

Re: Technical Deficiency Notification  
Water Obstruction & Encroachment Permit  
Schuylkill River Horizontal Directional Drilling Project  
DEP Application No. E1583223-013  
APS ID No. 1091837; AUTH ID No. 1445595  
Spring City Borough, Chester County  
Upper Providence Township, Montgomery County

### Technical Deficiencies

- 1. Please update JPA files to show the entire LOD, with additional upland associated with the cathodic protection, as discussed in the August 31, 2023 phone call. [25 Pa. Code §§105.21(a)(1) and 105.13(e)]**

Enbridge has determined the cathodic protection work can be completed within the existing LOD. Additional LOD is not required.

- 2. As discussed during the site visit on October 27<sup>th</sup>, the Alternatives Analysis (AA) did not discuss design or site layout alternatives and the impacts associated with each. Please address and include all avoidance and minimization efforts evaluated during the site visit and incorporated into the project to minimize impacts to Wetland 1. [25 Pa. Code § 105.18a(a)(3) and 105.21(a)(1)]**

The Alternatives Analysis has been updated to include additional detail on the avoidance and minimization efforts evaluated for the Project.

- 3. During the field visit on October 27<sup>th</sup>, changes to the construction methods to remove the pipe were discussed. Please updated the application plans, narrative, and Environmental Assessment (EA) to reflect the coffer dam and pipe removal. The Department will review these changes and may have additional comments. [25 Pa. Code §105.21(a)(1)]**

The Project Description, EA, and other application materials have been updated to reflect the change in construction method to remove the existing Line 1 using Portadams (a type of coffer dam) within the Schuylkill River.

- 4. In the AA, discuss the need for approximately 215 feet of workspace in the river. Please consider necking down impacts down if possible. [25 Pa. Code § 105.13(e)(1)(viii) and 105.21(a)(1)]**

The Alternatives Analysis has been updated discussing the workspace in the river.

- 5. Please provide the Aid to Navigation (ATON) Plan. [25 Pa. Code §§ 105.14(b)(6) and 105.21(a)(1)]**

A Project ATON Plan was approved by the PFBC. With the change in method to remove Line 1, an update has been provided to the PFBC for additional approval. The previous approval is included in this submittal and the updated Plan with PFBC approval will be provided upon receipt.

- 6. Please incorporate and address comments from DCNR regarding the Schuylkill River Pennsylvania Scenic Rivers Corridor System and provide the signed document within the resubmission. In addition, please discuss the potential of including a Replanting Plan, which may include planting shrubs from 5 to 15 feet from pipeline and trees from 15 or greater feet from the pipeline. [25 Pa. Code §§105.21(a)(1) and 105.24]**

The coordination with DCNR and receipt of the Scenic Rivers Review letter has been addressed in the EA Modules S2.A and S3.D. Enbridge does plan to implement the DCNR's requested actions to the extent possible given the type of project. For example, trees and shrubs cannot be planted within the easement but will be planted in the additional temporary workspace. The signed letter is included with this submittal.

- 7. It appears there may be a conflict between instream construction restrictions between PFBC (October 16 – April 14) and DCNR (Construction should be done either in late fall or early spring when recreational use of the stream is minimal). Please address and provided any additional agency coordination regarding this matter. [25 Pa. Code §§105.21(a)(1) and 105.24]**

The Project proposes to begin HDD activities in March followed by the removal of the existing Line 1. Per the PFBC, to avoid impacts to dormant species, all instream work shall be performed during the active season (April 15 to October 15). Therefore, the in-stream work associated with the removal of Line will not begin until April 15<sup>th</sup>. The DCNR's request that construction should be done either in late fall or early spring when recreational use of the stream is minimal will be met as near as possible given the PFBC timing. Late April is likely still a slower recreational time and the implementation of the Project's ATON will provide notice to recreational users.

The EA Module S2C has been updated to discuss the PFBC avoidance measures and Enbridge's implementation of the measures.

- 8. In the project description the statement, “No impacts proposed with the HDD. Texas Eastern has developed and will implement an Inadvertent Return Contingency Plan” is incorrect. Structures under the resource are still considered impacts. Please revise. [25 Pa. Code § 105.21(a)(1)]**

The Project Description and other applicable permit materials have been revised to reflect the HDD installation of the pipe under the Schuylkill River as a permanent indirect impact.

- 9. The EA Form Module S2A indicates there are no local parks or recreation areas; however, the site plans and wetland delineation report note the Schuylkill River Trail. Please include a discussion on any impacts the project may have on public safety regarding use of the trail and how these impacts will be mitigated. Please update section S2A, S3B, and S3D2iv accordingly. [25 Pa. Code§ 105.21(a)(l)]**

EA Form Module S2A has been updated to include the local recreation area of the Schuylkill River Trail. Additionally, EA Modules S2A S3B, and S3D2iv have been updated to discuss the Schuylkill River Trail, public safety, and mitigation.

- 10. Per the EA instructions, Module S2B3 requires size of the existing resource to the nearest 0.01 acre. Please provide. [25 Pa. Code§ 105.21(a)(l)]**

The EA Module S2B has been updated to show the size of resources to the nearest 0.01 acre.

