

From: Steve Ewing <sewing@woodardcurran.com>
To: Nancy Wittenberg <Nancy.Wittenberg@njpines.state.nj.us>
Date: 12/11/2013 11:12 AM
Subject: FW: South Jersey Gas 225616 Letter to finalize
Attachments: 2012.10.09 Ewing to Dr. Foster - Mtg Summary 225616 .pdf

Hello Nancy,

Per your question about the interconnection of the pipeline, see item two in the attached meeting summary.

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-----Original Message-----

From: Steve Ewing
Sent: Tuesday, October 09, 2012 3:51 PM
To: Ruth W. Foster (Ruth.Foster@dep.state.nj.us)
Cc: Chuck Dippo (cdippo@sjindustries.com); Peter Fontaine (pfontaine@cozen.com); Bethke, Richard (SJJ) (rbethke@sjindustries.com); Dennis M. Walsh; 'Bryon DuBois'; 'Richard Grubb'
Subject: FW: South Jersey Gas 225616 Letter to finalize

Hello Dr. Foster,

As you requested at our meeting on October 4th, I have prepared a summary of the meeting. You indicated that you would send the summary to the attendees for their review too so I have only copied the South Jersey Gas team members.

If you or any of the attendees have any additions or comments please let me know so the summary can be updated.

Any questions please call or email me, thanks

Steven R. Ewing
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October 9, 2012

Dr. Ruth Foster
New Jersey Department of Environmental Protection
Office of Permit Coordination and Environmental Review
401 East State St.
P. O. Box 420
Trenton, NJ 08625

Re: South Jersey Gas Pre-Application Meeting Summary

Dear Dr. Foster:

I would like to thank you and everyone for meeting with us on October 4, 2012. We appreciate everyone fitting this meeting into your schedules. Present at the meeting were:

Chuck Dippo, South Jersey Gas
Richard Bethke, South Jersey Gas
Peter Fontaine, Cozen O'Connor
Stacy Roth, Pinelands Commission
Branwen Ellis, Pinelands Commission
Ruth Foster, NJDEP Office of Permit Coordination and Environmental Review
Dennis Walsh, Woodard & Curran
Steven Ewing, Woodard & Curran
Bryon DuBois, Trident Environmental Consultants
Paul McEachen, Richard Grubb & Associates, Inc.
Peter Romano, US Army Corps of Engineers
Sam Reynolds, US Army Corps of Engineers
Eric Virosteck, NJDEP, Land Use Regulation
Dhruv Patel, NJDEP, Land Use Regulation
Jessica Patterson, NJDEP, Green Acres
Kelly Davis, NJDEP Fish & Wildlife
Jesse West-Rosenthal, NJDEP, Historic Preservation Office
Falguni Patel, NJDOT, Permits
Frank Pinto, NJDOT, Utilities
Bruce Hawkinson, NJDOT, Environmental
Scott Brubaker, NJDEP, Office of Permit Coordination
Larry Torok, NJDEP, Land Use Regulation
Kristen Symanski, NJDEP, Land Use Regulation
Rich Brigandi, NJDOT, Permits
Vince Martorana, NJDOT, Utility Management
Thomas Walker, NJBPU, Division of Engineering
Joe Costa, NJBPU, Pipeline Safety
Victor Uzlyaner, NJDOT, Project Engineer



The following is a summary of the items discussed and follow up items identified at the meeting:

