRACTOR TO FIELD VERIFY PRIOR TO CUTTING.

GENERAL NOTES:

- AS INDICATED IN THE "MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES," SUFFICIENT CONSTRUCTION WARNING SIGNS ARE TO BE PROVIDED AND MAINTAINED BY CONTRACTORS PERFORMING CONSTRUCTION WORK. SAID SIGNS ARE TO BE MAINTAINED UNTIL CONSTRUCTION IS COMPLETED AND APPROVED BY THE APPROPRIATE MUNICIPAL INSPECTION PERSONNEL.
- THE CONTRACTOR SHALL PROVIDE SUCH TEMPORARY DRAINAGE, SOIL EROSION, AND DUST CONTROL MEASURES AS MAY BE INDICATED ON THE PLANS AND/OR AS DIRECTED BY THE MUNICIPAL ENGINEER OR OTHER AGENCIES OR DEPARTMENTS TO SATISFY ENVIRONMENTAL CONCERNS.
- LOCATION OF EXISTING INLETS, CATCH BASINS AND MANHOLES MUST BE FIELD VERIFIED BEFORE WORK MAY COMMENCE. ANY CONFLICTING INFORMATION FROM THAT SHOWN SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE DESIGN ENGINEER, PAULUS, SOKOLOWSKI, AND SARTOR, LLC.
- ALL ROADWAYS ARE TO BE PASSABLE FOR FIRE, POLICE, & EMERGENCY VEHICLES DURING CONSTRUCTION. NOTICE SHALL BE GIVEN TO AGENCIES 72 HOURS IN ADVANCE IF WORK MAY IMPACT EMERGENCY RESPONSE.
- UNLESS SPECIFICALLY SHOWN HEREIN, THE DESIGN ENGINEER HAS NOT CONDUCTED AN INVESTIGATION OR PROVIDED DATA ON THE NATURE OF, OR STRUCTURAL SUITABILITY OF ANY SUBSURFACE MATERIALS. THE CONTRACTOR SHALL NOTIFY THE DESIGN ENGINEER IN WRITING OF ANY UNUSUAL SOIL OR ROCK CONDITIONS ENCOUNTERED.
- ALL SOIL EROSION AND SEDIMENT CONTROL STRUCTURES AND MEASURES SHALL BE IN PLACE PRIOR TO ANY SITE DISTURBANCE.
- CONTRACTOR TO RESTORE GROUND SURFACE OF GAS PIPELINE TRENCH, CONSTRUCTION STAGING AREAS, AND ALL OTHER DISTURBED AREAS TO THEIR ORIGINAL CONDITION OR BETTER, OR AS SPECIFIED IN THESE PLANS.
- NO CONSTRUCTION SHALL BE PERFORMED ON WEEKENDS OR DURING NIGHTS IN RESIDENTIAL AREAS WITHOUT PRIOR APPROVAL OF WILLIAMS.
- ALL TREES REMOVED DURING CLEARING SHALL BE TRIMMED AND PLACED AT EDGE OF EASEMENT FOR LANDOWNER UNLESS OTHERWISE NOTED ON PLANS.

OWNER / APPLICANT

TRANSCONTINENTAL GAS PIPE LINE COMPANY, LLC
2800 POST OAK BLVD.
HOUSTON, TEXAS 77056

FLOOD HAZARD AREA AND FRESHWATER WETLANDS NOTES:

