



pennsylvania

DEPARTMENT OF ENVIRONMENTAL
PROTECTION

February 24, 2017

Ms. Roberta Zwier
Transcontinental Gas Pipe Line Company, LLC
2800 Post Oak Boulevard, Level 6
Houston, Texas 77056

Re: Technical Deficiency #2
Atlantic Sunrise Pipeline - Lancaster County
APS ID# 880147, AUTH ID# 1089687
DEP Application No. E36-947
Conestoga, Drumore, East Donegal, Eden, Manor, Martic, Mount Joy, Pequea, Rapho and West
Hempfield Townships
Mount Joy Borough
Lancaster County

Dear Ms. Zwier:

On July 29, 2016 the Department of Environmental Protection (Department) sent to Transcontinental Gas Pipe Line Company, LLC (Transco) a technical deficiency letter for the above referenced Project. The Department received a response to that technical deficiency letter on November 21, 2016, and determined that the application, including the resubmission, continues to be technically deficient. The Pennsylvania *Dam Safety and Waterways Management Regulations, 25 Pa. Code § 105.1, et seq., (Chapter 105 Regulations)* includes information that will aid you in responding to some of the deficiencies listed below. The deficiencies are based on applicable laws and regulations, and the guidance sets forth the Department's preferred means of satisfying the applicable regulatory requirements.

As you are aware, Department staff in two different regional offices are reviewing a combined total of eight (8) Chapter 105 permit applications associated with this Project. While the regional offices have coordinated the review of the applications and the identification of deficiencies, it is possible that deficiencies raised in the Department's other deficiency letters may be applicable to this permit, even though not stated herein. The Department recommends that Transco evaluate whether any of the deficiencies identified in the other Chapter 105 permit application deficiency letters, beyond those deficiencies identified in this letter, necessitate revisions in this permit application.

Note: Due to multiple reviewers and the size of the document there may be some duplication of deficiencies.

Technical Deficiencies

1. Original Comment #1: Upon further evaluation by the Department and in accordance with the Chapter 105 Regulations, 25 Pa. Code § 105.1 3(e), complete delineation of impacts to wetlands, streams and floodways needs to be provided for the Department to perform the required environmental review of the application and make a proper permit decision. The impacts to wetlands, streams and flood ways cannot be based on remote sensing. The Chapter 105 Regulations require 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 § 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 remotely sensed impacts 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 § 105.13(e).

The Department's review of Attachment H-2 revealed that some site plans and reported impacts were based on remote sensing information that is insufficient for meeting Chapter 105 regulatory criteria. The following Attachment H-2 plan sheets, which may not be all inclusive, were found to have site plans based on remote sensing:

- Plan Sheet 24-1600-70-09-A/M-0405-0.57-01 {WW-RS-120006}
- Plan Sheet 24-1600-70-09-A/M-0405-1.13-01 {WW-RS-120005}
- Plan Sheet 24-1600-70-20-A/11.11-01 {W-RS-1001 & W-RS-1003}
- Plan Sheet 24-1600-70-09-A/11.13-01 {WW-RS-1001}
- Plan Sheet 24-1600-70-09-A/11.69-01 {WW-RS-99105}
- Plan Sheet 24-1600-70-09-A/11.98-01 {WW-RS-99107}
- Plan Sheet 24-1600-70-09-A/M-0248-0.33-01 {WW-RS-1009}
- Plan Sheet 24-1600-70-09-A/M-0396-0.17-01 {WW-RS-2008}
- Plan Sheet 24-1600-70-20-A/M-0396-0.17-01 {WW-RS-2007}
- Plan Sheet 24-1600-70-09-A/AR-LA-023.2-01 {WW-RS-99200}
- Plan Sheet 24-1600-70-09-A/21.77-01 {WW-RS-2002}
- Plan Sheet 24-1600-70-09-A/AR-LE-033.1-01 {WW-RS-4003}

Provide DEP a revised Attachment H that includes specific site plans, not remote sensed, for each project water obstruction and encroachment activity where a temporary or permanent impact is proposed within regulated waters of this Commonwealth.

