pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

April 3, 2020

Transcontinental Gas Pipeline Company, LLC
c/o Joseph Dean
2800 Post Oak Blvd, Level 11
Houston, TX 77056

Re: Technical Deficiency Notification

Leidy South Project – Hensel Replacement and Hilltop Loop
Water Obstruction & Encroachment Permit
DEP Application No. E1883219-001
APS ID No. 1003099; AUTH ID No. 1290852
Chapman Township and Leidy Township, Clinton County

Leidy South Project – Compressor Station 607
Water Obstruction & Encroachment Permit
DEP Application No. E4083219-001
APS ID No. 1003113; AUTH ID No. 1290887
Fairmount Township, Luzerne County

Leidy South Project – Benton Loop
Water Obstruction & Encroachment Permit
DEP Application No. No. E4183219-001
APS ID No. 1003122; AUTH ID No. 1290901
Jordan Township, Lycoming County

Dear Mr. Dean:

The Department of Environmental Protection (DEP) has reviewed the above referenced application and has identified the following technical deficiencies. ***Chapter 105 Dam Safety and Waterway Management regulations*** include 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 DEP's established means of satisfying the applicable regulatory and statutory requirements.

Technical Deficiencies – All Counties

1. Please show on E&S Control Plans the stream bank restoration, stream bed restoration, and wetland restoration methods. [*25 Pa. Code § 105.13(g)*]

2. The Bridge Equipment Crossing and Bridge Equipment Crossing with Centered or Multiple Supports Details does not have the height of the proposed side rails. Please

be advised that the side rails should be a minimum height of 1-foot. [*25 Pa. Code § 105.311*]

3. The Typical Channel & Vegetation Restoration-1 and Typical Channel & Vegetation Restoration-2, show that natural stream bed material is being placed up the stream banks. Please revise the detail to show the limits of the natural stream bed material (normal high-water mark) and the stream bank stabilization that will be proposed. Also, please show a detail for vegetated stream bank stabilization, and riprap stream bank stabilization. [*25 Pa. Code § 105.311*]

4. Please include a temporary fill row for bridges or matting in the Aquatic Resource Impact Table (ARIT). These impact numbers can overlap the excavation impacts; the table is not cumulative. [*25 PA Code § 105.21(a)(1)*]

5. Please address pertinent sections of the attached public comment submitted to DEP in response to the *Pennsylvania Bulletin* posting on January 4, 2020. [*25 Pa. Code § 105.13(e)*]

6. Temporary mats and bridges over resources are considered Temporary Direct impacts. Please revise necessary sections, including Table S1.A.1-1 and S3.A, to show this impact. To prevent the need of subtracting impacts from one another and to provide a clear representation of total impacts without overlap, a note may be provided stating temporary direct impact areas are not additory to the impact areas listed and such impacts are already accounted for, if that is an accurate statement. [*25 Pa. Code § 105.21(a)(1)*]

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

8. Provide all correspondences to the Pennsylvania State Historic Preservation Office and all intermediate letters. [*25 Pa. Code §§ 105.14(b)(5) and 105.24*]

9. Please revise the EA Module S1, Table S1.A.1-1 to include all the impacts of the entire Leidy South project, not just the specific county impacts. [*25 Pa. Code § 105.21(a)(1)*]

Technical Deficiencies – Clinton County (Hensel Replacement and Hilltop Loop)

10. Wetland W2B-T6-HR and W2A-T6-HR is shown on the Erosion and Sedimentation Control Plans. However, on the Site Plans, the wetlands are identified as W1-T7-HR and W1-T7-HR respectively. Please revise the wetland designations accordingly. [*25 Pa. Code § 105.21(a)(1)*]

11. It appears that there are not any erosion and sediment control best management practices (BMPs) proposed for the construction of the proposed stream crossing S1-

T1-HR. Please provide adequate erosion and sediment control BMPs for construction of the crossing. Please check to make sure that all erosion and sediment control BMPs are proposed for all stream and wetland crossings throughout the project. [*25 Pa. Code § 105.21(a)(1)*]