- THE PURPOSE OF THESE PLANS IS TO SECURE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FRESHWATER WETLANDS, FLOOD HAZARD AREA FLOODPLAIN VERIFICATION AND FLOOD HAZARD AREA INDIVIDUAL PERMITS FOR THE PROPOSED CONSTRUCTION OF A COMPRESSION STATION 206 AND ASSOCIATED IMPROVEMENTS IN FRANKLIN TOWNSHIP, SOMERSET COUNTY AS PART OF THE NORTHEAST SUPPLY ENHANCEMENT PROJECT.
 - FRESHWATER WETLAND INDIVIDUAL PERMIT - N.J.A.C. 7:7A-7.2
 - FLOOD HAZARD AREA INDIVIDUAL PERMIT REGULATED ACTIVITIES
 - N.J.A.C. 7:13-11.1 REGULATED ACTIVITY IN CHANNEL
 - N.J.A.C. 7:13-11.2 REGULATED ACTIVITY IN RIPARIAN ZONE
 - N.J.A.C. 7:13-11.6 REGULATED ACTIVITY IN OR AFFECTING A PRESENT OR DOCUMENTED HABITAT FOR THREATENED OR ENDANGERED SPECIES
 - N.J.A.C. 7:13-12.1 REGULATED ACTIVITY ALL REQUIREMENTS
 - N.J.A.C. 7:13-12.2 REGULATED ACTIVITY FOR STORMWATER MANAGEMENT
 - N.J.A.C. 7:13-12.3 REGULATED ACTIVITY FOR EXCAVATION, FILL AND GRADING ACTIVITIES
 - N.J.A.C. 7:13-12.6 REGULATED ACTIVITY FOR ROADWAY
 - N.J.A.C. 7:13-12.7 REGULATED ACTIVITY FOR CULVERT
 - N.J.A.C. 7:13-12.8 REGULATED ACTIVITY FOR UTILITY LINE
 - THE APPLICANT/OWNER SHALL SECURE ALL PROPOSED PERMANENT AND TEMPORARY EASEMENTS AND RIGHTS OF ACCESS SHOWN ON THE PLANS PRIOR TO CONSTRUCTION. THE OWNER/CONTRACTOR SHALL ALSO SECURE NECESSARY EASEMENTS OR RIGHTS OF ACCESS BEYOND THE LIMITS SHOWN, AS DEEMED NECESSARY.
 - THE CONTRACTOR IS ADVISED THAT STAGING, STORING AND STOCKPILING OF MATERIALS AND EQUIPMENT SHALL BE ACCOMPLISHED OUTSIDE NJDEP REGULATED FRESHWATER WETLANDS, WETLANDS BUFFERS OR FLOOD HAZARD AREA RIPARIAN ZONES TO THE MAXIMUM EXTENT PRACTICABLE AND IN ACCORDANCE WITH NJDEP LINEAR CONSTRUCTION GUIDELINES.
 - THE CONTRACTOR SHALL EXCAVATE, STORE AND REPLACE TOPSOIL WITHIN TRENCH LIMITS. PROPOSED FINISHED GRADE SHALL MATCH EXISTING GRADE. ALL EXCESS MATERIAL SHALL BE DISPOSED OF LAWFULLY.
 - ANY PROPOSED TRENCH IN A STREAM CHANNEL, OPEN WATER OR RIPARIAN ZONE IS TO BE A MAXIMUM OF 20 FEET WIDE, UNLESS CONSTRUCTION STANDARDS DICTATE ADDITIONAL WIDTH.
 - A MINIMUM COVER OF FOUR (4) FEET SHALL BE PROVIDED FROM THE CHANNEL INVERT. THE ELEVATION OF THE TRANSMISSION GAS MAIN SHALL REMAIN HORIZONTAL UNTIL TEN (10) FEET BEYOND THE TOP OF BANK, OR TWICE THE HEIGHT OF THE STREAM BANK, WHICHEVER IS GREATER. THE INCLINED OF THE MAIN SHALL BE NO GREATER THAN 1:2 ENTERING AND EXITING THE CHANNEL BANK AREA.
 - ALL OR A PORTION OF THE SITE LIES WITHIN A FLOOD HAZARD AREA. CERTAIN ACTIVITIES IN FLOOD HAZARD AREAS ARE REGULATED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SOME ACTIVITIES MAY BE PROHIBITED ON THIS SITE OR MAY FIRST REQUIRE A PERMIT. CONTACT THE DIVISION OF LAND USE REGULATIONS AT (609) 292-0060 FOR MORE INFORMATION PRIOR TO ANY CONSTRUCTION ON SITE.
 - NEW JERSEY WATERS OF THE UNITED STATES DELINEATION DATA WERE COLLECTED BY ECOSCIENCES AND ECOLOGY AND ENVIRONMENT, INC. IN 2016/2017. A MAPPING GRADE TRIMBLE GPS WAS USED TO COLLECT FRESHWATER WETLANDS IN THE FIELD. IN NEW JERSEY MAPPING GRADE LOCATIONS AND DATA WERE RECORDED BY CIVIL SURVEY OF WILLIAMS STRATEGIC SOURCING COMPANY, LLC TO MEET PLS CERTIFICATION REQUIREMENT REQUIRED FOR NJDEP LETTER OF INTERPRETATION.
 - WITHIN THE SURVEY CORRIDOR ECOLOGY AND ENVIRONMENT, INC. AND ANY GREENE ENVIRONMENTAL ESTABLISHED THE RIPARIAN ZONES UTILIZING WATERS OF THE UNITED STATES FIELD DATA. OUTSIDE SURVEY CORRIDOR FEATURES ECOLOGY AND ENVIRONMENT, INC. USED REMOTE SENSING FOR FEATURES WHO'S TRADITIONAL AREAS ENCR OACH INTO THE SURVEY CORRIDOR FROM OUTSIDE.
 - PROPOSED PROJECT IS SUBJECT TO SOMERSET-UNION SOIL CONSERVATION DISTRICT PLAN CERTIFICATION APPROVAL.
 - PRIOR TO ANY SITE DISTURBANCE, ALL WETLANDS AND OR WETLANDS TRANSITION AREA LIMITS SHALL BE CLEARLY IDENTIFIED IN THE FIELD WITH ORANGE "MIRAF" PROTECTIVE FENCING OR APPROVED ALTERNATE. LOCATE SILT FENCE FIVE FEET UPSTREAM OF PROTECTIVE FENCING AND DOWNSTREAM OF CLEARING LIMITS AS SHOWN. THE CONTRACTOR SHALL VERIFY THAT ALL PERMITS AS MAY BE REQUIRED BY LOCAL, COUNTY, STATE, OR FEDERAL REGULATIONS ARE IN HAND, ON THE JOB AND VALID PRIOR TO COMMENCING WORK. PS&S SHALL STAKE THESE BOUNDARIES PRIOR TO CONSTRUCTION.
 - NON-PAVED AREAS IN FRESHWATER WETLANDS AND/OR RIPARIAN ZONES TO RECEIVE 18 INCHES OF TOPSOIL/INSITU MATERIAL.
 - CONTRACTOR SHALL DISPOSE OF ANY HAZARDOUS SUBSTANCES (IF ENCOUNTERED) OFF-SITE. NO PLACEMENT, STORAGE OR PROCESSING OF HAZARDOUS SUBSTANCES IN REGULATED AREAS PERMITTED.
 - THE NEW JERSEY FLOOD HAZARD AREA DESIGN FLOOD ASSOCIATED WITH CARTER'S BROOK WERE DETERMINED USING NJDEP METHOD 5 (FLOOD HAZARD AREA DETERMINED BY APPROXIMATION) ACCORDING TO N.J.A.C. 7:13-3.5.
 - STAGING, STORING AND STOCKPILING OF MATERIALS AND EQUIPMENT SHALL TO THE MAXIMUM EXTENT PRACTICABLE, BE ACCOMPLISHED OUTSIDE THE RIPARIAN ZONE. WHERE IT IS NECESSARY TO CONDUCT THESE ACTIVITIES IN THE RIPARIAN ZONE, THESE ACTIVITIES, AS WELL AS ACCESS TO THE UTILITY LINE DURING CONSTRUCTION, SHALL, TO THE MAXIMUM EXTENT PRACTICABLE, BE UNDERTAKEN IN ACTIVELY DISTURBED AREAS.