2. Original Comment #4: Provide agency clearance letters and copies of correspondence from the Pennsylvania Fish and Boat Commission (PFBC), Pennsylvania Game Commission (PGC), Pennsylvania Department of Conservation and Natural Resources (PDCNR), and U.S. Fish and Wildlife Service (USFWS) for the proposed pipeline, including no-access parcels, and the mitigation area, and identify any mitigation measures that are recommended or required. Please be advised that additional deficiencies may be generated pending responses from resource agencies. 25 Pa. Code § 105.14(b)(4).

Provide clearance from USFWS for the Northern Long-Eared Bat, Indiana Bat, and Bog Turtle. As PGC deferred comments on bat species to USFWS, clearance from USFWS will complete the clearance for PGC.

Letters from jurisdictional agencies (PFBC, DCNR, PGC, and USFWS) were omitted from the November 2016 submission that had been included with the original 2015 submission. Include all letters from the jurisdictional agencies that identify the potential impacts to threatened/endangered species in addition to the clearance letters

for each species. These letters are required in lieu of a PNDI search receipt due to the size of the project.

November 22, 2016 resubmission materials state in Attachment G2 that, "Project LOD in Lancaster County from Mileposts 4.8 to 5.1 have not yet been surveyed for state-listed plants. Transco will survey this area in the fall of 2016." Provide the Department with the findings of Transco's fall plant survey for this project area

3. Original Comment #5: Provide clearance or approval from the Pennsylvania Historical and Museum Commission (PHMC) for cultural, archeological, and historic resources for the proposed water obstructions and encroachments, mitigation area, and areas necessary to construct the water obstructions and encroachments. 25 Pa. Code §§ 105.13(e)(1)(x), 105.14(b)(4) and 105.14(b)(5).

November 22, 2016 technical deficiency response states that, "Transco is coordinating with PHMC and FERC to develop a Memorandum of Agreement (MOA) to address Section 106 compliance and will include procedures for assessing impacts for inaccessible properties, and protocols for handling chance finds." Provide the Department with the status of this MOA and any impact assessments conducted or planned for any inaccessible properties.

4. Original Comment #10: Public water supplies are located within in the vicinity of the proposed pipeline. The application states that there will not be any impacts the water supplies as a result of the pipeline. Provide the supporting documentation that led to this conclusion. Additionally, we recommend that you contact any public water supplier in order to help determine if your project will impact the public water supplier and subsequently provide documentation of interactions, through correspondence, with each supplier. Ensure all Public water supplies in the vicinity of the proposed pipeline are identified within the location map. Enclosed are instructions on how to utilize DEP's eMapPA to identify public water supplies in the vicinity of your project. 25 Pa. Code §§ 105.13(e)(1)(ii), 105.13(e)(1)(x) and 105.14(b)(5).

The Department's review of Attachment H-2 found that neither project location maps or site plans identified specific watercourses where instream and downstream uses could be affected by proposed pipeline water obstruction and encroachment activities. To evaluate whether any proposed pipeline activity poses potential adverse impact to instream and downstream surface water users, provide the Department with those identified instream and downstream uses reported in Attachment L, and include any unidentified uses on revised Attachment H-2 project location maps.

5. Original Comment #12: Revise the application to provide a planting plan to re-establish woody vegetation within the temporary construction right-of-way (ROW) in riparian and wetland areas that are currently forested or dominated by woody species, as was previously proposed and implemented by Williams Transco on a similar project. 25 Pa. Code §§ 105.13(e)(1)(ix) and 105.16(d).

See Comment #30 below and revise application materials as appropriate.

