PennEast Pipeline Company, LLC
835 Knitting Mills Way
Wyomissing, PA 19610

July 17, 2020

David Kovach
Delaware River Basin Commission
25 State Police Drive
West Trenton, New Jersey 08628

Re: PennEast Pipeline Project - Phase 1
Comment Response for Review under Section 3.8 of the Delaware River Basin Compact

Dear Mr. Kovach:

On May 11, 2020, the PennEast Pipeline Company, LLC (PennEast) submitted an Application for Review under Section 3.8 of the Delaware River Basin Compact to the Delaware River Basin Commission (DRBC) associated with construction and operation of the proposed PennEast Pipeline Phase 1 Project (Project) in Luzerne, Carbon, and Northampton Counties. During their review, the DRBC requested questions and comments be addressed to assist their review process. The responses included below, and the associated attached files, address the comments received via email on June 26, 2020.

1. **Please submit a shape file of the phase one pipeline and aboveground facilities.**
    a. Shape files of the Phase 1 centerline, mileposts, workspace limits, and centroids at aboveground facilities are included with this comment response.

2. **Please provide the waterbody crossing table in Appendix F in Excel format**
    a. *Appendix F - Waterbodies Crossed by Phase 1 of the Project in the DRB* is provided in Excel format with this comment response.

3. **The Application indicates that PennEast will source water for hydrostatic testing, HDD activities, and dust suppression from approved sources (e.g., commercial and municipal suppliers).**
    a. **By "approved sources" does PennEast mean DRBC-approved sources?**
        i. "Approved sources" refers to sources that have an existing DRBC docket for water withdrawals.

    b. **Provide the estimated volume needed for each of these purposes**
        i. The estimated volumes needed for hydrostatic tests, horizontal directional drill (HDD) activities, and dust suppression are as follows:
            1. Hydrostatic testing – 9,055,000 gallons
            2. Dust Control – 5,050,000 gallons
            3. HDD – 5,200,000 gallons
            4. Total – 19,305,000 gallons

c. Provide a list of known or potential water suppliers.

i. A list of potential water suppliers is included with this comment response.

4. The application indicates that all used hydrostatic test water and water used for HDD activities will be removed from the site and disposed of at approved water treatment facilities.

a. Does "approved" mean DRBC approved?

i. "Approved water treatment facilities" refers to facilities that have an existing DRBC docket for water discharges.

b. Please provide the names and locations of any known or potential water treatment facilities.

i. A list of potential water treatment facilities is included with this comment response.

5. The application did not discuss the potential for any imports or exports of water into or out of the Delaware River Basin (DRB). Previously, the hydrostatic testing of the 3.4 mile northwestern-most section of pipeline in the DRB was to be filled and tested with water sourced from the Susquehanna River Basin (SRB) and after testing was completed the water would be pushed back and discharged to the SRB.

a. The applicant proposes to hydrostatically test pipe sections within the DRB with water sourced from a water supplier with an existing DRBC docket. Additionally, any water needed for HDD operations or dust suppression will also be sourced from a facility with an existing DRBC docket in the basin. Hydrostatic test water, drilling mud, or other wastewater will be disposed of at a water treatment facility with an existing DRBC docket. No imports or exports of basin water are proposed.

6. Please confirm that the entire DRB portion of the Phase 1 project is surveyed.

a. The entire DRB portion of the Phase 1 project has been surveyed. The US Army Corps of Engineers (USACE) Philadelphia District issued a Preliminary Jurisdictional Determination for the Project on June 8, 2020; the letter is included with this comment response.

7. Are the E&S Plans and HDD IR Contingency Plan submitted with the application final or is it anticipated that PADEP will require additional revisions?

a. The Erosion and Sediment Control Plans (E&S Plans) and HDD IR Contingency Plan have been submitted to the Pennsylvania Department of Environmental Protection (PADEP), Luzerne Conservation District, Carbon Conservation District, Monroe County Conservation District, Northampton County Conservation District, and Bucks County Conservation District for review as part of the PADEP Chapter 102 and 105 permitting process. The plans have also been submitted to the USACE for review as part of the Clean Water Act Section 404/Rivers and Harbors Act Section 10 permitting process. The technical reviews of the permit applications are ongoing.