12. The Chapter 105 Site Plans has Crossing HR-12; however, the crossing is not depicted on the Erosion and Sedimentation Control Plans. Also, there are not any details with respect to how the existing transmission line will be grouted as indicated in the Project Description. Please show all details related to the grouting of the existing transmission line. Also, please show on the Erosion and Sedimentation Control Plans the entire length of transmission line that will be grouted under the Tamarack Swamp. This should include the staging area, and restoration efforts needed to complete the grouting of this pipeline. [*25 Pa. Code § 105.21(a)(1)*]

13. For Access Road 725.2, the floodway impact to Post Hollow Run is designated as S8-T5-HL on the Erosion and Sedimentation Control Plans; however, on the Chapter 105 Site Plans, designation is S8a-T5-HL. Please revise accordingly. [*25 Pa. Code § 105.21(a)(1)*]

14. Please confirm the resource designation of wetlands W1-T7-HR/ HR 5, W3-T7a-HL, and W3-T1-HR / HR-10. These wetlands are identified as "other" within the permit application. However, these resources appear to either be located in or along the floodplain of a reach of a wild trout water or may be hydrologically connected to other "EV" wetlands. [*25 Pa. Code § 105.17(i)(ii)*]

15. Please include the PA Code Chapter 93 designation for wetland W17-T7-HR / HR-2 in Hensel Hilltop ARIT. [*25 Pa. Code § 105.21(a)(1)*]

16. Please confirm and correct for consistency the amount of impact at wetland W4-T5-HR-HR-9. The ARIT indicates that 10,419 ft^2 of resource will be impacted. However, the Onsite Wetland and Riparian Buffer Replanting Table indicates that 10,367 ft^2 of the resource will be impacted. [*25 Pa. Code § 105.21(a)(1)*]

17. The E&S Control Plans do not appear to call out the Rip Rap Stream Bank Stabilization rock at Young Women's Creek on the plans. The stream bank stabilization method should be included for each stream that will be crossed by the pipeline and/or access roadway. Please revise accordingly. [*25 Pa. Code § 105.13(g)*]

18. If there is a potential that riprap bank stabilization may be required, please provide a Riprap Bank Stabilization Detail on the E&S Control Plans. [*25 Pa. Code § 105.13(g)*]

19. Please show all resource crossings for streams and wetlands on impact map. [*25 Pa. Code § 105.13(g)*]

20. It appears that there are streams and wetlands (e.g. W3-T7-HL) that do not have erosion and sediment control BMPs proposed to protect the stream or wetland from sediment

deposition during construction of the pipeline. Please check each crossing and provide adequate erosion and sediment control BMPs. Please revise the plans accordingly. [*25 Pa. Code § 105.13(g)*]

21. Resource S12-T6-HR/HR-1 shows a length of 75' on impact map Sheet 3; however, ARIT lists a 65' length for both the stream and floodway. Please correct for consistency. [*25 Pa. Code § 105.21(a)(1)*]

22. Resource W17-T7-HR/HR-2 shows a width of 75' on impact map Sheet 6; however, ARIT lists a 65' width. Please correct for consistency. [*25 Pa. Code § 105.21(a)(1)*]

23. Wetland W17-T7-HR/HR-2 PEM on E&S Control Plan Sheet 11 has a noted Wetland Construction Crossing (WCC) crossing that extends greater than 100'. Per the WCC detail, please add the appropriate number of trench plugs in the wetland. [*25 Pa. Code § 105.21(a)(1)*]

24. Wetland W4-T5-HR PEM and W4-T5-HR PSS on E&S Control Plan Sheet 18 show areas crossed with the WCC designation. Crossing covers greater than 100' and per WCC note, should have a trench plug every 100'. Please add appropriate trench plug(s) in this section. [*25 Pa. Code § 105.21(a)(1)*]

25. Wetland W4-T2-HR PEM on E&S Control Plan Sheet 20 has a noted WCC crossing that extends greater than 100'. Per the WCC detail, please add the appropriate number of trench plugs in the wetland. [*25 Pa. Code § 105.21(a)(1)*]