6. Original Comment #13: The functions and values provided by shrub species more closely match those provided by forested areas than are provided by emergent areas. Revise the plans to incorporate the replanting of woody species in forested/ scrub shrub areas in the permanent ROW. 25 Pa. Code § 105.13(e)(1)(ix).

See Comment #30 below and revise application materials as appropriate.

7. Original Comment #15: Revise the alternatives analysis to show the 600-foot survey corridor and demonstrate that impacts to waters of the Commonwealth within the corridor have been minimized to the maximum extent practicable. The demonstration should address each crossing individually. 25 Pa. Code §§ 105.13(e)(1)(viii) and 105.18(a).

Address the alternative analysis concerns referenced in the July 29, 2016 technical deficiency letter for any inaccessible or remotely sensed areas and include with application materials for review.

8. Original Comment #18: An Aids to Navigation (ATON) plan may be required for this project. Contact Thomas Burrell with the Pennsylvania Fish and Boat Commission at 717.705.7838 regarding ATON requirements, and provide a copy of the ATON approval to DEP. 25 Pa. Code § 105.14(b)(2).

The Department's review for evaluating impact to navigable public waterways found Pennsylvania Fish and Boat Commission approvals of an Aids to Navigation (ATON) plans at four Lancaster County locations are forthcoming.

Please provide the Pennsylvania Fish and Boat Commission Aids to Navigation (ATON) plan and approval for inclusion with your Joint Permit application materials.

9. Original Comment #21: The application states in numerous locations that the criteria used during routing surveys included "minimizing effects at any single wetland crossing to 1 acre or less whenever practicable". The Department is unable to determine why the 1 acre threshold was utilized when Chapter 105 Regulations require minimizing impacts to wetlands to the maximum extent practicable. Revise the application to demonstrate that the routings avoid and minimize wetland impacts to the maximum extent practicable. Transco should assess the applicability of this deficiency to the other counties that are part of this project. 25 Pa. Code §§ 105.13(e)(1)(vii) 105.18a.

Address the alternative analysis concerns referenced in the July 29, 2016 technical deficiency letter for any inaccessible or remotely sensed areas and applicable areas identified in Comment # 29 below.

10. Original Comment #22: According to the Hydrologic and Hydraulic Calculations for Waterbody Crossings (H&H) several waterbody crossings are to be crossed by a dam and pump method. Many of these crossings have excessive Peak Flows that could not be managed by pumping. Detail how these crossings will be stable and how the waterbodies will be successfully passed through or around the work area. Provide tables in the plan drawings depicting pump sizing and rate information to be used by contractors. 25 Pa. Code §§ 105.161 and 105.2(3).

A comparative evaluation of the temporary watercourse impact incurred by specified pipeline installation method (e.g., Dam and Pump Stream Crossing (DPX)) to the potential adverse public safety impact posed by this pipeline installation method raised concern that the specified pipeline installation method posed significant adverse impact to public safety, 25 Pa. Code § 105.16. Such an evaluation is required for each proposed water obstruction and encroachment activity to determine whether any aspect of the activity may pose a potential impact on health, safety, welfare, property and environment and to assure the proper, planning, design, construction, maintenance and monitoring of each water obstruction and encroachment in order to prevent unreasonable interference with water flow.

For example, the Department comparatively reviewed temporary watercourse impacts relative to the specified pipeline installation method (i.e., Flume Stream Crossing(FX)) where specified in Attachment H-2 with projected flows reported in Attachment M, Hydrologic & Hydraulic Calculations for Waterbody crossings. Where pipeline crossing method FX was specified, the Department found no HY-8 report that would provide information such as water surface elevations (i.e., existing and proposed), overtopping characteristics and outlet velocities. Provide the Department with revisions that include, but are not limited to, hydrologic and hydraulic analysis. The Department further requests revised Hydrologic and Hydraulic Calculations for Waterbody crossings that include HY-8 or equally accepted hydraulic modeling reports for all pipeline crossings where FX is specified.