REFERENCE NOTES

- EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON SURVEY INFORMATION PREPARED BY D.W. SMITH ASSOCIATES, INC. AND WILLIAMS TRANSCONTINENTAL PIPE LINE COMPANY, LLC.
- THE VERTICAL DATUM REFERS TO NAVD 88 TOPOGRAPHICAL DATA (CONVERSION TO NAVD 1929; + 1.04 FT.)
- THE HORIZONTAL DATUM REFERS TO NAD83 NEW JERSEY STATE PLANE COORDINATE SYSTEM.
- LOT LINES AND RIGHT-OF-WAY LINES SHOWN HEREON WERE TAKEN FROM INFORMATION AS REFERENCED ABOVE.
- TOPOGRAPHIC CONTOURS BASED UPON FIELD SURVEY PERFORMED BY D.W. SMITH ASSOCIATES, LLC OCTOBER 2016-JUNE 2017, PROVIDED BY TRANSCONTINENTAL GAS PIPE LINE COMPANY, LLC.
- PROPOSED SITE IMPROVEMENTS AND PROPOSED LIMITS OF DISTURBANCE TAKEN FROM PLANS ENTITLED "TRANSCONTINENTAL GAS PIPE LINE COMPANY, LLC POST CONSTRUCTION STORMWATER MANAGEMENT PLAN", LAST REVISED FEBRUARY 1, 2019, PROPOSED BY AECOM.
- PRIOR TO ANY SITE DISTURBANCE, ALL WETLANDS AND OR WETLANDS TRANSITION AREA LIMITS SHALL BE CLEARLY IDENTIFIED IN THE FIELD WITH ORANGE "MIRAF" PROTECTIVE FENCING OR APPROVED ALTERNATE. LOCATE SILT FENCE FIVE FEET UPSTREAM OF PROTECTIVE FENCING AND DOWNSTREAM OF CLEARING LIMITS AS SHOWN. THE CONTRACTOR SHALL VERIFY THAT ALL PERMITS AS MAY BE REQUIRED BY LOCAL, COUNTY, STATE, OR FEDERAL REGULATIONS ARE IN HAND, ON THE JOB AND VALID PRIOR TO COMMENCING WORK. PS&S SHALL STAKE THESE BOUNDARIES PRIOR TO CONSTRUCTION.
- NEW JERSEY STATE PLANE COORDINATES IN NAD83 AT APPROXIMATELY 1000'-FT INTERVALS ALONG PROJECT:
 - #1 NORTH 572,290', EAST 461,603'
 - #2 NORTH 571,931', EAST 462,514'
 - #3 NORTH 571,628', EAST 463,461'
 - #4 NORTH 571,304', EAST 464,405'
 - #5 NORTH 571,911', EAST 465,195'