1. Dr. Ruth Foster started the meeting by thanking everyone for attending the pre-application meeting and all the participants introduced themselves. Dr. Foster outlined the importance of the project as it relates to the repowering of the BL England Power Plant, discussed the urgency of the pipeline project and the Administrative Consent Order (ACO) driving the conversion of the BL England Power Plant from coal and oil to natural gas fired boilers. Dr. Foster discussed the proposed pipeline route and indicated that permit applications should include a robust discussion of the alternative analysis done to select the preferred route and a summary table of potential impacts for all the routes evaluated. Dr. Foster also requested a Gantt schedule of when the various permit applications will be submitted and when the regulatory approvals must be received.
2. Charles Dippo introduced the project to the group, outlined the South Jersey Gas (SJG) service area and the gas utility improvements done over the past 5 to 8 years that allow SJG to be in the position to provide gas to BL England Power Plant. Mr. Dippo stated that the proposed 24 inch high pressure gas line is a transmission line so there will not be any other customers directly serviced from this pipeline. The project will include an interconnection to the only existing gas line currently providing service to Cape May County as a means to provide a redundant supply feed for the many residential, commercial and industrial users serviced by that line. Mr. Dippo reiterated the urgency of moving the project forward to meet the deadline of providing gas to the power plant by fall of 2014. Mr. Dippo indicated that his goal is to have the pipeline designed to avoid environmental impacts wherever possible so that the project can be completed on schedule.
3. Steven Ewing presented a summary of the project and a brief outline of the three alternative routes as well as some of the obstacles associated with each route and the basis and reasoning for the selection of the Rt. 49 route and the rejection of the northern route beneath Great Egg Harbor Bay and the southern route along a forested abandoned rail line. Mr. Ewing indicated that the wetland delineation was complete along the pipeline route and Branwen Ellis indicated that she had already begun her review of the wetland line. Mr. Ewing summarized the work being done by Richard Grubb Associates and Trident Environmental Consultants. Mr. Ewing indicated that the route selection design will proceed, avoiding potential environmental impacts to the maximum extent possible. If resources are identified, the pipeline can be shifted into the pavement for the distance required to avoid impacts and trenchless technology will be employed, where necessary, to cross streams or wetland areas. Stacey Roth asked about the scale of wetland impacts anticipated and Mr. Ewing indicated that it is the intent of the project to avoid all wetland impacts. There will not be any open cut wetland crossings or stream crossings included in the project.
4. Dennis Walsh presented an overview of the gas engineering, construction requirements and trenchless technology to be employed on the subject project. Mr. Walsh also outlined the critical dates and milestones that had to be met to provide gas to the BL England Power Plant on time. Mr. Walsh indicated that preliminary design and survey had already begun, and that final design would be completed and permit applications would be submitted no later than April of 2013. Mr. Walsh said he expected final Pinelands, USACE permit and NJDEP permit approval decisions by October of 2013.



5. Paul McEachen presented a summary of the investigation being done by Richard Grubb & Associates, indicating that they had already reviewed the State Historic Preservation Office (SHPO) and Pinelands records as well as their own. Mr. McEachen said that the investigation will include architectural and archeological resources but will not include shovel tests at this phase. His office will coordinate their results with Pinelands and SHPO to determine if field testing will be required.
6. Bryon DuBois indicated that his firm started habitat evaluations of the route in August of 2012 and continues to evaluate the route for potential impacts. Mr. DuBois indicated that he received the email prepared by Larry Torok identifying mapping habitat for specific species along the length of the route and is including that information in his investigations. Stacey Roth questioned the potential for impacts on Pine Barrens Tree Frog and Mr. DuBois indicated that the pipeline design will avoid potential impacts and, if necessary, the pipeline will be located under existing pavement in sections of the route to avoid impacts. Mr. DuBois stated that the project will incorporate fencing and appropriate timing restrictions if necessary to avoid potential impacts.
7. Jessica Patterson asked if there were any plans to utilize public lands, indicating that Green Acres restrictions apply to a large number of properties adjacent to the proposed route. Ms. Patterson also questioned where staging and storage areas or valves would be located and if they might be located on public lands or lands in the control of non-governmental organizations (NGOs). Ms. Patterson offered her assistance with any questions about properties that may have Green Acres restrictions and said we could submit information to her office any time.
8. Jesse West-Rosenthal recommended continued coordination with the US Army Corps, Pinelands and his office as the project design and historic/archeological investigations proceed. Mr. West-Rosenthal requested that all storage areas, staging areas, equipment storage areas and any above ground structures be included in the cultural resource investigation. Mr. McEachen indicated that a Phase IA screening will be completed to determine if a more intensive investigation is needed. Ms. Roth suggested that Mr. McEachen coordinate with Dr. Brady at the Pinelands Commission. Mr. Sam Reynolds recommended early engagement with the USACE on the Section 106 permit issues so that a "no effects" determination can be issued early in the process if suitable. Mr. Reynolds further indicated that any interim products can be sent to the US Army Corps of Engineers (USACE) so that their in-house expert can potentially complete any necessary Section 106 review prior to permit applications being submitted. Ms. Roth indicated that the Pinelands Commission, DEP and the USACE will coordinate the Section 106 review as was done with the Garden State Parkway widening project. Dr. Foster questioned the time frame for SHPO review of the subject application. Mr. West-Rosenthal said his office would complete their review 30 days after a complete application is received.
9. Mr. Larry Torok indicated that he provided a list of mapped species information for the proposed route. Mr. DuBois indicated that he has the list and is including those species in his investigation. Mr. Torok also recommended we include a robust alternative analysis with our application, as well as protective measures and possible timing restrictions, to avoid impacts.
10. Kelly Davis asked for shape files in NJ State Plain Coordinates of the entrance and exit pits for the trenchless activities so he could cross-reference the locations with the species mapping in his office. Mr. Davis also indicated that there may be a need to have a biologist in the field



during construction to provide assurance that impacts do not occur. Mr. Davis also indicated there could be timing restrictions for threatened and endangered species but this would not impact on the project if trenchless construction methods are used.

