

July 3, 2019

PennEast Pipeline Company LLC
c/o Ms. Amber Holly
Environmental Project Manager
835 Knitting Mills Way
Wyomissing, Pa 19610

Re: Technical Deficiency
PennEast Pipeline Project – Northampton County
APS ID# 893363, AUTH ID# 1111983
DEP Application No. E48-435
Bethlehem Township, East Allen Township, Easton City,
Lower Nazareth Township, Lower Saucon Township,
Moore Township, Upper Nazareth Township, & Williams Township
Northampton County

Dear Ms. Holly:

The Department of Environmental Protection (DEP) has reviewed the above referenced application package and has identified the following significant technical deficiencies. The 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. The referenced guidance set forth below provide DEP’s preferred means of satisfying the applicable regulatory requirements.

Technical Deficiencies

- 1. Please provide the stream bank stabilization method on the Erosion and Sediment (E&S) Control Plan’s information ribbon. 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)]
2. Please revise the Stream Bank Stabilization Detail on the Erosion and Sediment (E&S) Control Plans to clearly show that natural streambed material will be placed within the streambed only. The detail shows natural streambed material extending up the banks of the stream. [25 Pa. Code § 105.311]
3. If there is a potential that riprap bank stabilization may be required, please provide a Riprap Bank Stabilization Detail on the Erosion and Sediment (E&S) Control Plans. [25 Pa. Code §105.13(g)]

ROUTING

- [x] Council
[x] Manager
[ ] Asst. Mgr.
[ ] Zoning
[ ] Finance
[ ] Police
[ ] P. Works
[ ] P/C
[ ] P & R
[ ] EAC
[ ] Engineer
[ ] Solicitor
[ ] Planner
[ ] Landfill
[ ] EMC

[x] Other
Charles Elliot
webdte

4. It appears that there are streams and wetlands that do not have erosion and sediment control best management practices (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)]
5. It appears there are several wetlands and watercourses with inconsistencies in respect to the municipality where the resource is located on both the Aquatic Resources Impact Table (ARIT) and the Site-Specific Mapping. Please provide consistent municipality locations for watercourses and wetlands. Please revise all corresponding documentation accordingly (i.e. 050417\_GM\_1001\_I\_MI has Kidder Township which is not located within Northampton County). [25 Pa. Code §105.21(a)(1)]
6. The ARIT calls out segments of wetlands on separate rows (e.g., 062218\_WA\_001\_PEM – 1 and 062218\_WA\_001\_PEM - 2), but Site-Specific Mapping and E&S Plans do not make clear or specify which projection of a wetland corresponds to the ARIT row. Please clarify. [25 Pa. Code §105.21(a)(1)]
7. Per the instructions of 3150-PM-BWEW0557, please provide both the length and width measurements of resource crossings on the ARIT. [DEP Document No. 3150-PM-BWEW0557 and 25 Pa. Code §105.21(a)(1)]
8. In the ARIT, please identify Class A Wild Trout Streams in the Wild Trout column. [25 Pa. Code §105.21(a)(1)]
9. Stream 122016\_LZ\_1001\_P\_MI is considered to be a Trout Natural Reproduction waters, and therefore all wetlands hydrologically connected are EV. Please verify if wetlands 042418\_WA\_001\_PEM, 122016\_LZ\_1002\_PEM, and 042418\_WA\_001\_PSS meet this criterion. [25 Pa. Code §105.17(1)(iii)]
10. Please provide consistent stationing throughout the pipeline. As an example, the stationing on the Site-Specific Mapping has the stationing starting over at the locations of the resource, while the Erosion and Sediment Control Plans have the stationing continuing along the pipeline. Please revise accordingly. [25 Pa. Code §105.13(g)]
11. It appears that there are wetland, watercourse and floodway permanent impact area values on the Aquatic Resource Impact Table, Subfacility Tables, and Site-Specific Mapping of zero (0.00). The Erosion and Sediment Control Plans show that there will be matting or other impacts located within the following wetlands, watercourses, and floodways of the following resources:
  - a. 062218\_WA\_1000\_P\_MI
  - b. 080917\_WA\_1001\_I\_MI
  - c. 071917\_MB\_1001\_I\_MI
  - d. 052218\_WA\_1001\_E\_MI
  - e. 052218\_WA\_1003\_P\_MI