FLOOD HAZARD AREA METES AND BOUNDS				
Line #	Length	Direction	START	END
L1	16.390	S1° 12' 48.59"E	N=572590.5184 E=465198.0982	N=572574.1324 E=465198.4453
L2	33.609	S8° 58' 56.56"E	N=572574.1324 E=465198.4453	N=572540.9358 E=465203.6927
L3	88.932	S2° 03' 55.39"W	N=572540.9358 E=465203.6927	N=572432.0613 E=465201.4678
L4	25.330	S7° 07' 37.92"E	N=572432.0613 E=465201.4678	N=572426.9268 E=465197.3448
L5	31.203	S15° 04' 51.26"E	N=572426.9268 E=465197.3448	N=572396.7982 E=465205.4633
L6	22.074	S45° 27' 06.17"E	N=572396.7982 E=465205.4633	N=572381.3129 E=465221.1948
L7	40.335	S29° 15' 06.43"E	N=572381.3129 E=465221.1948	N=572346.1213 E=465240.9044
L8	28.747	S26° 08' 47.26"E	N=572346.1213 E=465240.9044	N=572320.3159 E=465246.9723
L9	56.168	S6° 44' 53.41"W	N=572320.3159 E=465246.9723	N=572264.5371 E=465264.9723
L10	35.727	S25° 39' 40.23"E	N=572264.5371 E=465246.9723	N=572232.3335 E=465282.4440
L11	35.388	S0° 25' 28.96"W	N=572232.3335 E=465282.4440	N=572196.9466 E=465282.4440
L12	42.555	S32° 13' 29.32"E	N=572196.9466 E=465282.4440	N=572186.9466 E=465284.6740
L13	15.365	S54° 19' 39.39"E	N=572186.9466 E=465284.6740	N=572160.9463 E=465291.9920
L14	18.974	S53° 14' 24.10"E	N=572160.9463 E=465291.9920	N=572151.9920 E=465312.5493
L15	87.262	S22° 28' 08.89"E	N=572151.9920 E=465312.5493	N=572140.6365 E=465345.8997
L16	20.786	S37° 39' 49.96"E	N=572140.6365 E=465345.8997	N=572058.9887 E=465358.6004
L17	82.215	S50° 12' 46.54"E	N=572058.9887 E=465358.6004	N=571890.9323 E=465421.7785
L18	25.279	S22° 47' 49.51"E	N=571890.9323 E=465421.7785	N=571967.6282 E=465431.5712
L19	25.259	S43° 14' 15.91"E	N=571967.6282 E=465431.5712	N=571949.2268 E=465448.8743
L20	23.886	S79° 07' 11.24"E	N=571949.2268 E=465448.8743	N=571944.7179 E=465472.3312

FLOOD HAZARD AREA METES AND BOUNDS				
Line #	Length	Direction	START	END
L21	25.796	S63° 22' 32.86"E	N=571944.7179 E=465472.3312	N=571933.1576 E=465495.3922
L22	35.893	S28° 15' 16.81"E	N=571933.1576 E=465495.3922	N=571901.5413 E=465512.3636
L23	35.710	S5° 12' 36.14"E	N=571901.5413 E=465512.3636	N=571865.9793 E=465515.6263
L24	32.903	S27° 01' 14.58"E	N=571865.9793 E=465515.6263	N=571836.6682 E=465530.5744
L25	33.298	S50° 27' 10.16"E	N=571836.6682 E=465530.5744	N=571815.4666 E=465556.2508
L26	22.483	S31° 48' 26.92"E	N=571815.4666 E=465556.2508	N=571796.3511 E=465568.1064
L27	43.134	S12° 25' 48.69"E	N=571796.3511 E=465568.1064	N=571754.2284 E=465571.3939
L28	14.152	S4° 55' 02.83"E	N=571754.2284 E=465571.3939	N=571740.1285 E=465578.6041
L29	12.587	S54° 03' 12.40"E	N=571740.1285 E=465578.6041	N=571732.7396 E=465588.7940
L30	20.359	S67° 59' 34.20"E	N=571732.7396 E=465588.7940	N=571725.1104 E=465607.6700
L31	14.865	S41° 53' 51.82"E	N=571725.1104 E=465607.6700	N=571714.0456 E=465617.5972
L32	35.715	S8° 38' 51.01"E	N=571714.0456 E=465617.5972	N=571678.7369 E=465622.9671
L33	38.061	S21° 59' 02.48"E	N=571678.7369 E=465622.9671	N=571618.7127 E=465637.2152
L34	30.232	S35° 06' 50.77"E	N=571618.7127 E=465637.2152	N=571618.7127 E=465637.2152
L35	1.443	S36° 14' 12.41"E	N=571618.7127 E=465637.2152	N=571617.5491 E=465654.0031
L36	8.205	S39° 30' 56.61"W	N=571617.5491 E=465654.0031	N=571611.2197 E=465655.4579
L37	44.559	S27° 49' 37.01"W	N=571611.2197 E=465655.4579	N=571571.8138 E=465659.4373
L38	53.036	S12° 40' 50.04"W	N=571571.8138 E=465659.4373	N=571520.0714 E=465671.7951
L39	14.236	S11° 25' 08.44"E	N=571520.0714 E=465671.7951	N=571506.1148 E=465680.6141
L40	19.244	S13° 14' 07.28"E	N=571506.1148 E=465680.6141	N=571487.3819 E=465685.0200

