



**TOWNSHIP OF WOOLWICH
120 VILLAGE GREEN DRIVE
WOOLWICH TOWNSHIP, NEW JERSEY 08085
856-467-2666 FAX: 856-467-3545**

September 11, 2013

Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE, Room 1A
Washington, DC 20426

**Re: Columbia Gas Transmission, LLC, East Side Expansion Project
FERC Docket No. PF13-7-000**

Dear Ms. Bose:

On behalf of the Governing Body of Woolwich Township ("The Township"), please accept these comments with respect to the planned East Side Expansion Project in Gloucester County, New Jersey (Line 10345 Loop) under the current FERC Pre-filing process. Please note that the Township reserves the right to submit additional comments as this project advances. These comments address both the current proposed route along Center Square Road (620), and the so-called "Alternative Route", which would primarily occur adjacent to Oldmans Creek Road (602). While the Township does not wish to take a position for or against either route at this time, it does wish to express concerns it has with each. To a large extent, these concerns were shared with Columbia Gas Transmission, LLC ("Columbia Gas") in prior communications via email, meetings and other discussions. In addition, these comments were read in entirety during the Open House held by Columbia Gas on September 11, 2013. We request that Columbia Gas address the concerns and issues expressed herein in writing before it files its application to FERC. Given the extensive amount of public concern relating to both proposed routes, the Township requests that FERC hold a public hearing following submission of the application. In addition, we would like to state for the record that we do not support the proposed application submission date of November, 1, 2013. We do not believe that this timetable affords the public an adequate amount of time to understand and comment on the proposed project. Moreover, we do not see how Columbia Gas can reasonably address the extensive issues raised to date, particularly those voiced at the Open House on September 11th, in so short amount of time. Until a concerted effort is made to identify and resolve the issues raised by the Township and its residents, it seems highly premature for Columbia Gas to believe they are in a position to select a preferred route and submit an application.

RE: The Center Square Road Route (620)

The Township shares many of the concerns that were expressed by the community of Four Seasons in the letter it submitted to FERC via "eFiling" by Sue O'Donnell, of the HOA Board of Directors on July 8, 2013. We also support the HOA in its request for the documentation it identified in its comment letter. In addition, we request confirmation that the proposed 50 ft. permanent ROW will not extend beyond the fenced area which separates residents' properties from the easement area and road. If construction activities and/or permanent ROWs are to occur beyond the fence line, Columbia should be required to provide this information to both the individual homeowners and the Township at the Pre-Filing stage.

This needs to be accomplished in a manner, which illustrates each site-specific impact at the property level, and what measures will be taken to minimize them and provide compensation for any inconvenience, damage or potential loss of property value. This can be accomplished by providing site specific construction plans which stake out the limits of construction, and indicates how impacts are to be minimized on residents, property owners and businesses at the Pre-Filing stage. We would also like Columbia to indicate in writing its commitment to replacing all sound/visual barriers and established landscaping to the same or higher standard than presently exists. These expectations extend to all affected landowners and developments along the corridor.

RE: The Alternative Route/Oldmans Creek Road (602)

In our discussions with representatives from Columbia Gas, the company has maintained that Center Square Road remains the current and preferred route. However, in a letter addressed to Deputy Mayor, Alex Elefante, dated July 10, 2013, it was stated that the alternative route is “less impactful to the community.” Given that Columbia Gas has yet to complete its evaluation of the alternative route and any public comment it receives, it seems highly premature to arrive at any conclusion. To date, we have raised numerous concerns with this route that remain to be addressed in writing. The major concern relates to that portion of the route, which would sever interior farmland and properties subject to either the Township’s Transfer of Development Rights Program (TDR), or future planned residential areas approved under active General Development Plans (GDP). We understand and support Columbia Gas’s desire to avoid the General Charles G. Harker School property on Oldmans Creek Road. However we also understand that part of the rationale behind running the route partially inland is to cut costs by reducing its length, which we strongly believe runs contrary to the public interest.

Given the substantial amount of public and private funds that have been invested into these projects and related planning, the Township has grave concerns with the route as currently proposed. Indeed, at the Township Committee meeting on August 5th, the Governing Body officially went on record opposing the locating of any route through the interior of agricultural properties, natural areas, and/or parcels subject to TDR or an active GDP. It is the Township’s position, that bisecting such areas does not constitute sound planning, public welfare and safety, and potentially undermines future approved uses, and exhaustive planning carried out by the community and others. If Columbia Gas chooses to pursue the alternative route as currently proposed, the Township will actively oppose it, if not amended to avoid intrusion into the above-mentioned areas, which have been communicated to Columbia Gas in prior outreach.