- 11. Please update Module S2C of the EA regarding the finalized agency consultation and avoidance measures and include a discussion of the Northern Red-Bellied Cooter in Section S3D. Please also include avoidance measures and construction restrictions in the permit description narrative and Erosion and Sediment Control Plans (E&S Plans). [25 Pa. Code §§105.21(a)(1) and 105.24]**

The EA Module S2C and the Project Description have been updated to reflect the consultation with PFBC (per Species Impact Review response letter received on June 21, 2023). The avoidance measures/construction restrictions are included in the E&S Plans. Due to the change in methodology for removal of Line 1, the updated materials have been provided to PFBC. The additional correspondence with the PFBC will be provided upon receipt.

- 12. There appears to be inconsistencies with the HGM classification of Wetland 1 between the Wetland Report and the EA. Please provide the HGM classification to greater detail, as listed in the PA\_HGM\_Key\_1.0, referenced within the instruction of the EA (3150-PM-BWEW0017) and discuss the dominant source(s) of water and the associated hydrodynamics of the wetland. [25 Pa. Code § 105.21(a)(1)]**

The Wetland Delineation Technical Memorandum noted a HGM classification of DEPRESS. After further analysis and based on limited observations of the hydrologic conditions of Wetland W1, the HGM classification was revised to include both RIVERINE and DEPRESS for this submittal. Wetland W1 is a large wetland complex and likely receives water from both groundwater flow and occasional flooding events of the Schuylkill River. A footnote has been added to Table 1 (EA Module S2D).

- 13. Per the EA instructions, please discuss each of the function and value parameters listed in Module S3D2. [25 Pa. Code §§105.18a(a)(3) and 105.21(a)(1)]**

The EA Module S3D2 has been updated.

- 14. Per the EA instructions, please provide a summary table for Module S3.A. This table is different than the ARIT. [25 Pa. Code §105.21(a)(1)]**

A summary table has been provided in EA Module S3A.

- 15. The ARIT states the cutting of PFO wetlands is a permanent impact. This, however, is not discussed or displayed in the EA. Please use the subfacility Wetland (Permanent) Indirect Impact (WTIIM) for the PFO wetland impacts. Please update Module S3D and throughout the EA discussion as necessary. [25 Pa. Code § 105.21(a)(1)]**

Subfacility table WTIIM is provided (EA Module S3C) and the EA has been updated including Module S3D.

- 16. Please provide subfacilities for the floodway (TFIM) and stream (TSIM) impacts for the coffer dam. At this time, only PIPE subfacility will be required for HDD/bored impacts. [25 Pa. Code § 105.21(a)(1)]**

Subfacility tables TFIM and TSIM are provided (EA Module S3C).

- 17. Please expand on the discussion of the secondary impacts in Module S3G. Specifically, please discuss the potential secondary impacts associated with the removal of trees within the seasonally flooded areas of the wetlands and how these impacts may affect the hydrological, biogeochemical, and habitat functions of these areas. [25 Pa. Code § 105.21(a)(1)]**

The EA Module S3G has been updated to discuss secondary impacts associated with the removal of trees in PFO Wetland W1. Tree cutting will only occur within a 0.05-acre portion of PFO Wetland W1, on the northwest side of Line 1. The remaining extent of the PFO Wetland W1 consists of the tree drip line area and scrubby transition area requiring tree limb lopping or scrub/shrub cutting.

- 18. Please provide a Mitigation Plan and associated Plan Drawing. The mitigation plan should follow the Department's guidance, Design Criteria - Wetlands Replacement/Monitoring (DEP Doc. No. 363-0300-001), and should include, at minimum, information requested in Sections V.D.6 and VII relating to vegetative conditions and monitoring. The monitoring plan should also include corrective actions to address invasive species and**

**noxious weeds. [25 Pa. Code §§105.20a(a), 105.21(a)(1), and 105.13(e)]**

A Mitigation Plan has been included with this submittal.

- 19. As discussed in the field meeting on October 27<sup>th</sup>, please evaluate the planting of larger trees as an alternative to the current proposed mitigation, to increase the survival rate and reduce the amount of time it takes for the site to be restored. [25 Pa. Code §§ 105.14(b)(13) and 105.20a(a)]**

The EA has been updated to reflect a decrease in PFO wetland impacts resulting in only 0.05 acre of tree cutting. The 0.05 acre of PFO wetland is located over an existing water line and the utility has stated that no trees should be planted in the water line easement (20 feet wide). Other plantings and restoration efforts are detailed in the Mitigation Plan and Site Restoration sheet of the ESCP.

- 20. Please verify the post construction monitoring in the EA and those in Section 8.1 of the E&S Plan do not contain contradictions. [25 Pa. Code §§105.21(a)(1) and 105.13(e)]**

The E&S Plan which includes Section 8.1 is Enbridge's general project E&S Plan provided as a reference. The site-specific ESCP submitted as part of the Project's ESCGP application is the applicable document for the Project. The Mitigation Plan and EA are consistent with the site-specific ESCP.

