



September 19, 2016

Mr. Anthony Cox  
PennEast Pipeline Company, LLC  
1 Meridian Boulevard, Suite 2C01  
Wyomissing, PA 19610

Re: Incompleteness Review No. 2  
PennEast Pipeline Project – Bucks County  
APS ID 890535, AUTH ID 1107273  
DEP Application No. E09-998  
Durham and Riegelsville Townships  
Bucks County

Dear Mr. Cox:

The Department of Environmental Protection (DEP) has reviewed your response, dated June 23, 2016, to the April, 26, 2016, Incompleteness Review Letter for the above-referenced application package and has determined that the application remains incomplete. The following list specifies the items that remain missing from the submission which must be included in the resubmittal of your application and/or the submission of additional information.

Please note that this information must be received within sixty (60) calendar days from the date of this letter, on or before **November 18, 2016**, or DEP will consider the application withdrawn.

---

**Items Missing from Submission**

---

1. (Original Comment No. 5) Please provide the resolution of potential impacts to threatened and endangered species from Pennsylvania Department of Conservation and Natural Resources, Pennsylvania Fish & Boat Commission, Pennsylvania Game Commission and U.S. Fish & Wildlife Service. Please request/provide county specific letters from the agencies indicating that county specific impacts are resolved. [25 Pa. Code Section 105.14(b)(5)]

**To date, we have not received clearance letters from Pennsylvania Department of Conservation and Natural Resources, Pennsylvania Fish & Boat Commission, Pennsylvania Game Commission or U.S. Fish & Wildlife Service. Please provide.**

2. (Original Comment No. 6) An Act 167 Stormwater Management Plan has been prepared/adopted for Bucks County under the Stormwater Management Act. Please provide an analysis of the project's impact on the Stormwater Management Plan and a letter from the municipality and county commenting on the analysis. [25 Pa. Code Section 105.13(e)(1)(vi)]

**Your response did not adequately address the comment. In the event that there was not a response from either the county and/or local municipalities within the specified 30-day period (after proof of receipt) indicating that a review of the project will take place and/or a consistency letter will be provided, the applicant should send a second letter to both the county and municipalities indicating that it is the applicant's intent to proceed with the project and that any future comments regarding consistency with the approved stormwater plan be directed to DEP's Southeast Regional Office, Waterways & Wetlands program. Provide the county and/or local municipality a statement from the Project Manager indicating that the project location, design, and proposed construction is in accordance with the approved stormwater plan.**

3. Upon further evaluation by DEP and in accordance with the 25 Pa. Code Section 105.13(e), complete delineation of impacts to wetlands, streams, and floodways needs to be provided for DEP to perform the required environmental review of the application and make a proper permit decision. The impacts to wetlands, streams, and floodways cannot be based on remote sensing. Title 25 Pa. Code Section 105.13(e)(1)(i)(A) requires a complete demarcation of the floodplains and regulated waters of this Commonwealth on the site. This requirement will not be waived under 25 Pa. Code Section 105.13(k) as remote sensing or national wetland inventory data alone may not identify all wetlands, streams, and floodways present, nor does it adequately identify any unique characteristics of the wetlands, or the functions that they provide. As such, the remote sensed impacts for all resources will require in field verification, and all relevant portions of the application will need to be revised prior to making a permit decision. [25 Pa. Code Section 105.13(e)]

You may request a time extension, in writing, before **November 18, 2016**, to respond to the deficiencies beyond the sixty (60) calendar days. Requests for time extensions will be reviewed by DEP and considered. You will be notified in writing of the decision either to grant or deny, including a specific due date to respond if the extension is granted. Time extensions shall be in accordance with 25 Pa. Code Section 105.13a(b).

As stipulated in 25 Pa. Code Section 105.13a of DEP's Chapter 105 Rules and Regulations (regarding Complete applications), information requested by this office must be received within 60 calendar days from the date of this letter, on or before **November 18, 2016**, or DEP will consider the application/registration to be withdrawn by the applicant and no further action will be taken on the application/registration. Fees are not refunded when an application/registration is considered to be withdrawn.

Mr. Anthony Cox

- 3 -

September 19, 2016

If you have questions about the content of this letter, please contact Mr. Abdel Nassani at 484.250.5170 and refer to Application No. E09-998, Authorization No. 1107273.

Sincerely,



Abdel I. Nassani  
Project Manager  
Dams, Waterways, and Wetlands Section  
Waterways and Wetlands

cc: Ms. Binkley – AECOM  
U.S. Army Corps of Engineers, Philadelphia District  
PA. Fish & Boat Commission, Division of Environmental Services  
Bucks County Conservation District  
Durham Township  
Riegelsville Borough  
Re 30 (GJS16WAW)260-10