11. Original Comment #23: The H&H report, Peak Flow Calculations depict culvert pipe diameter and number of culvert pipes for some crossings but not all. Some crossings state "Cross When No Storm Forecasted" in the Flume Diameter and Number of Pipes columns. Provide crossing types and sizing data for these crossings. 25 Pa. Code §§ 105.161 and 105.2(3).

To assure that proper planning, design, construction, maintenance and monitoring of each proposed water obstruction and encroachment will prevent unreasonable interference with water flow and to protect navigation, an evaluation of a hydraulic and hydraulic analysis for design of each water obstruction is required.

The Department's review of Attachment M, Hydrologic and Hydraulic Calculations for Waterbody found a few watercourses where water obstructions (i.e., culverts, cofferdams, bridges, etc.) were being proposed where the drainage area was less than 1-square mile. It seemed USGS StreamSTATS likely was used as the hydrologic

method address the Chapter 105 regulatory criteria related to hydrologic and hydrologic analysis. USGS StreamSTATS is only an accepted hydrologic method to use for water obstruction design in drainage areas that are over one (1)-square mile. Provide DEP revised water obstruction designs (i.e., culverts, cofferdams, bridges, etc.) that utilized acceptable hydrologic and hydraulic methodologies, where the watercourse drainage is less than 1-square mile and USGS StreamSTATS was used.

12. Original Comment #24: In reviewing the plans, trench plugs are indicated to be installed at wetland/upland interfaces. Additional trench plugs may be necessary along the length of the crossing due to length and/or slope to maintain hydrology throughout the wetland. Please review and revise accordingly. Some additional guidance is available within the PA E&S Control BMP Manual. 25 Pa. Code §§ 105.13(e) and 10518a(b)(2).

Evaluation of proposed wetland encroachment revealed trench plugs were proposed as being installed in pipeline trenches at wetland and upland interfaces. Please review identified and demarcated wetlands, and ultimately any wetlands originally identified by remote sensing, to reassure wetland trench plugs are being installed at wetland and upland interfaces. Installation of wetland trench plugs, similar to trench breaker for erosion and sedimentation control, should also be installed relative to slopes as well as at wetland and upland interfaces.

An example where the Department's review found that wetland trench plugs should be installed considering slopes, as well as at wetland and upland interfaces is located in Attachment H-2, Plan Sheet 24-1600-70-09-A/7.15-01 (e.g., Wetland W-T10-101C). At Wetland W-T10-101C and all other wetlands identified and demarcated, the Department requests trench plug be installed at a frequency based on slope, as well as at wetland and upland interfaces to ensure permanent adverse environmental impact to these wetlands are avoided or reduced to the maximum extent possible. Provide the Department with a revised Attachment H-2 that reflects installation of additional trench plugs, where applicable, on proposed pipeline cross-section/profile drawings.

13. Original Comment #25 refers to details regarding several access roads. 25 Pa. Code §105.13(e)(1).

Access road AR-LA-03, which crosses a watercourse identified as {WW-T25-4002. Shells Run}, also poses other regulated waters (i.e., floodway/floodplain) impact warranting evaluation.

The Department compared Attachment H-2 Sheet 24-1600-70-09-A/AR-LA-30-01 with E&S Plan Sheet 24-1600-70-28-A/LL113_9-AR-LE-033.1. The Department's comparison revealed that the demarcation of regulated waters (i.e., floodway) differed. This difference in floodway demarcation suggested impacts, albeit temporary, reported on Plan Sheet 24-1600-70-09-A/AR-LA-30-01 (Attachment H-2) may not be valid. The Department requests that regulated waters (i.e., floodplains, floodways, watercourses, wetlands, etc.) being shown on each plan sheet in Attachment H-2 be validated, identified and demarcated. The Department further

requests that all designed floodplain and floodway water obstructions or encroachments (e.g., typical access road cross-sections - E&S Plan Sheet 24-1600-70-28-A/LL113-9-AR-LA) be included in a revised Attachment H-2 where each provided plan sheet specifies what typical road section will be implemented within the demarcated floodplain or floodway

14. Original Comment #27 refers to impact information to several streams and wetlands. 25 Pa. Code §§ 105.11(a), 105.13(e)(1)(x), 105.151 and 105.161.