- f. 102715\_WA\_1002\_P\_MI
- g. 051415\_JC\_1001\_I\_MI
- h. 012116\_GM\_1001\_E\_IN
- i. 010615\_JC\_1002\_E\_MI
- j. 031918\_WA\_1003\_I\_MI
- k. 031918\_WA\_1000\_P\_MI
- l. 051415\_JC\_1005\_P\_IN
- m. 012016\_GM\_1001\_I\_MI
- n. 012016\_GM\_1003\_I\_MI
- o. 102715\_WA\_1001\_I\_MI
- p. 102715\_WA\_1002\_I\_MI
- q. 042117\_GM\_1003\_P\_MI
- r. 042418\_WA\_003\_P\_MI
- s. 042418\_WA\_1002\_I\_MI-2
- t. 122016\_LZ\_1001\_P\_MI
- u. 111314\_JC\_1003\_E\_MI
- v. 042418\_WA\_001\_PEM
- w. 061416\_GM\_1001\_P\_IN

Please revise the area to a minimum of 0.001 for consistency. [25 Pa. Code §§ 105.13(g) and 105.21(a)(1)]

12. There are several stream crossings that have a waterbody crossing method as DX-NF. However, the E&S Typical Details Sheets do not include a waterbody crossing method DX-NF. Please include this waterbody crossing method to the E&S Typical Details Sheets. [25 Pa. Code §105.13(g)]
13. There are several stream crossings that have a waterbody crossing method as BX. However, the E&S Typical Details Sheets do not include a waterbody crossing method BX. Please include this waterbody crossing method to the E&S Typical Details Sheet. [25 Pa. Code §§105.13(g) and 105.21(a)(1)]
14. The proposed temporary equipment bridge (Flexi-float or portable) crossing does not have any measures to prevent sediment from falling off the sides of the equipment crossing into the stream. Please provide a minimum of a 6-inch high side rail wrapped with geo-textile. [25 Pa. Code §105.13(g)]
15. Provide plans or a detail for the restoration of stream beds at open cut stream crossings. This should include replacement of native stream bed material, reestablishment of the thalweg, and assurance that no significant changes in bed grade occur. [25 Pa. Code §§ 105.13(e)(1)(i)(G), 105.13(e)(1)(ix), 105.1 (definition of Mitigation), 105.13(e)(1)(x), 105.15(a)(1), 105.14(b)(4), 105.16(d), and 105.242(c)]

16. It is the recommendation of the Department that procedures that take into account the weather forecast and current conditions be implemented prior to stream crossing installations. Such procedures should include a sign-off sheet that documents the Environmental Inspector, Foreman, and any other responsible individual agree that the crossing should be constructed during that specific time frame. [25 Pa. Code §105.13(g)]
17. Please evaluate the need for in-stream supports on temporary equipment crossings of streams. If, upon evaluation, it is determined that supports are required, please provide details and a summary of impacts associated with the in-stream supports. [25 Pa. Code §105.161(a)]
18. It appears that you are proposing to replace several culverts along existing access roads. Please provide hydrologic and hydraulic calculations for the proposed culvert replacements. Also, please be advised that the invert of the culvert must be depressed a minimum of 6-inches below streambed elevation for drainage areas less than one square mile and 12-inches below streambed elevation for drainage areas greater than one square mile. [25 Pa. Code § 105.161]
19. The Erosion and Sediment Control Plan Alignment Sheets do not include the temporary equipment crossing method for the stream crossings. Please provide the type of temporary equipment bridge crossing method for each stream that is proposed to be crossed by a temporary equipment bridge. Revise the plans and other applicable components of the application appropriately. Please show the proposed erosion and sediment control BMPs on the Erosion and Sediment Control Plan Alignment Sheets. [25 Pa. Code §105.13(g)]
20. 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)]
21. You appear to be proposing to construct permanent waterbars 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)]
22. You appear to be proposing to have permanent water bars 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)]
23. Please show on the Erosion and Sediment 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)]