11. Eric Virostek indicated that timing was a significant issue. Mr. Virostek discussed the schedule and outlined the CAFRA review time frame leading to a decision in October of 2013. Mr. Ewing indicated that the project schedule had anticipated the CAFRA review time frame and a decision by October 2013 would be acceptable. Mr. Virostek recommended we include a robust alternative analysis addressing the potential routes evaluated in our CAFRA application. Mr. Ewing indicated that there are many Coastal Rules that could apply to this project and asked if the NJDEP would consider the stoned areas around above ground structures as pervious cover relating to Subchapter 5B. Mr. Virostek said he would find out how the Department would interpret the stone and get back to Mr. Ewing. Dr. Foster recommended a separate meeting between SJG and NJDEP Land Use Regulation to go over the Coastal Rules that might apply. Mr. Virostek agreed.
12. Ms. Stacey Roth commented that Pinelands is expecting a submission from SJG and questions the completeness of the plans that would be submitted since Mr. Walsh indicated that final plans would be ready for submission in April of 2013. Mr. Dippe said he expected the plans would be 90% and Ms. Roth said that Pinelands did not want to review plans that might change when they are finalized and added that her office would not act on a memorandum of agreement (MOA) before the other regulatory agencies had enough time to review the project and provide Pinelands with guidance relative to the potential for a positive decision from those agencies. Ms. Roth also stated that the SHPO/Section 106 review usually is completed prior to the development of the MOA, based on her prior experience with the Conectiv and GS Parkway projects. Mr. Fontaine asked Ms. Roth to confirm that completion of the permitting processes of other regulatory agencies was not a precondition to Pinelands Commission action on an MOA. Ms. Roth confirmed that the Pinelands Commission does not require completion of the permitting processes of NJDEP, DOT, and USACE but rather requires some level of assurance that there are no fatal flaws presented by the project that would prevent other permitting agencies from approving the project.
13. Sam Reynolds said that based on the anticipated use of trenchless technology, he did not expect significant issues. There may be a need to coordinate with the National Park Service given the Great Egg Harbor River is designated "Wild & Scenic"; there is a chance the tributaries may cross the proposed route. Mr. Reynolds recommended starting the Section 106 process and endangered species review as soon as possible; no need to wait for a permit application. Mr. Reynolds indicated that the USACE review time for a complete Nationwide Permit 12 would be 45 days. Mr. Reynolds added that his office is also concerned with staging areas and storage areas relative to potential impacts. Mr. Peter Romano will send the contact information for the USACE cultural resource staff person to Mr. Ewing.
14. Dr. Foster reinforced the concept of teamwork and encouraged open and frequent communication between the agencies to allow information to be shared.
15. Ms. Branwen Ellis said that the Pinelands Commission is concerned about imported fill on the project. Mr. Dippe indicated that there would not be any imported fill on the project.
16. Mr. Vince Martorana stated that a full submission is required for NJDOT applications. He indicated that he is aware that SJG has the right to be in the State road right-of-way but that



there are other considerations that will be evaluated when the application is reviewed. Mr. Martorana also indicated that there is a recent proposal to resurface Route 49. Mr. Martorana stated that he does not know if traffic can utilize the existing road shoulder during construction. The shoulders may not be boxed, and therefore, may not be able to withstand truck traffic. Mr. Martorana said that NJDOT will issue one permit for the entire job.

17. Victor Uzlyaner indicated that the project will require a full set of design plans, not just a red line on a Google map. The project will require a utility opening permit and MTP plans. He will coordinate with the rest of DOT.
18. Mr. Joe Costa stated that he expects two NJBPU filings, a rate case filing and a construction filing. The process will include one public hearing. Mr. Dippo indicated that he would expect the public hearing to be held in Upper Township since there is a greater density of population in that section of the route. Mr. Costa indicated that converting the BL England Power Plant to natural gas is addressed in the BPU's Energy Master Plan and is supported at the Governor's level. Mr. Costa said NJBPU concerns will be the proximity of the pipeline to residences and High Consequence Areas (HCA's) such as schools, given the operating pressure.
19. Dr. Foster asked for monthly updates from South Jersey Gas and indicated that there should be as many meetings as needed going forward.
20. Mr. Scott Brubaker said that the project is expected to have an overall positive affect on the environment due to improved air quality resulting from the conversion of the BL England Power Plant from coal and oil to natural gas.

Thank you again for your assistance. If you have any additions or clarifications, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven R. Ewing".

Steven R. Ewing
Vice President

P225616

cc:
Chuck Dippo, South Jersey Gas
Richard Bethke, South Jersey Gas
Peter Fontaine, Esq., Cozen O'Connor
Dennis Walsh, Woodard & Curran
Bryon DuBois, Trident Environmental Consultants
Richard Grubb, RGA