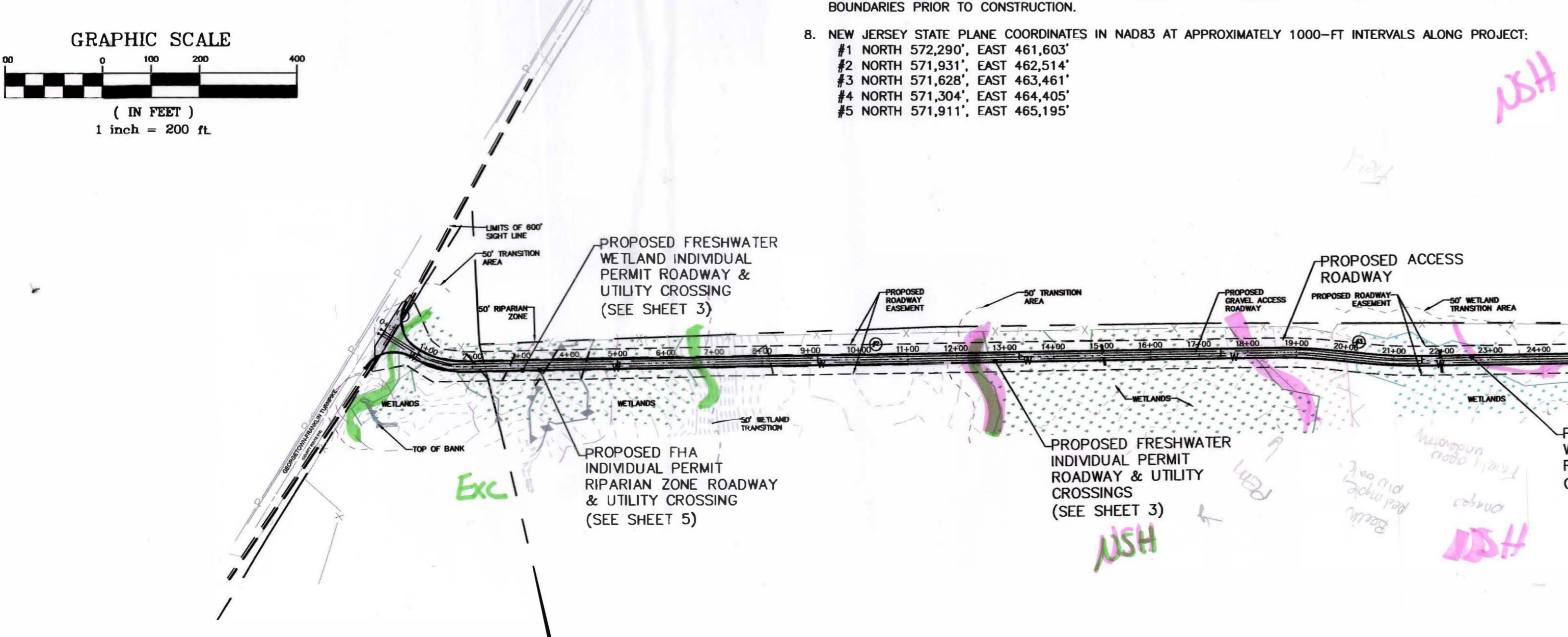
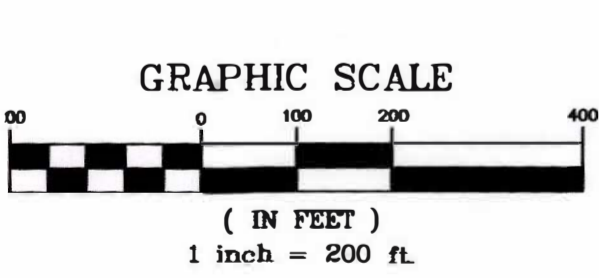
FLOOD HAZARD AREA METES AND BOUNDS				
Line #	Length	Direction	START	END
L41	73.495	S20° 13' 55.32"W	N=571487.3819 E=465685.0200	N=571418.4211 E=465699.6036
L42	53.561	S17° 51' 25.33"E	N=571418.4211 E=465699.6036	N=571367.4408 E=465616.0276
L43	74.181	S10° 41' 26.54"E	N=571367.4408 E=465616.0276	N=571294.5470 E=465628.7888
L44	63.251	S10° 28' 55.63"E	N=571294.5470 E=465628.7888	N=571232.3517 E=465641.2959
L45	44.573	S29° 34' 14.34"E	N=571232.3517 E=465641.2959	N=571193.5846 E=465663.2925
L46	56.087	S79° 34' 18.14"E	N=571193.5846 E=465663.2925	N=571183.4328 E=465718.4531
L47	55.444	N42° 45' 03.26"E	N=571183.4328 E=465718.4531	N=571224.1459 E=465784.5576
L48	16.388	N29° 44' 10.93"E	N=571224.1459 E=465784.5576	N=571238.3757 E=465764.2176
L49	13.312	N13° 16' 42.62"E	N=571238.3757 E=465764.2176	N=571251.9330 E=465764.2176
L50	17.292	N88° 04' 24.87"E	N=571251.9330 E=465764.2176	N=571251.9330 E=465764.2176
L51	6.610	N29° 15' 50.40"E	N=571251.9330 E=465764.2176	N=571257.6793 E=465787.7896
L52	19.566	N38° 38' 03.11"W	N=571257.6793 E=465787.7896	N=571272.9631 E=465775.5727
L53	15.071	N22° 22' 03.75"E	N=571272.9631 E=465775.5727	N=571286.9000 E=465781.3079
L54	22.779	N76° 20' 51.47"E	N=571286.9000 E=465781.3079	N=571292.2122 E=465803.4590
L55	24.477	N28° 27' 40.07"E	N=571292.2122 E=465803.4590	N=571313.7310 E=465815.1239
L56	17.038	N65° 52' 58.53"E	N=571313.7310 E=465815.1239	N=571320.6928 E=465830.6749
L57	8.911	N83° 04' 51.67"W	N=571320.6928 E=465830.6749	N=571321.6736 E=465821.8179
L58	35.806	N47° 11' 33.58"E	N=571321.6736 E=465821.8179	N=571346.0053 E=465848.0869