24. 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)]
25. Please clarify what soil is used below the 12-inches in the following statement found in the construction sequencing (File H-1\_03) "BACKFILL PIPE TRENCH. BACKFILL THE TOP 12-INCHES OF THE EXCAVATED TRENCH WITH THE STOCKPILED WETLAND SOIL TO MATCH ORIGINAL SURFACE GRADES." [25 Pa. Code §105.13(e)]
26. Please explain the necessity of the 150' workspace at wetland crossings 062218\_WA\_001\_PFO and 062218\_WA\_001\_PEM, near mile marker 56.0. Please reduce workspace. In addition, there is a bore pit located in this wetland. Consider moving the bore pit out of this wetland or consider horizontal directional drilling (HDD) at this location. Also, the Site-Specific Mapping does not note the bore pit depths and locations, please correct as necessary throughout application. [25 Pa. Code §§105.13(e) and 105.21(a)(1)]
27. Wetlands 110217\_WA\_008\_PEM and 062415\_BT\_1002\_PEM are very close to the bore pits. Please verify that the wetlands will not be impacted by the bore pit or consider moving the bore pit further away from this wetland. [25 Pa. Code §§105.13(e) and 105.21(a)(1)]
28. Provide further details for the crossings of wetlands 052918\_WA\_008\_PUB and 052918\_WA\_007\_PUB regarding their depth and what BMPs will be used to protect the resource. The Site-Specific Mapping shows bore pits, but the ARIT states an open cut in this area, please verify. Please verify that a wetland mat will be sufficient to cross this wetland or whether a bridge would be more appropriate. [25 Pa. Code §§105.13(e) and 105.21(a)(1)]
29. On aerial photography, there appears to be a surface water conveyance between mile markers 57.2 and 57.3. and at mile markers 74.4 and 74.7. Please verify whether conveyances exist and if they should be included in the ARIT. [25 Pa. Code §§105.13(e) and 105.21(a)(1)]
30. The Pennsylvania Fish and Boat Commission (PFBC) has provided a concern regarding right-of-way (ROW) slope failure on the western bank of Hokendauqua Creek (Stream 051215\_JC\_1002\_P\_IN). Please discuss how construction will minimize the risk of slope failure along this stream. [25 Pa. Code §105.13(e) and 105.313(c)]
31. Provide adequate provisions for shut-off in the event of pipeline break or rupture. Provide locations and descriptions of how this action will be completed if a break or rupture occurs. [25 Pa. Code § 105.301(9)]
32. The Cultural Resource Summary indicates further comments will be received from Pennsylvanian State Historic Preservation Office (SHPO) for several historical sites in 2019. Please verify if the proper documentation has been received, provide the status of the anticipated addendum report and Determination of Effects report, and update the application where applicable. [25 Pa. Code §§105.13(e), 105.14(b)(5), 105.21(a)(1), and 105.24]