26. Wetland W3-T7-HL PEM on E&S Control Plan Sheet 3 has a noted WCC crossing that extends greater than 100'. Per the WCC detail, please add the appropriate number of trench plugs in the wetland. [*25 Pa. Code § 105.14(b)(4)*]

27. Please show on the E&S Control Plan Alignment Sheets the locations of the public and private water supplies. [*25 Pa. Code §§ 105.13(e)(1)(ii) and 105.14(b)(5)*]

28. It appears that permanent water bars are proposed that discharge within the riparian buffer of streams. The locations of the permanent waterbars should not create an outlet where the banks of the stream have the potential to erode. The permanent waterbars should outlet to mimic the existing conditions and provide sheet flow to then discharge into a surface water. Also, the permanent waterbars should be located outside of the riparian buffer, as practical. [*25 Pa. Code § 105.14(b)(4)*]

29. It appears that permanent waterbars are proposed upslope of wetlands. These permanent waterbars should not divert surface water from the wetland as this may cause a secondary impact to the downgradient wetlands. Please provide information elaborating on the potentially affected wetland(s) hydrology and whether the proposed permanent waterbars will cause secondary impacts to those wetland(s). [*25 Pa. Code §§ 105.18a(b)(1-3) and 105.14(b)(4)*]

30. It appears that there are streams and wetlands that do not have erosion and sediment control BMPs proposed to protect the stream or wetland from sediment deposition during construction of the pipeline. Please check each crossing and provide adequate erosion and sediment control BMPs. Please revise the plans accordingly. [*25 Pa. Code § 105.13(g)*]

31. 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)*]

32. There was a conference call on March 26, 2020 that included DEP, DCNR and Tri-County Electric. During the call three potential design changes were discussed: co-locating the power line and the pipeline in the Foley Tract, widening the Big Ridge trail access road and the replacing the culvert that conveys S2-T7A-HR under Racoon Lane. If you decide to move forward with any of the above listed changes, please revise the plans and project narrative accordingly. If none of the above listed changes are proposed this comment can be ignored and nothing needs to be submitted to DEP at this time. [*25 Pa. Code §§ 105.13(e)*]

33. Provide details regarding the possibility of avoiding wetlands W4-T7a-HR/HR-AR-1 and W3-T7a-HR/HR-AR-1 in the Big Ridge Trail Access Road. If impacts to these wetlands are unavoidable provide crossing BMPs or mitigation and restoration information. [*25 Pa. Code §§ 105.14(a)(7), 105.18a(b)(2), and 105.13(g)*]

34. Please clarify if trees will be cut as part of wetland crossings associated with the Big Ridge Trail Access Road construction. [*25 Pa. Code §§ 105.13(e) and 105.21(a)(1)*]

35. Wetland W3-T7a-HR is listed as having a Cowardin Classification of PEM; however, aerial photography, Impact mapping, and the Wetland Resource Summary Table indicate that tree cover is present within this wetland. Please re-evaluate the classification of this wetland system and include appropriate mitigation. Please also address W4-T7a-HR in your response. [*25 Pa. Code §§ 105.18(b)(1) and 105.13(e)*]

36. The Impact mapping states permanent pipeline impacts values are the functional conversion areas of these resources. Please note impacts outside the project limits of disturbance that require cutting PFO wetlands or grubbing PSS wetlands that are also considered functionally converted, regardless of replanting, due to the time it will take for the resource to return to current function. Please update note 6. [*25 Pa. Code § 105.21(a)(1)*]

37. In the EA Module S2.B.3, please provide size of existing watercourse floodway and/or floodplain to the nearest 0.01 acres. [*25 Pa. Code § 105.21(a)(1)*]

38. Department of Conservation & Natural Resources (DCNR) has provided a concern regarding tree removal in Sproul State Forest. Please discuss how construction will minimize impacts to the surrounding land and discuss the ability to leave tree stumps - especially within stream riparian zones. In areas of high concern of DCNR, consider limiting pulling of tree stumps and grading activities to directly over the trench line. Further discussion can be included in Module S3B of the EA. [*25 Pa. Code §§ 105.13(g), 105.16(d), 105.14(b)(3-4), and 105.16(a)*]