RIPARIAN ZONE LEGEND

- ROADWAY ACCESS AREA
- ACCESS TO THE PROJECT DISTURBANCE
- NEW UTILITY LINE DISTURBANCE

WETLAND LEGEND

- PALUSTRINE EMERGENT (PEM)
- PALUSTRINE EMERGENT DISTURBED
- PALUSTRINE FORESTED (PFO)
- PALUSTRINE FORESTED DISTURBED
- PALUSTRINE SCRUB-SHRUB (PSS)
- PALUSTRINE SCRUB-SHRUB DISTURBED
- TRANSITION AREA DISTURBANCE
- TEMPORARY DISTURBANCE
- PERMANENT DISTURBANCE



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State of New Jersey

MAIL CODE 501-04

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF PARKS & FORESTRY

NEW JERSEY FOREST SERVICE

OFFICE OF NATURAL LANDS MANAGEMENT

P.O. BOX 420

TRENTON, NJ 08625-0420

Tel. (609) 984-1339 Fax (609) 984-0427

PHILIP D. MURPHY

Governor

SHEILA Y. OLIVER

Lt. Governor

CATHERINE R. McCABE

Commissioner

July 8, 2019

Stephen Czapka
Ecology and Environment, Inc.
200 Bendix Road, Suite 250
Virginia Beach, VA 23452

Re: Compressor Station 206
Franklin Township, Somerset County

Dear Mr. Czapka:

Thank you for your data request regarding rare species information for the above referenced project site.

Searches of the Natural Heritage Database and the Landscape Project (Version 3.3) are based on a representation of the boundaries of your project site in our Geographic Information System (GIS). We make every effort to accurately transfer your project bounds from the topographic map(s) submitted with the Natural Heritage Data Request Form into our Geographic Information System. We do not typically verify that your project bounds are accurate, or check them against other sources.