- Affected parcels subject to TDR Ordinance 2008-20: Block 2, Lots 10, 11 and 12
- Affected parcels subject to active GDPs: Summit Ventures (Block 28, Lots 14, 15 and 16) & Auburn Road (Block 28, Lot 4)

Impacts to TDR (Alternative Route)

The Township has invested nearly \$2 Million in planning a comprehensive TDR program as part of a state-approved, smart-growth plan. TDR assigns credits to “Sending Area” landowners, based on the land’s development potential, which is determined by zoning, soil characteristics and constraints. The alternative route would impact several properties enrolled in the Township’s TDR program, which would likely require the recalculation of credits for affected parcels. This would in turn require corresponding changes to parcels in the “TDR Receiving Area” where credits are transferred for the right to build at higher densities. The Township is working very hard to bring the program to implementation and cannot afford costly and time consuming changes, which would interfere with its exhaustive planning efforts and cause delay. Moreover, if the project results in the Township having to recalculate TDR

credits downward, the Governing Body fully expects Columbia Gas to compensate both the landowner for lost credits, as well as the Township for its planning expenses.

Impacts to Agricultural Use and Farmland Preservation (Both routes)

The proposed alternative route bisects an important agricultural area which the Township and other agencies have long endeavored to protect and preserve. For example, the Oldmans Creek corridor represents a state and locally-approved, Agricultural Development Area (ADA), where considerable public funds have been invested in planning and preservation. The proposed route also encroaches on several farms preserved with public funds, which raises serious questions as to how Columbia intends to compensate for the divestment of areas covered under a farmland preservation easement. We also disagree with the assertion that ROWs will not result in any permanent change to agricultural land use or value. What makes agricultural use economically viable is the land's ability to be converted to different crops over time. Since the pipeline would be installed to a minimum of only three feet below the surface, such uses as orchards and field-grown nursery trees would not be permitted within the ROW, which limits future options.

Given these concerns, the Township believes Columbia Gas should avoid preserved lands altogether unless it can demonstrate clear proof that both an alternate route does not exist, as well as another overriding public purpose as pursuant to N.J.S.A. 4:1C-1, et seq. In addition, the Township would like to offer official support for the comments submitted to you by Susan Payne, the Executive Director of the SADC, via eFiling, on July 1st. We share the SADC's concerns with respect to eminent domain issues and temporary entry onto properties within the designated ADA. We look forward to Columbia addressing their concerns. Preserved farms impacted by the proposed alternative route: Block 1, Lot 4, Block 45, Lots 9, 9.01, 10, 11 and 12.

Impacts to Natural Resources/Environmentally Sensitive Areas (Alternative Route)

The alternative route bisects two forested properties (Block 2, Lot 16 and 17), which harbor an active bald eagle nest. Bald eagles and their designated habitat are protected in New Jersey. The site is well-known to the community and serves as a popular wildlife viewing area, which renders it a significant cultural resource. The Township shares the community's interest in protecting the nest from any disturbance, and therefore strongly opposes the clearing of any woody vegetation on this, or adjacent properties. Columbia Gas has indicated that horizontal direction drilling (HDD) will be utilized to avoid any clearing associated with establishing and maintaining a ROW at this site. The Township requests that Columbia Gas verify this in writing, and wishes to state for the record that it will oppose the Alternative Route unless HDD is used to avoid clearing on these properties. However, the Township requests that Columbia consider relocating the route to the south side of Oldmans Creek Road to avoid the site altogether.

In addition, please note that portions of Oldmans Creek include river segments within the Township that are designated as Category-One (C-1) Waterways of the State, and subject to the anti-degradations standards found at N.J.A.C. 7:9B-1.5(d). The route also bisects important forested wetland areas, tidal creeks and grasslands that are designated as threatened and endangered species habitat under NJDEP's Landscape Project. More recent records include incidental collections of juvenile Shortnose Sturgeon near the mouth of Oldmans Creek. Since this species was recently listed as federally endangered, we would like to know what survey protocol Columbia Gas will be required to undertake in accordance with FERC's NEPA responsibilities under Section 7 of the Endangered Species Act, in order to determine and avoid potential adverse impacts to this and other listed species and/or habitat, such as Swamp Pink and

Bog Turtle. Please note that the Township fully supports the USFWS's request for a Phase 1 habitat survey for Swamp Pink and Bog Turtle.

Thank you for your assistance in this matter.

Sincerely,

Matthew Blake, DOCD

c: Samuel Maccarone, Jr., Mayor
Alex Elefante, Deputy Mayor
Jane DiBella, Administrator
Sue O'Donnell, Four Seasons, HOA Board of Directors
Susan Payne, Executive, SADC
Ken Atkinson, Director, CADB
Tony DiLella, AK Environmental, LLC
Eric Schradling, Acting Supervisor, USFWS