39. EA Module S2.C suggests consultation is ongoing with several state agencies. Please provide final clearance letters, including:

    A. Provide additional correspondences with the Fish and Wildlife Service that confirm a) *Tree Cutting* - final correspondence confirming seasonal restrictions; b) *4(d) Rule* - if FERC fulfilled its project-specific section 7 responsibilities for the northern long-eared bat; c) *Northeastern bulrush* – whether DCNR accepted the proposed avoidance and minimization measures. [*25 Pa. Code § 105.24*]

    B. Provide a final clearance letter from the Department of Conservation and Natural Resources that documents that the requested botanical surveys were approved and conclusions deemed satisfactory. [*25 Pa. Code §§ 105.14(b)(5) and 105.24*]

40. In the EA Module S3.E, the statement, "The Project will result in no loss of wetland resources" is not correct, as 0.02 acres of wetland will be permanently filled. Please revise or clarify section. [*25 Pa. Code § 105.21(a)(1)*]

41. In Module S3.G, please discuss potential secondary impacts to resources such as wildlife corridors and habitat, as requested in the EA, and include a discussion of ongoing maintenance on resources and riparian buffers, soil compaction, and temporal changes. [*25 Pa. Code §§ 105.13(e) and 105.21(a)(1)*]

42. In the EA Module S3H, please discuss the existing Leidy Lines, including the co-location and life of the pipelines. [*25 Pa. Code § 105.21(a)(1)*]

43. For the purposes of mitigation, all cleared PFO and grubbed PSS wetlands must be calculated and mitigated for, regardless of location on or off permanent right of way (ROW). The statement "Temporary Wetland column includes PEM wetlands to be disturbed during construction, and PSS and PFO areas to be replanted onsite" does not account for the long-term loss of PFO/PSS wetland functions. Please revise the application accordingly, including ModuleS3A, Module S4, and mitigation documents. [*25 Pa. Code §§ 105.14(b)(13) and 105.20a(a)*]

44. The Wetland and Riparian Reforestation Plan maps suggest missed onsite planting opportunities at W1-T7-HR. Please review and consider onsite planting at: W1-T7-HR North the permanent ROW consistent with replanting throughout project. [*25 Pa. Code §§ 105.13(e) and 105.16(d)*]

45. The Typical Riparian Replanting Detail schematic in Attachment D-Planting Details of the Onsite Wetland and Riparian Reforestation Plan does not appear to include the planting of shrubs from 5 to 15 feet from pipeline, as shown on the adjacent Typical PSS/PFO Replanting Detail. Please revise. [*25 Pa. Code § 105.21(a)(1)*]

46. The Onsite Wetland and Riparian Restoration Plan states monitoring will be conducted for three years. The Department's guidance for Wetlands Replacement/Monitoring, Department document 363-0300-001 states wetland replacement must be monitored for a period of not less than five years. Please revise the monitoring timelines to reflect a 5-year monitoring period. [*25 Pa. Code § 105.21(a)(1)*]

47. Approximately 752 ft^2 of PSS wetland W1-T7-HR-HR-7 will be impacted by the pipeline permanent ROW. However, impacts to this resource are not included in either the Onsite Wetland and Riparian Buffer Replanting Table or the Offsite Compensatory Wetland Mitigation Summary. Please provide mitigation for anticipated impacts to this resource. [*25 Pa. Code §§ 105.21(a)(1) and* 105.20a(a)(2)]

Technical Deficiencies – Lycoming County (Benton Loop)

48. It appears that the FEMA delineated floodway for Little Muncy Creek has not been depicted correctly on the Chapter 105 Impact Mapping. Please revise accordingly. [*25 Pa. Code § 105.21(a)(1)*]

49. Please confirm the resource designation of wetland W6-T6/ B1-3 5. The wetland is identified as "other" within the permit application. However, the resource appears to either be located in or along the floodplain of a reach of a wild trout water or may be hydrologically connected to other "EV" wetlands. [*25 Pa. Code § 105.17(i)(ii)*]

