



## Township Council of Lower Saucon Township

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**Officials:**  
Ron Horiszny, President  
Sandra Yerger, Vice President  
Priscilla deLeon  
Glenn Kern  
Donna Louder

February 18, 2016

Pennsylvania Department of Environmental Protection  
Northeast Regional Office  
2 Public Square  
Wilkes-Barre, PA 18701-1915

RE: PennEast Pipeline Project Municipal Notification  
Lower Saucon Township in Northampton County, PA

Dear Sir or Madam:

Lower Saucon Township is in receipt of a letter dated February 1, 2016 from Sarah Binckley, PWS of AECOM regarding the above referenced subject. The letter was written to address the requirements of Acts 14, 16, 68 & 127 and the Pennsylvania Municipalities Planning Code for the PennEast Pipeline Project. Specifically, the applicant has notified the Township of their intent to submit an application for coverage under the Erosion and Sediment Control General Permit (ESCGP-2) for Earth Disturbance Associated with Oil & Gas Exploration, Production, Processing or Treatment Operations Facilities and a Chapter 105 Water Obstruction and Encroachment Permit from Pennsylvania Department of Environmental Protection (PADEP).

The aforementioned letter provides general information about the proposed project and notifies the Township of our ability to review and comment within 30 days of receipt of the letter. The Township received the letter on February 4, 2016 and as such the Township's response deadline is March 5, 2016.

The Township and its representatives have reviewed the letter and at this time offer the following comments for your consideration:

- Comments regarding the General Information Form (GIF) –Authorization Application (Items shown in *italics* and comments shown in regular text):
  - Land Use Information:
    - Item #4: *Does the proposed project meet the provisions of the zoning ordinance or does the proposed project have zoning approval? (marked "Yes").* The proposed project does **not** meet the provisions of the zoning ordinance and does **not** have zoning approval.
  - Coordination Information:
    - Item #3.0: *Will your project, activity, or authorization have anything to do with a well related to oil or gas production, have construction with 200 feet of, affect an oil or gas well, involve the waste from such a well, or string power lines above an oil or gas well? (marked "No").* Undetermined. An application and/or plans detailing the project area have **not** been submitted.

- Item #4.0: *Will the project involve a construction activity that results in earth disturbance? (marked "Yes").* Approval has **not** been granted. To date the Township has not received an application for applicable approval(s) **or** detailed plans to determine compliance.
- Item #5.1: *Water and Obstruction and Encroachment Projects –Does the project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a watercourse, floodway or body of water? (marked "Yes").* Approval has **not** been granted. Applicant must demonstrate compliance with ZO Section 180-95 Environmental Protection Standards. To date the Township has not received an application for applicable approval(s) **or** detailed plans to determine compliance.
- Item #5.2: *Wetland Impacts –Does the project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a wetland? (marked "Yes").* Approval has **not** been granted. Applicant must demonstrate compliance with ZO Section 180-95 Environmental Protection Standards. To date the Township has not received an application for applicable approval(s) **or** detailed plans to determine compliance.
- Item #5.3: *Floodplain Projects by the commonwealth, a Political Subdivision of the commonwealth or a Public Utility –Does the project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a floodplain? (marked "No")* Undetermined. An application and/or plans detailing the project area have **not** been submitted.
- Item #6.0: *Will the project involve discharge of stormwater or wastewater from an industrial activity to a dry swale, surface water, ground water or an existing sanitary sewer system or separate storm water system? (marked "Yes").* An application and/or plans detailing the project area have **not** been submitted. Approval is required.
- Item #9.0: *Will the project involve the subdivision of land, or the generation of 800 gpd or more of sewage on an existing parcel of land or the generation of an additional 400 gpd of sewage on an already-developed parcel, or the generation of 800 gpd or more of industrial wastewater that would be discharged to an existing sanitary sewer system? (marked "Yes" and noted "**Subdivision of Land**")*. An application and/or plans detailing the project area have **not** been submitted. Approval is required.
- Item #11: *Does the project involve construction, modification or removal of a dam? (marked "No").* Undetermined. An application and/or plans detailing the project area have **not** been submitted.
- Item #12.0: *Will the project interfere with the flow from, or otherwise impact, a dam? (marked "No").* Undetermined. An application and/or plans detailing the project area have **not** been submitted.
- Item #13.0: *Will the project involve operations (excluding during construction period) that produce air emissions (i.e., NOX, VOC, etc.)? (marked "Yes")* An application and/or plans detailing the project have **not** been submitted. Approval is required.
- Item #14.0: *Does the project include the construction or modification of a drinking water supply to serve 15 or more connections or 25 or more people, at least 60 days out of the year? (marked "No").* Undetermined. An application and/or plans detailing the project area have **not** been submitted.
- Item #15.0: *Will your project include infiltration of storm water or waste water to ground water within one-half mile of a public water supply well, spring or infiltration gallery? (marked "No").* Undetermined. An application and/or plans detailing the project area have **not** been submitted.

- The project also includes the construction of several aboveground facilities to support the pipeline system.
  - An application and/or plans detailing the project area have **not** been submitted. Applicant shall demonstrate compliance with the zoning ordinance (Chapter 180 of the Township Code) as well as the subdivision and land development ordinance (Chapter 145 of the Township Code), the earth disturbance ordinance (Chapter 77 of the Township Code) and the stormwater management ordinance (Chapter 137 of the Township Code), including but not limited to, the following:
    - Subdivision of land (as referenced in the General Information Form)
    - Impervious surface coverage
    - Building/structure height
    - Setbacks
    - Stormwater management structures

The items listed above severely limit the Township's ability to provide accurate comments to the Department regarding the proposed project. As such Lower Saucon Township would request that additional information as outlined above be provided to the Township by the applicant for review. The Township also respectfully requests an extension to the March 5, 2016 comment deadline so it may have the ability to review the project in the detail necessary to provide comments to the Department.

Should you have questions or comments about this letter, please contact me at 610-865-3291.

Sincerely,

Leslie Huhn  
Acting Township Manager

cc: Council  
B. Lincoln Treadwell, Township Solicitor  
C. E. Elliott, Environmental Counsel  
Sarah Binckley, PWS  
Senator Lisa Boscola  
Representative Robert Freeman  
Representative Justin Simmons  
Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426