PennEast recently revised the E&S Plans and HDD IR Contingency Plans in response to comments received from the PADEP on May 14, 2020 as well as the DRBC's comments 15a and 15b received June 26, 2020. PennEast also revised the Site Restoration Plan and Post-Construction Stormwater Management Plans in response to PADEP comments. A revised Non-Point Source Pollution Control Plan and HDD IR Contingency Plan are

included with this response. These versions should replace those provided in the May 11, 2020 application.

8. **Please provide a cost estimate of Phase 1 of the project.**
    a. The current capital cost estimate for Phase 1 is approximately $835 million.

9. **Table 3-3 Wetlands – page 13**
    a. **The mainline section contains two rows labeled PSS wetlands. Please verify if the second PSS wetland ID should read PFO?**
        i. Table 3-3 has been updated to reflect the correct Cowardin classification for each impact row within the PennEast Mainline Pipeline and Kidder Compressor Station rows. A revised Table 3-3 is included with this response to comments.

    b. **What is a PFO mosaic wetland type?**
        i. The *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (Version 2.0)* defines a mosaic as a landscape where wetland and non-wetland components are too closely associated to be easily delineated or mapped separately. A portion of a palustrine forested (PFO) wetland at the Kidder Compressor Station was classified as a PFO mosaic during a site visit with the USACE and PADEP on August 22, 2019. As requested by the USACE and following the methodology defined in the Regional Supplement, wetland biologists completed transects to document the ratio of uplands/wetlands in the mosaic. The result was that approximately 50% of the area (boundaries of which were defined with agencies during the site visit) is PFO wetland and 50% is upland.

            A footnote (Note 7) has been added to the revised Table 3-3 to provide clarification.

    c. **The total wetland impact acreage is listed at 17.354; however, the numbers in that column total 17.314 acres. Also, the PFO temporary impact and conversion acreage listed for the Kidder C.S does not equal the total impact acreage. Please verify the acreages on the table.**
        i. Table 3-3 has been updated to reflect the correct impact totals for each wetland type. The Kidder Compressor Station PSS total was incorrect and has been updated to 0.069 acres. The total impacts of 17.354 acres is correct. The revised Table 3-3 is included with this response to comments.

10. **Table 3-7 on page 28 lists acreage within the 30-ft maintained right of way for the Beltsville Reservoir and the FE Walter reservoir. What needs to be maintained on a water body.**
    a. Waterbodies will not be maintained. The 30-foot wide maintained right-of-way (ROW) is a corridor that is applied to the entire length of pipeline regardless of the overlying land use. Table 3-7 lists the acreage within the 30-foot wide maintained ROW that falls within each DRB Recreation and Reservoir area crossed by the Project. The shapefile boundaries of the DRB Recreation and Reservoir areas were provided by the DRBC in 2016. The DRB Recreation area boundaries appear to be based on approximate parcel boundaries. The DRB Reservoir areas align fairly closely with the Federal Emergency Management Agency (FEMA) Special Flood Hazard Areas. Therefore, the acreages listed in Table 3-7 are the

intersection of the 30-foot wide maintained ROW, temporary workspace, and permanent ROW and the DRB Reservoir areas.

11. **What is the difference between wareyard and staging area?**
    a. Wareyards are cited along the pipeline alignment and will be used for contractor field offices, equipment, and materials staging. Staging areas, which are required to stage equipment, assemble and fabricate pipe, and other activities that are necessary to construct the pipeline in a safe and environmentally responsible manner, are sited at the beginnings and ends of construction spreads, near river crossings, and at the Kidder Compressor Station.

12. **Please provide the temporary workspace for construction acreage and permanent easement area for the Kidder C.S.**
    a. The permanent footprint of the proposed Kidder Compressor Station is 25.8 acres. An additional 11.6 acres of staging area adjacent to the station will be needed to stage construction.

13. **Please provide the number, the total length and acreage of all access roads for the DRB portion of the Phase 1 project. Please provide the for permanent access roads.**
    a. There are 40 access roads in the DRB portion of the Phase 1 Project. The length, acreage, and proposed duration of use for each access road (permanent vs. temporary) is included with this response in the table *Access Roads for Phase 1 of the Project in the DRB*.