33. Please update any table in the Environmental Assessment (EA) which may relate to changes to the ARIT. [25 Pa. Code §105.21(a)(1)]
34. Please include in the EA Module 2 plans to minimize impacts to recreational opportunities on the Palmer-Bethlehem TWP Bike Lane. [25 Pa. Code §§ 105.13(e)(1)(x) and 105.15(a)]
35. EA Module 2, Section S2.A.4 references Appendix NO-L-2C as the location map “that identifies regulated waters of the Commonwealth, natural areas, wildlife sanctuaries, natural landmarks, political boundaries, publicly available service areas for public water supplies, and historic landmarks within 1 mile of the Project and State Parks and prime farmland within 100 feet of the Project...”. Appendix CA-L-2C is not a map. It is the table of prime farmland referenced in EA Module 2, S2.A.5. Please provide the location map for EA Module S2.A.4 or verify if I\_LocationMap\_2400 is the correct document and correct language in the EA. [25 Pa. Code §§ 105.13(e) and 105.21(a)(1)]
36. Discuss how sensitive resources will be protected and proper vegetation establishment will be assured before agriculture land is handed over to landowner. [25 Pa. Code §105.13(e)]
37. In the EA Module 2, the application indicates bog turtle surveys still need to be conducted in Spring 2019. Please provide the report and update the application where applicable. [25 Pa. Code §§105.13, 105.21(a)(1), and 105.24]
38. The EA Module 2, Section S2.C, indicates that the Bog turtle surveys are scheduled in the spring of 2019 suggesting consultation with PFBC is not resolved due to a minor change process, coordination with Pennsylvania Game Commission (PGC) is ongoing, and that the U.S. Fish and Wildlife Service (USFWS) recommends the Federal Energy Regulatory Commission (FERC) re-initiate consultation. Please provide final reports and clearances from applicable agencies and revise this section. [25 Pa. Code § 105.21(a)(1)]
39. Please supply the consultation update letter from the USFWS regarding the modified 2017 Biological Opinion and discuss any changes to avoidance and minimization plans. [25 Pa. Code §§105.13(e), 105.14(b)(4), 105.21(a)(1), and 105.24]
40. EA Module 2, Section S2.D.1, states, “Following restoration, a 50-foot-wide permanent right-of-way (ROW) will be maintained for the life of the pipeline. No trees will be permitted to grow within that width.” Module 3 and 4 discuss a 30-foot corridor for tree cutting. Please clarify and revise application as needed. [25 Pa. Code §§ 105.21(a)(1)]
41. In the EA Module 3, Section S3A, provide a final summary of total impacts for each table (Tables L3-1 through 4). [25 Pa. Code §105.21(a)(1)]
42. Please provide the invasive species plan (ISMP) referenced in Module 3 of the EA. Clarify and indicate if this plan will be used during the monitoring periods on the ROW and compensatory mitigation sites. [25 Pa. Code §105.13(e)]

43. In reference to the following statements in the EA Module 3, “Selectively clearing, by hand methods, a 30-foot wide operational easement to improve line of sight between pipeline markers where HDDs are proposed” and “Wetland systems comprised of forested communities will be allowed to revert back to their original site condition (excluding locations maintained for line of sight),” please specify how much tree clearing will be done in the floodway and wetland for both the project construction and operation and maintenance (O&M) for the HDD crossings. Please note clearing of trees in PFO wetlands will be considered conversion and require mitigation. [25 Pa. Code 105.302(6)]
44. Per the EA instructions S3C10 and EA Appendix V (3150-PM-BWEW0017), please provide the key details for each subfacility. In addition, after consultation with the Bureau of Waterways Engineering and Wetlands, WETRE will not be a required subfacility on the pipeline, it may be required for offsite mitigation locations. Please use PIPE, which should include O&M; FLACT for floodway impacts not associated with pipe, such as access roads; and TMPWI for wetland disturbance areas during construction. WTDIM may be used at the compressor station, where fill in wetlands will occur. At this time, WTIIM will not be required if the disturbance is captured in TMPWI. Neither WTIIM nor TMPWI is required for horizontal directional drilling (HDD) bored pipe impacts. [25 Pa. Code § 105.21(a)(1)]
45. Wetland 092614\_GO\_002\_PFO data form does not contain soil data, stating “soils TBD”. Provide complete and accurate datasheets. [25 Pa. Code §105.21(a)(1)]
46. Wetland 042117\_GM\_1003\_PFO is not on the ARIT but is stated on the Wetland Function-Value Evaluation Form (L-2F). Please verify if you meant 042117\_GM\_1001\_PFO instead on the Wetland Function-Value Evaluation Form or provide the Function-Value sheets for 042117\_GM\_1001\_PFO. [25 Pa. Code § 105.21(a)(1)]
47. Based on aerial photographs and photographs provided in the application, wetlands 052218\_WA\_003\_PEM and 051415\_JC\_1001\_PEM appear to have significant canopy cover. Overhanging strata can impact the function of wetland systems even without having roots directly within wetland. Please reevaluate whether these wetlands should be considered forested or scrub shrub and how tree removal around this wetland may affect wetland functions. [25 Pa. Code §105.18(b)(1)]
48. The Cumulative Impacts analysis notes 1.46 acres of permanent PFO/PSS wetland impacts from the 30-foot maintained ROW. Please note, 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. Please revise application accordingly, including mitigation documents. [25 Pa. Code §§105.14(b)(13) and 105.20a(a)]
49. Please include in the HDD Inadvertent Returns and Contingency Plan and the Erosion and Sediment Plans provisions to contact the Department immediately by email, phone, or electronically delivered letter if a loss of pressure or an inadvertent return occurs during the

horizontal directional drilling operations. Drilling operations should not continue until a Professional Engineer (PE) or Professional Geologist (PG) has performed an inspection of the drilling site and drill alignment. The PE or PG should then notify the Department in writing that the drilling can commence without the risk of an inadvertent return.