Any proposed repair, replacement or substantial modification to a water obstruction, which pose an impact to regulated waters, must be evaluated by the Department respective to all applicable Chapter 105 Regulations criteria.

An example where the Department's review found water obstruction activity was being proposed, but failed to provide appropriate technical information relative to applicable Chapter 105 regulatory criteria, is located in Attachment H-2 Plan Sheet 24-1600-70-09-A/M-0184-0.85-01. Review revealed removal and replacement (i.e., in-kind) of an existing 18-inch diameter culvert in an identified watercourse WW-T10-004 (Tucquan Creek) was being proposed. The Department found that this replacement culvert needed to be designed in accordance with accepted engineering practice to meet Chapter 105 Regulations criteria established in Subchapter C – Bridges and Culverts. The Department requests that the applicant reevaluate all such proposed project water obstruction activities to reassure similar situations were not overlooked. Provide the Department with further technical information, required by Subchapter C, for evaluation where any such proposed construction, repair or replacement activity (i.e., bridge or culvert) is being proposed.

15. Original Comment #28 refers to the reductions in Limits of Disturbance in regulated waters in order to minimize impacts. 25 Pa. Code §§ 105.13(e)(1)(i)(A) and 105.13(e)(vii).

Applicant review of project impacts to regulated waters of this Commonwealth is sought to reassure identified and demarcated impacts are avoided or minimized to the maximum extent possible, particularly any project impacts where only remotely sensed impacts were identified and demarcated.

Provide the Department with revisions to Attachment H-2 site plans, cross-sectional views, impact tables, specified Best Management Practices, and General Notes to clearly demonstrate avoidance and minimization measures were implemented to the maximum extent possible, especially those impacts defined by the Department as being permanent. This comment is related to and can be redressed through Comment #1 (i.e., remote sensing).

16. Original Comment #31 related to Access Road AR-LA-010.2 shown in Attachment H-2 Plan Sheet 24-1600-70-09-A/8.00-01 (i.e., Sheet 3 of 3) depicting and reporting floodplain and/or floodway impact. 25 Pa. Code § 105.13(e)(1)(i).

This comment is related to and can be redressed through Comment #1 (i.e. remote sensing) and Comment #13 (i.e., typical road section detail) above.

17. Original Comment #40: Indicate the site location on the Topographical Project Location Key Map and provide an Impact Map for the Hydrostatic Test Water Withdrawal Area LA-163 as shown on ES Drawing 24-1600-70-28-A/LL113 9-CS-LA-163 and for the Hydrostatic Test Water Withdrawal Area LA-164 as shown on ES Drawing 24-1600-70-28-MLL113 9-CS-LA164.. Revise the application documents as necessary to reflect any additional impacts. 25 Pa. Code § 105.13(e)(1)(x).

Applicant response that location maps for proposed water intake and ancillary structures within regulated waters at four (4) locations (i.e., Chiques Creek, Conestoga River and Pequea Creek) were provided in Attachment H-2 Plan Sheet 24-1600-70-09-A/23.90-01) was confirmed. However, site plan depicting floodplain and floodway for each proposed water intake and ancillary structures shown in Attachment L-5 varied from Attachment H-2.

These deficiencies are related to and can be redressed through Comment #27.

18. Original Comment #47 relates to impact mapping. 25 Pa. Code §§ 105.13(e)(1)(viii) and, 105.16(a).

The Department's review of Attachment H-2 Plan Sheet 24-1600-70-09-A/34.02-01 confirmed Applicant revisions of the site depict a reduced Limit of Disturbance (LOD) width of seventy-five feet (75').

