



State of New Jersey

THE PINELANDS COMMISSION

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General Information: Info@njpinelands.state.nj.us
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April 2, 2013

Steven Ewing
Woodard and Curran
50 Millstone Rd.
Bldg. 300, Suite 100
East Windsor, NJ 08520

Re: Application # 2012-0056.001
South Jersey Gas
City of Estell Manor
Maurice River Township
Upper Township

Dear Mr. Ewing:

We have reviewed the information submitted on February 14 and 15, 2013 and March 18 and 21, 2013 regarding the above referenced application. This application proposes the installation of approximately 14.85 miles (78,446 linear feet) of 24 inch natural gas main within the Pinelands Area. Please note that the conceptual stormwater management plan for the proposed interconnect station received on March 25, 2013 is currently under review and will be addressed separately.

An additional approximately 5.11 miles (27,024) of the proposed main will be located outside of the Pinelands Area. The portion of the proposed main located outside of the Pinelands Area does not require application to the Commission. The proposed gas main will serve the existing B.L. England electrical generation plant located outside of the Pinelands Area, in Upper Township.

With respect to permitted land use, the proposed 24 inch natural gas main is proposed to be located partially within the following three Pinelands management areas: Pinelands Village, Pinelands Rural Development Area and Pinelands Forest Area. The proposed gas main is defined as public service infrastructure by the Pinelands Comprehensive Management Plan (CMP) and is a permitted land use in a Pinelands Village and a Rural Development Management Area. In a Forest Management Area, the CMP permits public service infrastructure intended to primarily serve only the needs of the Pinelands. It is our understanding that SJ Gas is working with the Board of Public Utilities (BPU) concerning its petition for the proposed gas main route. Please note that a Memorandum of Agreement (MOA) between the Commission and a public agency, perhaps BPU, remains necessary for the proposed main to be a permitted use in a Pinelands Forest Area.



To complete the application for the proposed development, please submit the following information:

1. Because the proposed main will be located in rights-of-way owned by NJDOT, Cape May and Cumberland County, our August 32, 2012 letter and our October 1, 2012 letter requested written consent to the filing of the application. Responses to date have not either provided the requested written consent or otherwise clearly demonstrated that such consent is not required. On April 2, 2013, I discussed this issue with Charles Dippo. Please either provided the requested written consent to the filing of the application or clearly demonstrate that such consent is not required.
2. In addition, this application proposes an interconnect station to be located on Block 358, Lots 11-14, Upper Township. Please provide the address and written consent of the property owner(s) of Block 358, Lots 13 & 14 to the filing of the application.
3. A revised version of the submitted site plan depicting the following:
 - a. There are wetlands located within 300 feet of Block 415, Lot 1, in Upper Township. Please flag and delineate these wetlands on the plan. To meet this requirement, it is your option to reference the wetlands line as depicted on the plot plan prepared by DeVaul Survey, LLC, dated April 9, 2012 for App. No. 2012-0093.001. If you would like to purchase a copy of this plan from our office, please contact me.
 - b. Proposed Staging Areas # 5-8 and # 11 are located in close proximity to wetlands. To ensure there will be no clearing or land disturbance within wetlands, please revise the plans to include silt fencing for all Pinelands Staging Areas.
 - c. In certain areas along the proposed route, the proposed gas line will be located within 1 foot of delineated wetlands. To ensure that there will be no encroachment occurring within wetlands, please provide a general detail of the proposed silt fencing to be located immediately adjacent to wetlands along the proposed route.
 - d. Sheet AS-37 of the submitted plan depicts the removal of an existing tree near wetlands point # 2702. Please revise the limits of disturbance to include the proposed tree removal.
4. We have reviewed the submitted *Stage IA Cultural Resources Survey South Jersey Gas Pipeline Project Maurice River Township, Cumberland County, Estell Manor City, Atlantic County, and Upper Township, Cape May County, New Jersey*. Subsurface archaeological testing must be completed in accordance with the Commission's guidelines for linear development projects and at sufficient intensity to identify any cultural resources eligible for Pinelands Designation.
5. With respect to the threatened and endangered (T&E) species standards of the certified municipal land use ordinances and the CMP, please submit the following information:
 - a. For the gas line T&E report, please provide the results, dates and person-hours of submitted Area One Red-headed woodpecker survey.

Your February 14, 2013 Compliance Report indicates that potential Storage/Staging Sites # 1, 1a and 2 were removed from consideration for the application. Please note that the submitted threatened and endangered species survey for this application indicates that Storage/Staging Site # 2 is habitat for Silvery aster (*Symphotrichum concolor*), a threatened plant species. If

Storage/Staging Site # 2 is reconsidered for use, please note that the results of a threatened and endangered species survey for this plant, undertaken during the appropriate time of year, must be submitted.

6. The submitted information indicates that the total disturbance for the proposed interconnect station will be approximately 9,901 square feet on Block 358, Lots 11-14 in Upper Township. Because the concerned development will result in disturbance of an area in excess of 5,000 square feet, please submit a stormwater management plan and calculations for the concerned area prepared by an appropriately licensed professional which demonstrate that the proposed development is consistent with the stormwater management regulations contained in the Upper Township land use ordinance. For further assistance, please review our Pinelands Stormwater Management Plan Checklist and Reference guide which can be viewed online at: www.nj.gov/pinelands.

The submitted Compliance Report indicates that the re-vegetation plan includes landscaping shrubs. Please note that a re-vegetation plan was not included within the submitted plan set. The Landscaping and Revegetation guidelines of the Pinelands Comprehensive Management Plan recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. Notes # 9 & #11 on Sheet D -03 of the submitted plans propose perennial rye grass and white clover for temporary and permanent vegetative cover. Where appropriate, please utilize Switch grass, Little bluestem and Broom-sedge for permanent revegetation of disturbed areas.

For your convenience, application submissions consisting of letter or legal sized documents and electronically notarized application forms may now be submitted via email to AppInfo@njpines.state.nj.us. Large reports, plans, checks, and items that have a manually applied seal (i.e., plot plans, manually notarized items, etc.) must still be submitted as hard copies.

Please include your application number on any submitted information. Within 30 days of receipt, the Commission will review and respond in writing to any submitted information. No further review of the application will occur until the information requested in this letter is submitted.

If you have any questions, please contact the Regulatory Programs staff.

Sincerely,



Branwen L. Ellis
Environmental Specialist

c: Chuck Dippo, SJ Gas
Ruth Foster, PhD
Stacey Roth, Esq.
Peter Fontaine, Esq.