



PennEast Pipeline Company, LLC

PENNEAST PIPELINE PROJECT

*Multi-Permit Application
for
Freshwater Wetlands Individual Permit
Special Activity Transition Area Waiver
Letter of Interpretation
Water Quality Certificate
Flood Hazard Area Individual Permit
Flood Hazard Hardship Exception Request
Flood Hazard Area Verification*

ATTACHMENT L – National Park Service Consultation



*Submitted to:
New Jersey Department of Environmental Protection
Division of Land Use Regulation*

August 2019

NATIONAL PARK SERVICE CONSULTATION

Throughout the routing process for the proposed PennEast Pipeline Project (Project), avoidance of rivers in the National Wild and Scenic River System (NWSRS) was prioritized. The Project alignment was carefully routed such that no sections of river crossed by the Project are included in the NWSRS (NWSRS, 2019). The Project also avoids any reaches of water listed in the National River Inventory (NRI) (NPS, 2016). Specifically, the Project was designed to avoid reaches of the Delaware River that have been designated as a National Wild and Scenic River. The Original Route identified during initial planning of the Project proposed two crossings of the Delaware River, with one of the locations in a reach of the river with a NWSRS designation. In November 2014, PennEast eliminated the second crossing so that all NWSRS reaches are beyond 0.25 miles to the north and south of the Project's proposed Delaware River crossing location.

In Holland Township, at milepost 81R2 (see Project mapping provided in Attachment I of this Application), the proposed Project intersects an upland area within the 0.25-mile river corridor of the Lower Delaware, which has a NWSRS designation. Section 7 of the Wild & Scenic Rivers Act defines a river corridor as, "a river and the adjacent area within the boundaries of a designated river, or a river and the adjacent area within one-quarter mile of the banks of a congressionally authorized study river" (U.S. Forest Service, 2004). Although the Project falls within the river corridor, according to Section 7(a) of the Wild & Scenic Rivers Act, the construction of natural gas pipelines within a river corridor is not prohibited outright and is only subject to review under Section 7(a) if the construction is proposed to be in the "bed or banks" of a NWSRS designated feature (NWSRS, 2011). Section 7(a) is only applicable to the area within the ordinary high water mark (OHWM) of WSRs designated features, as defined in 33 CFR Part 328.3(e). At milepost 81R2, the proposed construction activity is located approximately 600 feet to the north, and outside of the Lower Delaware River's OHWM, therefore negating the need for Section 7(a) review. Furthermore, there is a railroad, paved road, residences, a high voltage power line, and an approximate 200 foot elevation difference between the river and Project workspace; therefore, no viewshed impacts are anticipated.

PennEast initiated consultation with the National Park Service (NPS), one of the Wild and Scenic Rivers Managing Agencies, in August 2014. On October 1, 2014, PennEast met with members of the NPS and the Lower Delaware National Wild & Scenic River Executive Committee to discuss the Project's potential impacts. In the months following that meeting, the route was shifted out of the NWSRS designated reach of the Delaware and its river corridor. As the route continued to be assessed and modified to incorporate additional avoidance and minimization measures, PennEast has continued to provide the NPS with Project updates; the most current route was distributed to NPS on February 4, 2019.

References:

- National Park Service (NPS). 2016. Nationwide Rivers Inventory. National Park Service. <https://irma.nps.gov/DataStore/Reference/Profile/2233706>. Accessed June 11, 2019.
- National Wild and Scenic Rivers System (NWSRS). 2019. Explore Designated Rivers: Pennsylvania/New Jersey. Available at: <http://www.rivers.gov/map.php>. Accessed: June 11, 2019.
- NWSRS. 2011. Section 7(a) Flowchart for Water Resources Project "Within" a Wild and Scenic River Corridor¹. Available at: <https://www.rivers.gov/documents/section7/process-flowchart-within-corridor.pdf>. Accessed March 16, 2017.
- United States Forest Service. 2004. Wild and Scenic Rivers Act: Section 7. Available at: <https://www.rivers.gov/documents/section-7.pdf>. Accessed March 16, 2017.