50. Please confirm and correct for consistency the amount of impact at PFO wetland W2-T4. The ARIT indicates that 464.5 ft^2 of resource will be impacted. However, the Onsite Wetland and Riparian Buffer Replanting Table indicates that 388 ft^2 of the resource will be impacted. [*25 Pa. Code § 105.21(a)(1)*]

51. Stream S8-T6 has floodway impact area of 0.00 acres on the Impact Map but 32.2 square feet of impact on the ARIT. Please confirm and correct for consistency whether an impact will occur at this location. [*25 PA Code § 105.21(a)(1)*]

52. The latitude and longitude of W14-T6 and W13-T6 differ on ARIT and Subfacility tables and it appears W13-T16 is a typo. Please verify and correct for consistency. [*25 PA Code § 105.21(a)(1)*]

53. The Impact Map states permanent pipeline impacts values are the functional conversion areas of these resources. Please note impacts outside the project limits of disturbance that require cutting PFO wetlands or grubbing PSS wetlands are also considered functionally converted-regardless of replanting- due to the time it will take for the

resource to return to current function. Please update note 6. [*25 Pa. Code § 105.21(a)(1)*]

54. The E&S Control Plans submitted with the Chapter 105 application do not include E&S Control Plan details on the E&S Drawings. Please provide. [*25 Pa. Code § 105.13(g)*]

55. It appears that there are streams and wetlands (e.g. W14-T6) that do not have erosion and sediment control BMPs proposed to protect the stream or wetland from sediment deposition during construction of the pipeline. Please check each crossing and provide adequate erosion and sediment control BMPs. Please revise the plans accordingly. [*25 Pa. Code § 105.13(g)*]

56. The stream bank stabilization method should be included for each stream that will be crossed by the pipeline and/or access roadway. Please revise accordingly. [*25 Pa. Code § 105.13(g)*]

57. If there is a potential that riprap bank stabilization may be required, please provide a Riprap Bank Stabilization Detail on the E&S Control Plans. [*25 Pa. Code § 105.13(g)*]

58. Please show on the E&S Control Plan Alignment Sheets the locations of the public and private water supplies. [*25 Pa. Code §§ 105.13(e)(1)(ii) and 105.14(b)(5)*]

59. Please show all resource crossings for streams and wetlands on impact map. [*25 Pa. Code § 105.21(a)(1)*]

60. Stream S5-T6 on E&S Control Plan Sheet 5 does not show a stream crossing method for pipe. Please include. [*25 Pa. Code § 105.21(a)(1)*]

61. The following wetlands indicate indicates a WCC crossing: W16-T6 PEM on E&S Control Plan Sheet 6 between mile 118.7-118.8, W2-T4 PEM on E&S Plan Sheet 7 between mile 119.1-119.2, W1-T2 PEM on E&S Plan Sheet 8 between mile 119.5-119. The crossing detail includes trench plugs every 100'. These wetlands span greater than 100'. Please include appropriate number of trench plugs in each wetland. [*25 Pa. Code § 105.21(a)(1)*]

62. Stream S2-T6/BL-3 is listed as having a ROW width of 73' on plan sheet 4, while ARIT says 39'. Please verify the ROW width and revise accordingly. [*25 Pa. Code § 105.21(a)(1)*]

63. Stream S6-T6/BL-6 is listed as 33-8 permanent impact on the ARIT; however, the Impact Table shows 0.01 acres (435 sq. ft). Please verify the area of impact and revise accordingly. [*25 Pa. Code § 105.21(a)(1)*]

64. Wetland W2-T4 PEM near mile 119.2 on E&S Control Plan Sheet 7 has a WEC detail reference but does not show a timber mat. Please clarify and revise accordingly. [*25 Pa. Code § 105.21(a)(1)*]

65. Some wetland crossings are shown with a mat and WEC detail reference; however, many do not have the WEC detail reference. For example, on E&S Control Plan Sheet 6 between mile 118.7-118.9, wetland W16-T6 PEM does not have a WEC detail reference, while W4-T5 PEM does. Please indicate if the crossings without the WEC reference be treated differently. [*25 Pa. Code § 105.21(a)(1)*]