We have checked the Landscape Project habitat mapping and the Biotics Database for occurrences of any rare wildlife species or wildlife habitat on the referenced site. The Natural Heritage Database was searched for occurrences of rare plant species or ecological communities that may be on the project site. Please refer to Table 1 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented on site. A detailed report is provided for each category coded as 'Yes' in Table 1.

We have also checked the Landscape Project habitat mapping and Biotics Database for occurrences of rare wildlife species or wildlife habitat in the immediate vicinity (within ¼ mile) of the referenced site. Additionally, the Natural Heritage Database was checked for occurrences of rare plant species or ecological communities within ¼ mile of the site. Please refer to Table 2 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented within the immediate vicinity of the site. Detailed reports are provided for all categories coded as 'Yes' in Table 2. These reports may include species that have also been documented on the project site.

We have also checked the Landscape Project habitat mapping and Biotics Database for all occurrences of rare wildlife species or wildlife habitat within one mile of the referenced site. Please refer to Table 3 (attached) to determine if any rare wildlife species or wildlife habitat is documented within one mile of the project site. Detailed reports are provided for each category coded as 'Yes' in Table 3. These reports may include species that have also been documented on the project site.

For requests submitted as part of a Flood Hazard Area Control Act (FHACA) rule application, we report records for all rare plant species and ecological communities tracked by the Natural Heritage Program that may be on, or in the immediate vicinity of, your project site. A subset of these plant species are also covered by the FHACA rules when the records are located within one mile of the project site. One mile searches for FHACA plant species will only report precisely located occurrences for those wetland plant species identified under the FHACA regulations as being critically dependent on the watercourse. Please refer to Table 3 (attached) to determine if any precisely located rare wetland plant species covered by the FHACA rules have been documented. Detailed reports are provided for each category coded as 'Yes' in Table 3. These reports may include species that have also been documented on, or in the immediate vicinity of, the project site.

NHP File No. 19-4007445-17026

The Natural Heritage Program reviews its data periodically to identify priority sites for natural diversity in the State. Included as priority sites are some of the State's best habitats for rare and endangered species and ecological communities. Please refer to Tables 1, 2 and 3 (attached) to determine if any priority sites are located on, in the immediate vicinity, or within one mile of the project site.

A list of rare plant species and ecological communities that have been documented from the county (or counties), referenced above, can be downloaded from <http://www.state.nj.us/dep/parksandforests/natural/heritage/countylist.html>. If suitable habitat is present at the project site, the species in that list have potential to be present.

Status and rank codes used in the tables and lists are defined in EXPLANATION OF CODES USED IN NATURAL HERITAGE REPORTS, which can be downloaded from http://www.state.nj.us/dep/parksandforests/natural/heritage/nhpcodes_2010.pdf.

Beginning May 9, 2017, the Natural Heritage Program reports for wildlife species will utilize data from Landscape Project Version 3.3. If you have questions concerning the wildlife records or wildlife species mentioned in this response, we recommend that you visit the interactive web application at the following URL, <https://njdep.maps.arcgis.com/apps/webappviewer/index.html?id=0e6a44098c524ed99bf739953cb4d4c7>, or contact the Division of Fish and Wildlife, Endangered and Nongame Species Program at (609) 292-9400.

For additional information regarding any Federally listed plant or animal species, please contact the U.S. Fish & Wildlife Service, New Jersey Field Office at <http://www.fws.gov/northeast/njfieldoffice/endangered/consultation.html>.

PLEASE SEE 'CAUTIONS AND RESTRICTIONS ON NHP DATA', which can be downloaded from <http://www.state.nj.us/dep/parksandforests/natural/heritage/newcaution2008.pdf>.

Thank you for consulting the Natural Heritage Program. The attached invoice details the payment due for processing this data request. Feel free to contact us again regarding any future data requests.

Sincerely,



Robert J. Cartica
Administrator

c: NHP File No. 19-4007445-17026

Mail Code 501-04 Department of Environmental Protection New Jersey Forest Service Office of Natural Lands Management P.O. Box 420 Trenton, New Jersey 08625-0420 Tel. (609) 984-1339 Fax. (609) 984-1427		<h1 style="text-align: right; margin: 0;"><i>Invoice</i></h1>	
		Date	Invoice #
		7/8/2019	17026
Bill to: Ecology and Environment, Inc. 200 Bendix Road, Suite 250 Virginia Beach, VA 23452		Make check payable to: DEP - Office of Natural Lands Management And forward with a copy of this statement to: Mail Code 501-04 Office of Natural Lands Management P.O. Box 420 Trenton, New Jersey 08625-0420	
Quantity (hrs.)	Description	Rate (per hr.)	Amount
1	Natural Heritage Database search for locational information of rare species and ecological communities. Project: 19-4007445-17026	\$ 70.00	\$ 70.00
Stephen Czapka Project Name: Compressor Station 206		Total	\$ 70.00