Should an inadvertent return occur during drilling operations, a Re-evaluation Report should be submitted to the Department by the PE or PG examining the drilling alignment and ensuring that another inadvertent return is unlikely. The Department will need to review this submitted information and approve the restarting of drilling operations. [25 Pa. Code § 105.302(6)]

50. An analysis of well production zones was not evaluated. Please provide this analysis. [25 Pa. Code §105.14]
51. Due to karst geology identified along the HDD, all private water supply wells located within 1,000-feet of the bore path should be identified. Public water supply wells should be identified within 0.5-mile radius of the bore path. A physical investigation of the area should be conducted due to online resources being unreliable for listing public and private water supply well locations. [25 Pa. Code §§105.13(e)(1)(ii) and 105.14(b)(5)]
52. The Department recommends that any private or public water supplies within the requested search radii be sampled pre- and post- construction for water quality, yield, and turbidity parameters for horizontally directionally drilled pipeline section. Additional supply wells outside of the search radius that are determined to be at high risk for impact (e.g. along a fault line) should also be included. [25 Pa. Code §105.14]
53. Surface water intakes for public and private water supplies within 1-mile downstream of the crossing of the Lehigh River should be identified. [25 Pa. Code §105.14]
54. In the Alternative Analysis section 11.2.3, please further describe which “specific conditions [would] render a dry crossing infeasible” and the course of action to be followed if a dry crossing is infeasible. [25 Pa. Code §§ 105.13(e) and 105.21(a)(1)]
55. In the Alternative Analysis Table: Riverine Resources (S4), some streams specifically state they can be crossed within 24 or 48 hours. Please state the expected crossing time for each resource. Based on previous projects, unexpected circumstances can arise during stream crossings which result in an extended crossing time. Please state if any streams are expected to exceed the recommended crossing time of 24-48 hours (respectively). Discuss the plan of action if the proposed crossing timeline is exceeded, and state the proposed timeline in both the AA table and construction narrative. [25 Pa. Code § 105.21(a)(1)]
56. Wetland 092614\_GO\_002\_PFO-1 is noted twice in the Alternative Analysis Table: Riverine Resources (S4). Please verify if a wetland justification is missing or mislabeled and correct the table as appropriate. [25 Pa. Code §105.21(a)(1)]