66. Tables 11.3, 11.4, and 11.5 in the E&S General Notes mention use of crown vetch in seeding mixtures. DEP does not recommend use of crown vetch. Remove these seed mixture options and consider using native upland seed mixtures as an alternative. [*25 Pa. Code §§ 105.13(e) and 105.21(a)(1)*]

67. 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 wetlands, 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)*]

68. In EA Module S2.B.3, please provide size of existing watercourse floodway and/or floodplain to the nearest 0.01 acres. [*25 Pa. Code § 105.21(a)(1)*]

69. The EA Module S2.C suggests consultation is ongoing with several state agencies. Please provide final clearance letters, including:

    Provide additional correspondences with the Fish and Wildlife Service that confirm a) *Tree Cutting* – final correspondence confirming seasonal restrictions b) *4(d) Rule* - if FERC fulfilled its project-specific section 7 responsibilities for the northern long-eared bat; c) *Northeastern bulrush* – whether DCNR accepted the proposed avoidance and minimization measures. [*25 Pa. Code § 105.24*]

70. In Module S3.G, please discuss potential secondary impacts to resources such as wildlife corridors and habitat, as requested in the EA, and include a discussion of ongoing maintenance on resources and riparian buffers, soil compaction, and temporal changes. [*25 Pa. Code §§ 105.13(e) and 105.21(a)(1)*]

71. For the purposes of mitigation, all cleared PFO and grubbed PSS wetlands must be calculated and mitigated for, regardless of location on or off permanent ROW. The statement "Temporary Wetland column includes PEM wetlands to be disturbed during construction, and PSS and PFO areas to be replanted onsite" does not account for the long-term loss of PFO/PSS wetland functions. Please revise the application accordingly, including ModuleS3A, Module S4, and mitigation documents. [*25 Pa. Code §§ 105.14(b)(13) and 105.20a(a)*]

72. The Wetland and Riparian Reforestation Plan map suggests a missed onsite planting opportunity at W2-T4. Please review and consider onsite planting at W2-T4, adjacent

to S3-T3 and at MP 119.1 south of the permanent ROW, consistent with replanting throughout project. [*25 Pa. Code §§ 105.13(e) and 105.16(d)*]

73. The Typical Riparian Replanting Detail schematic in Attachment D-Planting Details of the Onsite Wetland and Riparian Reforestation Plan does not appear to include the planting of shrubs from 5 to 15 feet from pipeline, as shown on the adjacent Typical PSS/PFO Replanting Detail. Please revise. [*25 Pa. Code § 105.21(a)(1)*]

74. The Onsite Wetland and Riparian Restoration Plan states that monitoring will be conducted for three years. The Department's guidance for Wetlands Replacement/Monitoring, Department document 363-0300-001 states that wetland replacement must be monitored for a period of not less than five years. Please revise the monitoring timelines to reflect a 5-year monitoring period. [*25 Pa. Code § 105.21(a)(1)*]

75. Regarding the EA Module 4 Compensatory Offsite Wetland Mitigation Plan (Appendix S4-3), Department guidance, *Design Criteria - Wetlands Replacement/Monitoring*, DEP Doc. No. 363-0300-001, requires 85% cover of hydrophytic species. Please include this parameter for monitoring performance standards in addition to the 85% survival of planted trees and shrubs stated in the application. [*25 Pa. Code §§ 105.20a(a), 105.21(a)(1), and 105.13(e)*]

76. Monitoring plans should also include parameters verifying hydrology, percent coverage of native hydrophytic species, inventory of plant species, and stem count survival where applicable. Please add these parameters to be included in the monitoring reports. [*25 Pa. Code § 105.21(a)(1)*]

Technical Deficiencies – Luzerne County (Compressor Station 607)

77. Please confirm the resource designation of wetlands W2-T1 and W2-T3. These wetlands are identified as "other" within the permit application. However, these resources appear to either be located in or along the floodplain of a reach of a wild trout water or may be hydrologically connected to other "EV" wetlands. [*25 Pa. Code § 105.17(i)(ii)*]