14. **The USACE letter signed November 26, 2018 granted the request for construction of the pipeline to cross the F.E. Walter Reservoir (Lehigh River) using only the dam and pump open cut method. Information included in the waterbody crossing table submitted with the DRBC application denotes that the primary crossing method is a Flume Crossing. Dam and pump open cuts are listed as secondary and tertiary pipeline crossing methods. Please confirm.**
    a. The primary, secondary, and tertiary crossing methods for the F.E. Walter Reservoir (052115_JC_1001_P_MA) have been updated to dam and pump. The following documents have been revised to reflect this change:
        - *Appendix F - Waterbodies Crossed by Phase 1 of the Project in the DRB*: the crossing method columns of the table was revised.
        - *Appendix B NPS Pollution Control Plan:* Pipeline ESCP Drawings, Drawing No. 000-03-01-047 – the crossing method band was revised.

15. **The notes on the E&S Plans contain information regarding the test water sources and the discharge of hydrostatic test water. Please modify the language on the plans to make it clear to field crews that they are:**
    a. **Prohibited from withdrawing water from any stream, spring, well, or other source in the DRB and may only use water from DRBC approved water suppliers as required by the DRBC docket**.

        The language in the Pipeline E&S Plan Narrative, Pipeline E&S General Notes, Pipeline E&S Alignment Sheets, Pipeline HDD Specifics, Pipeline Typical E&S Details, and Aboveground Facility E&S Drawings have been updated to reflect that withdrawing water from any stream, spring, well, or other source in the DRB is prohibited and that PennEast may only use water from DRBC approved water

suppliers as required by the DRBC docket. Specifically, the revisions were made in the following locations in the revised *Appendix B - NPS Pollution Control Plan*:

- Pipeline ESCP Narrative: Section 9.5.9 (page 26) - hydrostatic testing notes revised
- Pipeline ESCP Drawings: Drawing No. 000-01-01-003D - revised notes within HDD and Hydrostatic Testing sections of the construction sequence
- Pipeline ESCP Drawings: Drawing No. 000-01-01-003E - revised notes within recycling and disposal methods

b. Prohibited from discharging any hydrostatic test water, drilling mud, or other wastewater as required by the DRBC docket.

The language in the Pipeline E&S Plan Narrative, Pipeline E&S General Notes, Pipeline E&S Alignment Sheets, Pipeline HDD Specifics, Pipeline Typical E&S Details, and the Aboveground Facility E&S Drawings have been updated to reflect that discharging any hydrostatic test water, drilling mud, or other wastewater as required by the DRBC docket is prohibited. Specifically, the revisions were made in the following locations in the revised *Appendix B - NPS Pollution Control Plan*:

- Pipeline ESCP Narrative: Section 5 (page 12) - discussion of hydrostatic dewatering structures removed
- Pipeline ESCP Narrative: Section 9.5.9 (page 26) - hydrostatic testing notes revised
- Pipeline ESCP Drawings: Drawing No. 000-01-01-002 - hydrostatic dewatering structure removed from Linetype Legend.
- Pipeline ESCP Drawings: Drawing No. 000-01-01-003D - revised notes within HDD and Hydrostatic Testing sections of the construction sequence
- Pipeline ESCP Drawings: Drawing No. 000-01-01-003E - revised notes within recycling and disposal methods
- Pipeline ESCP Drawings: Drawing Nos. 000-03-01-089, 000-03-01-133, and 000-03-07-002 - edited to remove hydrostatic discharge locations
- Pipeline ESCP Drawings: Drawing No 000-03-09-007 - hydrostatic test discharge structure typicals deleted

In its July 3 and 6, 2020 technical deficiency responses to PADEP for the Chapter 105 and 102 applications, respectively, PennEast revised the Wetland and Riparian Reforestation Plan and the Compensatory Wetland Mitigation Plan. The Wetland and Riparian Reforestation Plan revisions included plan sheet, detail sheet, and note sheet edits for additional shrub plantings within the 30-foot maintained ROW in exceptional value watersheds. Additionally, plan notes were revised to guarantee 85% survival of planted trees and shrubs at the end of the fifth growing season. The Compensatory Wetland Mitigation Plan was also revised to reflect 85% survivorship of planted trees and shrubs over the five-year monitoring period. These revised plans are included with this response and should replace those provided as Appendix D and E, respectively, in the May 11, 2020 application.

Thank you for your continued time and effort in reviewing these responses. We look forward to continuing to work with the DRBC in your review of the application. Please feel free to contact me at (610) 373-7999

x 1172 or aholly@ugies.com if you need any additional information or have any questions during your review of these responses.

Sincerely,

Amber Holly
Environmental Manager
PennEast

cc: Eric Engle, DRBC
Sarah Binckley, AECOM
Jeff England, PennEast