57. In the Alternative Analysis Table, 080917\_WA\_002\_PEM – 1 and 080917\_WA\_002\_PEM – 2 indicate workspace around the wetland is reduced to 50-feet; however, the Site-Specific Mapping and E&S Plans do not show a reduction at both locations. Please verify the language in the Alternative Analysis table is consistent with the plans throughout the project. [25 Pa. Code §105.21(a)(1)]
58. Throughout the permit (including EA-Module 4 and the Alternative Analysis), wetland and watercourse restoration monitoring timelines are not consistent stating in some places two years and in other places three years of monitoring (respectively). In any event, the proposed monitoring timelines are inconsistent with the Department's guidance for Wetlands Replacement/Monitoring, Department document 363-0300-001, which 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)]
59. The Wetland and Riparian Reforestation Plan does not clearly show what the intentions are with respect to which wetlands and riparian areas get seeded and which wetlands and riparian areas get reforested. Please provide a Reforestation Plan that clearly demonstrates the vegetation type proposed for each site that will be restored. Please include the resource ID and designation on the plans as well as the planting schematics, including width of plantings in riparian buffers based on water course designation (typical vs. EV/HQ, according to §102.14 requirements, where applicable). [25 Pa. Code §§ 105.13(e) and 105.16(d)]
60. In the Wetland and Riparian Reforestation Plan, consider replanting shrubs up to the 10-foot wide buffer (between 15 and 5 feet from center of pipeline) in exceptional value watersheds, where trees would otherwise not be permitted or consider replanting shrubs across the entire ROW, where tree roots would otherwise not be permitted, as stated in the EA Module 3 "A 10-foot wide operational easement centered on the pipeline will be maintained in an herbaceous or scrub/shrub vegetative state in emergent or scrub-shrub wetlands." [25 Pa. Code §§105.16(d) and 105.18a(b)(3)(ii)(B)]
61. In the Wetland and Riparian Reforestation Plan, it appears that riparian planting may be advantageous at mile marker 53.2R3 and consistent with similar locations, consider expanding plantings in this riparian buffer. [25 Pa. Code §§105.13(e) and 105.16(d)]
62. Please include in the EA Module 4, Section S4.C, the total acres to be mitigated for and the total acres WHM Solutions will uplift/enhance. [25 Pa. Code §§105.20a(a) and 105.21(a)(1)]
63. The Department requests function and value mitigation at a rate of 2:1 for conversion impacts to "other" PFO wetlands, 2.5:1 for conversion impacts to EV PFO wetlands; 1.5:1 for conversion impacts to "other" PSS wetlands, and 1.75:1 for conversion impacts to EV PSS wetlands. [25 Pa. Code §§105.14(b)(13) and 105.20a(a)(2)]
64. Please submit final documents in the Compensatory Wetland Mitigation Plans that are not labelled "Draft." [25 Pa. Code §§105.20a(a) and 105.21(a)(1)]

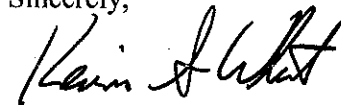
65. The off-site Compensatory Wetland Mitigation Plan Performance Standards provide for a contingency of 30% canopy cover prior to the end of monitoring.” Department guidance, *Design Criteria - Wetlands Replacement/Monitoring*, DEP Doc. No. 363-0300-001, suggests 85% survival of planted species and a monitoring period of not less than five years. The contingency regarding “30% canopy cover prior to end of monitoring” will not be acceptable. Please revise the off-site Compensatory Wetland Mitigation Plan Performance Standards to be consistent with the Department guidance. [25 Pa. Code §§105.20a(a), 105.21(a)(1), and 105.13(e)]
66. Regarding the EA Module 4 and Post-Construction Wetland and Watercourse Monitoring Plan, Department guidance, *Design Criteria - Wetlands Replacement/Monitoring*, DEP Doc. No. 363-0300-001, requires 85% cover of hydrophytic species. Please revise performance standards accordingly. [25 Pa. Code §§105.20a(a), 105.21(a)(1), and 105.13(e)]
67. The Post-Construction Wetland and Watercourse Monitoring Plan states that you intend to only monitor wetlands 0.1 acres or greater in size. All restored wetland impacts need to be monitored regardless of size. Please revise application to reflect that all restored wetlands will be monitored. [25 Pa. Code §105.21(b)]
68. In the Compensatory Wetland Mitigation Plan, consider providing a method to clearly and permanently demarcate easement boundaries. [25 Pa. Code § 105.13(e)]

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 note that this information must be received within sixty (60) calendar days from the date of this letter, on or before **September 2, 2019**, or DEP may consider the application to be withdrawn by the applicant. You may request a time extension, in writing, before **September 2, 2019** 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 to 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).

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 its decision based on the information previously submitted. 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 to all deficiencies, your application may be withdrawn or denied.

If you have any questions regarding the identified deficiencies, please contact Michael Luciani, Application Manager, at 570-826-3089 or [mluciani@pa.gov](mailto:mluciani@pa.gov), and refer to Application No. E48-435, Authorization No. 1111983 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

cc: Sarah Binckley, AECOM  
Northampton County Conservation District  
US Army Corps of Engineers, Philadelphia District  
PA Fish & Boat Commission, Division of Environmental Services  
Bethlehem Township  
East Allen Township  
Easton City  
Lower Nazareth Township  
Lower Saucon Township,  
Moore Township  
Upper Nazareth Township  
Williams Township