The Department's comparative evaluation of Attachment H-2 Plan Sheet 24-1600-70-09-A/34.02-01 with E&S Plan Sheet 24-1660-70-28-A/LL113_9 (i.e., Sheet 31 of 34) failed to find an adequate demonstration that adverse effects to health, safety, welfare or property outweighed the proposed watercourse impacts (i.e., unnamed tributary, Little Chiques Creek {WW-T31—3301}) by not routing the pipeline perpendicular to the watercourse. If an adverse effect to health, safety, welfare or property has been pointed by the landowner to the Applicant, provide the Department with a clear and concise demonstration (i.e., elaboration of the adverse effects) that proposed watercourse impacts are unavoidable to ensure protection of health, safety, welfare and property.

19. Original Comment #49: Provide a typical plan showing the crossing layout. The Department finds it unclear where the dam and pump by-pass will be located in relation to the Bridge Equipment Crossing (BEC) and where the BEC will be located in relation to the pipeline. 25 Pa. Code § 105.13(e)(1).

The Department's review of Best Management Practices and Quantities Plan Set (i.e., relative to Chapter 102 Regulations criteria, 25 Pa. Code § 102.1, *et seq.* (Chapter 102 Regulations)) found revised pipeline installation (e.g., DPX, FX, Bored Waterbody

Crossing (WBX.1), etc.) and construction crossing methods (e.g., BEC, MAT.1, MAT.3, etc.) but it is not clear how these BMPs interface.

These deficiencies are related to and can be addressed through Comment #25 below.

20. Original Comment #52: Changes in proposed project impacts at various locations have occurred since initial application submission. Clearly explain what led to these changes for each location where increased impacts are now proposed and clearly explain why these impacts are necessary. In addition, clearly explain why some impacts have been lessened and explain why this can't occur at other locations. 25 Pa. Code §§ 105.13(e)(1)(viii) and 105.16(a).

Applicant reevaluation of all proposed water obstruction and encroachment activities was sought as a reassurance avoidance and minimization of impacts to regulated waters was consistently implemented.

This comment is also related to and can be addressed through Comment #1.

21. Original Comment #55: Specific to the Permittee Responsible Mitigation Plan. 25 Pa. Code §§ 105.13(e)(1)(ix), 105.20a and 105.21(a)(1).

The Department's reviewer could not locate Figure 9 and Appendix F as referenced in applicant's deficiency response. Provide reference to these items specifically in your application or re-submit materials as necessary.

22. Original Comment #61 relates to the water withdrawals. 25 Pa. Code § 105.13(e)(1).

The Department's review confirmed mapping, site plans, and cross-sectional views of the four proposed water intake and ancillary structures needed for pipeline hydrostatic testing were incorporated into Attachment L-5.

This comment is related to and can be addressed through Comment #27 and Comment #17 above.

23. Original Comment #69: Identify and show the location of the "cultural resource sites" mentioned in the discussion of Alternative 12. Additionally, clearly explain why additional impacts to Waters of the Commonwealth are warranted. 25 Pa. Code § 105.13(e)(1)(viii).

The Department's reviewer could not locate Alternative 12 as referenced in deficiency materials. Provide reference to this item specifically in your application or re-submit materials as necessary.

24. Original Comment #82: Revise Enclosures C and Enclosure D to assess the condition of, and impacts to forested and scrub shrub riparian areas and the habitat, water quality, and other impacts on watercourses for each watercourse crossing. In general, the Department

recommends evaluating the riparian areas from the top of bank landward one hundred feet (100') and if the area utilized is less than one hundred feet (100'), justification should be given as to why. The application should be revised to replant the vegetation lost in both permanent and temporary ROW and workspaces. Alternatively, where it cannot be replaced and provided permanent protection, provide details on why it cannot be replaced and provide compensatory mitigation for the impacts and discuss the impacts to the watercourses in the Environmental Assessment, including water quality impacts. 25 Pa. Code §§ 105.13(e)(1)(x), 105.14(b)(4)], 105.14(b) (11), 105.14(b) (12), 105.14(b) (14), 105.15(a), 105.15(a)(1), 105.15(b) and 105.16(d).

