

  
**Curtin & Heefner** LLP  
ATTORNEYS AT LAW

2005 S. EASTON ROAD • SUITE 100 • DOYLESTOWN, PA 18901

(267) 898.0570 • (800) 773.0680 • FAX (215) 340.3929

WWW.CURTINHEEFNER.COM

**OVER 80 YEARS OF SERVICE**

**MARK L. FREED**

mlf@curtinheefner.com

May 24, 2016

Joseph J. Buczynski, P.E.  
Program Manager, Waterways and Wetlands Program  
Northeast Region  
Pennsylvania Department of Environmental Protection  
2 Public Square  
Wilkes-Barre, PA 18701-1915  
*Sent via email: jbuczynski@pa.gov*

**RE: Comment and Request for Public Hearing  
Proposed Chapter 105 Permit Applications – Atlantic Sunrise Project  
E40-769 – Luzerne County (Dallas and Franklin Twps.)  
E66-160 – Wyoming County (Monroe, Northmoreland, and Eaton Twps.)  
Noticed in 46 Pa.B. 2191 (April 30, 2016)**

Dear Mr. Buczynski:

Ms. Geraldine Nesbitt respectfully submits this request for an extension of the public comment period and for a public hearing regarding the proposed Atlantic Sunrise pipeline project, and specifically the proposed Chapter 105 permit applications for the above-specified municipalities in Luzerne and Wyoming Counties. This request is timely filed within thirty (30) days of the April 30, 2016 Pennsylvania Bulletin notices.

Ms. Nesbitt owns approximately 4000 acres of property in Luzerne (Dallas and Franklin Townships) and Wyoming Counties (Monroe and Eaton Townships). Her property is also downstream of proposed pipeline work in Eaton Township. Her property is primarily forested and is at the headwaters of several springs, creeks, and wetlands that feed into the Lower Susquehanna River, the Upper Susquehanna River, and Bowman Creek. Lake Catalpa is located on this property. The proposed Atlantic Sunrise project would bisect Ms. Nesbitt's property, wiping out a substantial amount of forested watershed area and significantly and severely

*Joseph J. Buczynski, P.E.*  
*May 24, 2016*  
*Page 2*

altering her property and the local environment. The project would also impact nonrenewable historic and cultural resources on her property and her economic interests associated with her property. In fact, the project has already negatively impacted her economic interests. In addition, Ms. Nesbitt faces the proposed threat of eminent domain, further diminishing her property that she enjoys, relies upon for economic benefit, and has invested in over the years.

Ms. Nesbitt respectfully requests a public hearing given the immense public interest in the proposed Atlantic Sunrise project, and the impacts proposed to her property, which will extend beyond the bounds of her property and affect the water quality in three different subwatersheds.

Ms. Nesbitt also requests an extension of the comment deadline to allow for fully-informed comments on the Chapter 105 applications. At the present time, Ms. Nesbitt has not had a full opportunity to review the relevant application material and plans. The applications, which are voluminous, were filed over nine (9) months ago. Thirty (30) days is simply insufficient time for the public to both obtain the documents from the Department, digest them, and provide informed and pertinent comments.

In closing, Ms. Nesbitt respectfully requests that the Department extend the comment deadline for at least another thirty (30) days, and hold one or more public hearings on the proposed applications.

Thank you for your consideration of this matter.

Very truly yours,



Mark L. Freed, Esquire  
For CURTIN & HEEFNER LLP