78. Provide details regarding the possibility of avoiding wetlands W2-T2 PEM/CS607A-2 as a small part of the wetland extends into LOD and appears avoidance may be possible. [*25 Pa. Code §§ 105.14(a)(7), 105.18a(b)(2) and 105.13(g)*]

79. The concrete wash is located in two different locations in the E&S Control Plans vs. Impact maps. Please clarify the location of the concrete wash and revise accordingly. [*25 Pa. Code § 105.13(g)*]

80. In the EA Module S3.E, the statement, "The Project will result in no loss of wetland resources" is not correct, as 0.20 acres of wetland will be permanently filled. Please revise or clarify section. [*25 Pa. Code § 105.21(a)(1)*]

81. The EA Module S2.C suggests consultation is ongoing with several state agencies. Please provide final clearance letters, including:

    A. Provide additional correspondences with the Fish and Wildlife Service that confirm a) *Tree Cutting* - final correspondence confirming seasonal restrictions; b) *4(d) Rule* - if FERC fulfilled its project-specific section 7 responsibilities for the northern long-eared bat; c) *Northeastern bulrush* – whether DCNR accepted the proposed avoidance and minimization measures. [*25 Pa. Code § 105.24*]

    B. Provide a final clearance letter from the Department of Conservation and Natural Resources that documents that the requested botanical surveys were approved and conclusions deemed satisfactory. [*25 Pa. Code §§ 105.14(b)(5) and 105.24*]

82. Regarding the EA Module 4 Compensatory Offsite Wetland Mitigation Plan (Appendix S4-3), Department guidance, *Design Criteria - Wetlands Replacement/Monitoring*, DEP Doc. No. 363-0300-001, requires 85% cover of hydrophytic species. Please include this parameter for monitoring performance standards in addition to the 85% survival of planted trees and shrubs stated in the application. [*25 Pa. Code §§ 105.20a(a), 105.21(a)(1), and 105.13(e)*]

83. Monitoring plans should also include parameters verifying hydrology, percent coverage of native hydrophytic species, inventory of plant species, and stem count survival where applicable. Please add these parameters to be included in the monitoring reports. [*25 Pa. Code § 105.21(b)*]

Pursuant to 25 Pa. Code §105.13a of DEP's Chapter 105 Rules and Regulations you must submit a response fully addressing each of the significant technical deficiencies set forth above. Please submit a separate response for each of the three applications that were submitted. Please note this information must be received within sixty (60) calendar days from the date if this letter, on or before **June 2, 2020**, or DEP may consider the application to be withdrawn by the applicant. You may request a time extension, in writing, before **June 2, 2020** to respond to deficiencies beyond the sixty (60) calendar days. When you submit the request, you should explain why an extension of time is necessary. Requests for extension of time **are not** automatically granted. After review by DEP, you will be notified in writing of the decision either to grant or deny the extension, 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).

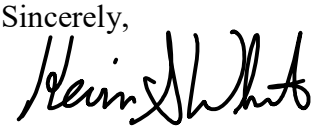
DEP has developed a standardized review process and processing times for all permits or other authorizations that it issues or grants. Pursuant to its Permit Review Process and Permit Decision Guarantee Policy (021-2100-001), DEP guarantees to provide permit decisions within the published time frames, provided applicants submit complete, technically adequate

applications/registrations that address all applicable regulatory and statutory requirements, in the first submission. Since you did not submit a complete and/or technically adequate application, DEP's Permit Decision Guarantee is no longer applicable to your application.

If you believe that any of the stated deficiencies is not significant, instead of submitting a response to that deficiency, you have the option of asking DEP 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 Dave Bolig at 484-250-5828 or by email at dbolig@pa.gov and refer to the Application Number referenced above 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 DEP. 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,



Kevin S. White, P.E.
Environmental Group Manager
Regional Permit Coordination Office

Enclosure: Public Comments Document

cc: WHM Consulting, Inc.
U.S. Army Corps of Engineers, Baltimore District
PA Fish & Boat Commission, Division of Environmental Services
Clinton County Conservation District
Leidy Township
Chapman Township
Luzerne County Conservation District
Fairmount Township
Lycoming County Conservation District
Jordan Township