See Comment #30 below and revise application materials as appropriate.

- 25. Proposed water obstruction and encroachment activities related to pipeline installation in regulated waters found in Attachment H-2 referenced only a single utility line installation method, temporary construction crossing method, and associated impacts related to those single methods. All potential temporary and permanent project impacts, to the extent practical, must be shown and reported. 25 Pa. Code § 105.13(e)(1)(x)**

An example where the Department's review of Attachment H-2 found all potential impacts of regulated waters were neither considered nor reported by the identification of only a single pipeline installation method, temporary construction crossing method, and temporary construction crossing method is Plan Sheet 24-1600-70-09-A/M-0248-0.16-01. General Notes on Plan Sheet 24-1600-70-09-A/M-0248-0.16-01 solely listed Flume (FX) as the pipeline installation method and Bridge (BEC) as the temporary construction method. To ensure all potential impacts to regulated waters are evaluated and approved under Chapter 105 regulation criteria, provide the Department with a revised Attachment H-2 that includes primary, secondary and even tertiary pipeline installation methods (e.g., Cofferdam Stream Crossing (CD), DPX, FX, etc.), temporary construction crossing methods (e.g., BEC, MAT.1, MAT.3, etc.), and streambank restorative methods (e.g., RSS, SBR, etc.). Further provide the Department with a revision of each Attachment H-2 impact table to report worst case scenario regulated waters impact should the secondary or tertiary method need to be implemented.

- 26. The Department's review confirmed revisions to the construction sequencing found in the E&S Plan (i.e., Chapter 102 Regulations criteria) and predominantly the use of construction crossing method (i.e., BEC). However, this BEC construction crossing design has no provisions to prevent sediment from falling into the watercourse. 25 Pa. Code § 105.13(g).**

Provide the Department with all revisions to plan view, cross-sectional view, detailed drawings and specifications for construction crossing method BEC for both Chapter 105 Regulations (i.e., Attachment H-2) and Chapter 102 Regulations (i.e., Best Management Practices and Quantities Plan Set) including a bridge design that

includes a one-foot (1') high side rail, which is wrapped by a geo-textile. 25 Pa. Code §105.13(g).

27. Site plans for all water obstruction and encroachment activities proposed for pipeline installation and ancillary construction activities, must include but not be limited to, specific plan view, cross-section view, detailed drawings, and specifications. 25 Pa. Code §§ 105.13 (e)(1) and 105.301.

An example where the Department's review found insufficient and inconsistent plan view, cross-section and detailed drawings along with insufficient specifications is Attachment H-2, Plan Sheet 24-1600-700-09-A/11.98-01. Review of Plan Sheet 24-1600-700-09-A/11.98-01 revealed the proposed water intake and ancillary structure (i.e., water withdrawal – Conestoga River) correlated to an intake structure location map along with plan, cross-sectional, and detail drawings contained in Section L, Appendix 5, Plan A-8. Comparative evaluation of these two site plans revealed inconsistent demarcation of floodway and floodplain boundaries. Further review found that various plan view, cross-section view, detailed drawings and specifications contained in Attachment H-2, Section Attachment L, and Best Management Practices and Quantity Plan Sets led to a fragmented and less than conclusive evaluation for applicable Chapter 105 Regulations criteria. Provide the Department with proposed water intake and ancillary structure plan view, cross-sectional view, detailed drawings and specifications, whether site specific or typical, to be included in a revised Attachment H-2 for Chapter 105 Regulations criteria evaluation. 25 Pa. Code §§ 105.2, 105.13 (e)(1) and 105.301.