Table 1: On Site Data Request Search Results (6 Possible Reports)

<u>Report Name</u>	<u>Included</u>	<u>Number of Pages</u>
1. Possibly on Project Site Based on Search of Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
2. Natural Heritage Priority Sites On Site	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	No	0 pages included
4. Vernal Pool Habitat on the Project Site Based on Search of Landscape Project 3.3	Yes	1 page(s) included
5. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.3 Stream Habitat File	No	0 pages included
6. Other Animal Species On the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	No	0 pages included

**Vernal Pool Habitat on the
Project Site Based on Search of
Landscape Project 3.3**

Vernal Pool Habitat Type	Vernal Pool Habitat ID
Potential vernal habitat area	1705
Potential vernal habitat area	1719
Total number of records:	2

Table 2: Vicinity Data Request Search Results (6 possible reports)

<u>Report Name</u>	<u>Included</u>	<u>Number of Pages</u>
1. Immediate Vicinity of the Project Site Based on Search of Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
2. Natural Heritage Priority Sites within the Immediate Vicinity	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat Within the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	Yes	1 page(s) included
4. Vernal Pool Habitat In the Immediate Vicinity of Project Site Based on Search of Landscape Project 3.3	Yes	1 page(s) included
5. Rare Wildlife Species or Wildlife Habitat In the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Stream Habitat File	No	0 pages included
6. Other Animal Species In the Immediate Vicinity of the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	No	0 pages included

<p>Rare Wildlife Species or Wildlife Habitat Within the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches</p>
--

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
<hr/>								
<i>Aves</i>	Great Blue Heron	Ardea herodias	Foraging	2	NA	Special Concern	G5	S3B,S4N

**Vernal Pool Habitat
In the Immediate Vicinity of
Project Site Based on Search of
Landscape Project 3.3**

Vernal Pool Habitat Type

Vernal Pool Habitat ID

Potential vernal habitat area	1705
Potential vernal habitat area	1719
Total number of records:	2

Table 3: Within 1 Mile for FHACA Searches (6 possible reports)

<u>Report Name</u>	<u>Included</u>	<u>Number of Pages</u>
1. Rare Plant Species Occurrences Covered by the Flood Hazard Area Control Act Rule Within One Mile of the Project Site Based on Search of Natural Heritage Database	No	0 pages included
2. Natural Heritage Priority Sites within 1 mile	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	Yes	1 page(s) included
4. Vernal Pool Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.3	Yes	1 page(s) included
5. Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.3 Stream Habitat File	No	0 pages included
6. Other Animal Species Within One Mile of the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	No	0 pages included

<p>Rare Wildlife Species or Wildlife Habitat Within One Mile of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches</p>
--

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
<hr/>								
<i>Aves</i>								
	Bald Eagle	Haliaeetus leucocephalus	Foraging	4	NA	State Endangered	G5	S1B,S2N
	Grasshopper Sparrow	Ammodramus savannarum	Breeding Sighting	3	NA	State Threatened	G5	S2B,S3N
	Great Blue Heron	Ardea herodias	Foraging	2	NA	Special Concern	G5	S3B,S4N

**Vernal Pool Habitat Within
One Mile of the Project Site
Based on Search of
Landscape Project 3.3**

Vernal Pool Habitat Type	Vernal Pool Habitat ID
Potential vernal habitat area	1697
Potential vernal habitat area	1705
Potential vernal habitat area	1719
Potential vernal habitat area	1726
Potential vernal habitat area	1728
Total number of records:	5

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TRANSCONTINENTAL GAS PIPE LINE COMPANY, LLC

APPENDIX G – PERMIT PLANS

Permit plans showing the proposed activities and areas of impact are included as a separate enclosure within this submission package.

Plans Entitled:

NJDEP LAND USE PERMITS
NORTHEAST SUPPLY ENHANCEMENT PROJECT
COMPRESSOR STATION 206 – TRAP ROCK ACCESS ROAD (ALTERNATE ACCESS ROAD)
(FULL PLAN SET INCLUDING FRESHWATER WETLANDS PERMIT PLANS, FLOOD HAZARD AREA
PLANS & RELATED DETAILS)

Prepared By:

William Salmon, PE
PS&S
Wall, NJ

Plans Dated:

Dated by signature January 15, 2020

NORTHEAST SUPPLY ENHANCEMENT PROJECT

JANUARY 2020

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TRANSCONTINENTAL GAS PIPE LINE COMPANY, LLC

APPENDIX K – STORMWATER MANAGEMENT REPORT AND STORMWATER MANAGEMENT PLANS

Provided Under Separate Cover

NORTHEAST SUPPLY ENHANCEMENT PROJECT

JANUARY 2020

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