- 21. Please provide a site-specific E&S Plan, displaying the location of all erosion and sediment control BMPs. Please remove any detail(s) which are not associated with this project (e.g. TETLP\_Line1 Mapping file, Figure WC-2 shows a Typical Wet Waterbody Crossing). [25 Pa. Code § 105.13(g)]**

The site-specific ESCP has been included with this submittal. Figure WC-2 has been removed from the HDD plan drawing set.

- 22. On the site plans, please show the PFO and PEM wetland boundary locations. In addition, please identify the locations of the seasonally flooded habitats within Wetland 1. [25 Pa. Code § 105.21(a)(1)]**

The PFO and PEM wetland boundaries have been added to the site plans. Based on field observations from the survey area, topographic data and review of aerial photos, Wetland 1 is likely seasonally flooded outside of the workspaces. Since the area will not be impacted and a boundary was not mapped while in the field, it has not been added to any mapping/plans.

- 23. The Department does not recommend stockpiling soil or subsoil within the wetland. Evaluate the ability to stockpile soils outside wetland boundaries throughout project when possible. [25 Pa. Code §105.13(e)]**

On the north side of the river, due to the limited workspace not in a wetland and the location of excavations (HDD entry pit and existing pipeline), stockpiling of soil will likely occur within a wetland. Enbridge will use geotextile fabric and timber mats when soil is stockpiled in a wetland.

- 24. DEP suggests the addition of the following note: If a restrictive layer, including but not limited to clay or fragipans, is encountered during the trench excavation of a wetland, a knowledgeable wetlands scientist on the Environmental Inspection Team shall oversee backfilling of the trench and installation of trench plugs, in order to maintain wetland hydrology. [25 Pa. Code § 105.13(e)]**

The note has been added to the Plans.

- 25. Please show the location of trench plugs. The proposed replacement of the pipeline through the wetland appears to be greater than 100 feet. The Department recommends that wetland crossings greater than 100' should have a trench plug every 100'. Please add the appropriate number of trench plugs. Additionally, note 3 within the Figure EC-10 (pg. 80) states, "do not install trench breakers within a wetland;" please revise for consistency. [25 Pa. Code § 105.21(a)(1)]**

For the HDD installment of Line 1, a trench plug will be added at the wetland boundary near where the pipe will tie-in to the existing pipe. The trench plug has been added to the HDD Plan sheet. No trench plugs are proposed with the removal of Line 1, the trench will be backfilled. Figure EC-10 is within Enbridge's general project E&S Plan and will not be applicable to the Project.

- 26. Please state source of water and method of disposal of water during hydrostatic testing. [25 Pa. Code §105.13(e)]**

Water will be hauled to the site from a municipal source. Hydrostatic testing discharge water will be hauled off-site to an appropriate facility. This information has been added to the EA in the Project Description.

- 27. When necessary, geotextile fabric and matting should be placed between the stockpile soil and existing ground. Please add a note to the wetland crossing and restoration details and discuss within the Alternative Analysis minimization section. [25 Pa. Code §§ 105.21(a)(l), 105.13 (e)(l)(viii), and 105.17]**

As discussed in comment #23, geotextile fabric and timber mats will be used for stockpiling soil within wetlands. This is reflected in the site-specific ESCP including the timber mat standard construction detail.

- 28. The Department encourages site restoration with native wetland and riparian specific seed mixes with a nurse crop. Consider revising seed mixtures in the E&S Plan. [25 Pa. Code §§105.13(e) and 105.21(a)(1)]**

Seed mixtures have been updated in the ESCP which is included in this submittal.

- 29. Drawing ES-0036 Note 7. States, "Do not use synthetic monofilament Mesh [...] in areas designated as sensitive wildlife habitat." Due to the presence of the Northern Red-Bellied Cooter, please consider using naturally decomposing fiber matting in lieu of bio-or photo-degradable plastic mesh erosion control blankets near sensitive wildlife habitat. [25 Pa. Code §§ 105.16(d) and 105.13(g)]**

Naturally decomposing fiber matting will be used for the Project. Drawing ES-0026 is not applicable to the Project.

- 30. Trenchless Technology Inadvertent Return Preparedness, Prevention and Contingency (PPC) Plan should be prepared. At a minimum, the PPC Plan should include measures to prevent, control, or mitigate loss of circulation and notification procedures for these events. The PPC Plan must be maintained and available on-site and updated as needed. An example PPC Plan is provided on the Department's Trenchless Technologies Resource Page which can be found here: <https://www.dep.pa.gov/About/Regional/RPCO/Pages/Trenchless.aspx>. [25 Pa. Code § 78a.68a.]**

Enbridge has an Inadvertent Return Contingency Plan which is included with this submittal. The Plan was based on a similar Enbridge HDD project with PADEP.

**31. The DEP posted a second public comment period in the PA bulletin. Additional comments may be forthcoming based on any comments received from the public by December 24, 2023. [25 Pa. Code § 105.21(a)(1)]**