28. The Department's review found project municipal notifications had been sent to Conestoga and Martic. Where project water obstruction and encroachment activities are being proposed in floodway areas delineated on FEMA maps (i.e., National Flood Insurance Program maps), provide application revisions that include return correspondence from those affected municipals commenting on their evaluation of a provided floodplain management analysis and whether that analysis is consistent with their respective floodplain management codes or ordinances. 25 Pa. Code § 105.13(e)(1)(vii).
29. Alternative pipeline locations and routings should be evaluated to avoid or minimize environmental impacts. Landowner pipeline placement preferences, as referenced in Attachment P, is not justification for greater environmental impacts. Re-evaluate pipeline co-location alternatives prioritizing environmental criteria. 25 Pa. Code § 105.13(e)(1)(viii).
30. Activities proposed as mitigation for environmental impacts will be a permit requirement if included as part of your Joint Application submittal. Provide the Department with revisions ensuring all references to voluntary mitigation efforts as found in Attachment L and any other areas are removed throughout your revised application. 25 Pa. Code § 105.13(e)(1)(ix).

31. Reference the Department's "Design Criteria for Wetlands Replacement" regarding mitigation area monitoring, frequency, and inspection report content. Wetland replacement areas must be monitored for a period of not less than five years with inspections conducted at a minimum of twice per year for the first three years and once per year thereafter. Provide the Department with revised application materials as needed to ensure all mitigation areas associated with your project, including wetland and riparian replanting, wetland enhancement, and wetland restoration areas meet these criteria. 25 Pa. Code § 105.20a(b).


You may request a time extension, in writing, before **April 25, 2017** to respond to deficiencies beyond the sixty (60) calendar days. Requests for time extensions will be reviewed by the Department and considered. You will be notified in writing of the decision either to grant or deny, including a specific due date to respond if the extension is granted. Time extensions shall be in accordance with 25 Pa. Code § 105.13a(b).

Pursuant to 25 Pa. Code § 105.13a of the Chapter 105 Regulations you must submit a response fully addressing each of the significant technical deficiencies set forth above. Please note that this information must be received within sixty (60) calendar days from the date of this letter, on or before **April 25, 2017** or the Department may consider the application to be withdrawn by the applicant.

If you believe that any of the stated deficiencies are not significant, instead of submitting a response to that deficiency, you have the option of asking the Department to make a decision based on the information with regard to the subject matter of that deficiency that you have already made available. If you choose this option with regard to any deficiency, you should explain and justify how your current submission satisfies that deficiency. Please keep in mind that if you fail to respond, your application may be withdrawn or denied.

Should you have any questions regarding the identified deficiencies, please contact either Darrell Smeal at (814) 342-8139 or Jay Maneval at (570) 327-3765, and refer to Application No. E36-947, Authorization No. 1089687, to discuss your concerns or to schedule a meeting. The meeting must be scheduled within the 60-day period allotted for your reply, unless otherwise extended by the Department. You may also follow your application through the review process via *eFACTS on the Web* at: <http://www.ahs2.dep.state.pa.us/eFactsWeb/default.aspx>.

Sincerely,


James A. Kuncelman, P.E.
Chief, Permits Section
Waterways and Wetlands Program

cc: Mr. Michael Dombroskie/US Army Corps of Engineers, Baltimore District
Ms. Jamie Davis/US Environmental Protection Agency

Mr. John Zimmer, TRC Environmental
Mr. Aaron Blair/Transcontinental Pipe Line Company, LLC
PA Fish and Boat Commission, Division of Environmental Services
Lancaster CCD
Conestoga Township
Drumore Township
East Donegal Township
Eden Township
Manor Township
Martic Township
Mount Joy Borough
Mount Joy Township
Pequea Township
Rapho Township
West Hempfield Township
File

JAK/DLS/LAR