

# Appendix I

Agency Consultation



# **APPENDIX I: AGENCY CONSULTATION**





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## **REPRESENTATIVE SCOPING LETTERS**



IN REPLY REFER TO:

**COPY**

United States Department of the Interior

NATIONAL PARK SERVICE  
Delaware Water Gap National Recreation Area  
Bushkill, Pennsylvania 18324

D5015

**FEB 01 2010**

U. S. Army Corps of Engineers  
Philadelphia District  
Wanamaker Bldg., 100 Penn Forest East  
Philadelphia, Pennsylvania 19107-3390

Dear Sir or Madam:

The National Park Service (NPS) is preparing an Environmental Impact Statement (EIS) to analyze the potential impacts for the proposed construction of a high voltage electric transmission line traversing three NPS units in Pennsylvania and New Jersey: Delaware Water Gap National Recreation Area (DEWA), Middle Delaware Scenic and Recreational River (MDSR), and the Appalachian National Scenic Trail (APPA) (Figure 1).

PPL Electric Utilities Corporation and PSE&G, jointly known as the Applicants, have proposed the expansion of an existing 230,000-volt (230kV) electric transmission line from Susquehanna (Berwick, Pennsylvania) to Roseland, New Jersey (the S-R Line) (Figure 1). The project is based on direction for electric transmission expansion provided by the Regional Transmission Operator, PJM Interconnection, which oversees the overall movement of wholesale electricity between many electric utilities throughout a 13 state region. The Applicants' proposed project includes replacing the existing 80-foot towers with new larger towers (up to 200 feet high) and adding an additional 500,000-volt (500kV) transmission line. This would necessitate widening the existing right-of-way, and in areas, would require granting additional legal rights beyond the Applicants' current rights. The Applicants' proposed project would also include the construction of new access roads and the rehabilitation and widening of existing roads for accessing the transmission line corridor. The current EIS study area, developed by NPS (Figure 2), includes the area affected by the 4.18 mile portion of the S-R Line. The study area has been expanded beyond the right of way to include other areas within the parks affected by alternatives not yet developed by NPS and the surrounding human environment affected directly by the NPS action.

The EIS would compare three routes that have been proposed by the Applicants to determine the alternative that would minimize impacts to the natural and human resources within the parks and surrounding areas. The three routes, Alternatives A, B, and C are displayed in Figure 3.

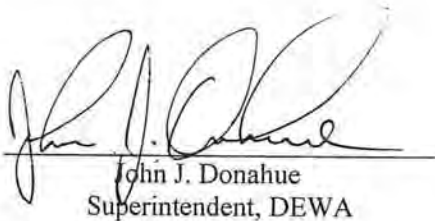
Other alternatives are currently being developed by NPS and may include relocation of the project partially outside of park(s) boundaries; installation of portions of the entire upgraded power line underground; installation of the power line on the bottom of the river; or an alternative that uses direct current from two wires instead of the proposed three to eight wires. Additionally, the No Action Alternative is also being considered, in which the existing power lines running from Susquehanna to Roseland would be kept but the current request for permits would not be granted.

The purpose of this letter is to inform you of the proposed project and to request information you may have on resources potentially affected by the proposed action and suggestions for potential alternatives. Your response within 30 days from the date of receipt of this letter will be greatly appreciated. If you have any questions regarding this request, please write to the address below or contact Amanda Stein by phone at (570) 426-2472 or email at [Amanda\\_Stein@nps.gov](mailto:Amanda_Stein@nps.gov). Letters have also been sent to the agencies and tribal governments listed in Enclosure 1.


Please send responses to:

Delaware Water Gap National Recreation Area  
HQ 1 River Road, off US 209  
Bushkill, PA 18324-9999

Sincerely,



John J. Donahue  
Superintendent, DEWA



Pamela Underhill  
Superintendent, APPA

Enclosures:

Enclosure 1.	Listing of Agencies and Tribal Governments
Figure 1.	Location Map for the Parks
Figure 2.	Study Area Map
Figure 3.	PPL and PSE&G Proposed Route Map



IN REPLY REFER TO:

**COPY**

## United States Department of the Interior

## NATIONAL PARK SERVICE

Delaware Water Gap National Recreation Area  
Bushkill, Pennsylvania 18324

D5015

**FEB 01 2010**Tamara Francis  
Cultural Preservation Director  
The Delaware Nation  
Post Office Box 825  
Anadarko, OK 73005

Dear Ms. Francis:

The National Park Service (NPS) is preparing an Environmental Impact Statement (EIS) to analyze the potential impacts for the proposed construction of a high voltage electric transmission line traversing three National Park Service (NPS) units in Pennsylvania and New Jersey (Figure 1). The three park units are the Delaware Water Gap National Recreation Area (DEWA), Middle Delaware Scenic and Recreational River (MDSR), and the Appalachian National Scenic Trail (APPA). I am writing to inform you about this project and to inquire if The Delaware Nation desires to consult with the NPS regarding the proposed project under Section 106 of the NHPA. Since the area of effect lies within the aboriginal homeland of the Delaware people, there may be historical, cultural and archeological resources in the area of potential effect that would be of interest to The Delaware Nation. I would especially like to know if you have any information about such sites and resources. I am available to discuss the project with you in more detail if that would assist our conversation about the proposed project. We are making a similar inquiry to the tribal governments and agencies listed in Enclosure 1.

## Project Summary

PPL Electric Utilities Corporation and PSE&G, jointly known as the Applicants, have proposed the expansion of an existing 230,000-volt (230kV) electric transmission line from Susquehanna (Berwick, Pennsylvania) to Roseland, New Jersey (the S-R Line) (Figure 1). The project is based on direction for electric transmission expansion provided by the Regional Transmission Operator, PJM Interconnection, which oversees the overall movement of wholesale electricity between many electric utilities throughout a 13 state region. The proposed action includes replacing the existing 80-foot towers with new larger towers (up to 200 feet high) and adding an additional 500,000-volt (500kV) transmission line. This would necessitate widening the existing right-of-way, and in areas, would require granting additional legal rights beyond the Applicants' current rights. The proposed action would also include the construction of new access roads and the rehabilitation and widening of existing roads for accessing the transmission line corridor. The current EIS study area, developed by NPS (Figure 2), includes the area affected by the 4.18 mile portion of the S-R Line. The study area has been expanded beyond the right of way to include other areas within the parks affected by alternatives not yet developed by NPS and the surrounding human environment affected directly by the NPS action.

The NPS EIS purpose and need is to address the Applicants' proposed action and decide whether to grant the Applicants permits, and if so, where---and under what conditions---the NPS would allow construction of the upgraded electrical transmission lines. The current EIS study area, developed by NPS, includes the area affected by the 4.18 mile portion of the S-R Line. The study area has been expanded beyond the right of way to include other areas within the parks affected by alternatives developed by NPS and the surrounding human environment affected directly by the NPS action. For additional background materials please see the National Park Service's Planning, Environment and Public Comment (PEPC) website:

**<http://parkplanning.nps.gov/projectHome.cfm?parkId=220&projectId=25147>**

#### Development of Alternatives

The EIS is comparing several alternative routes, in addition to the route proposed by the Applicants, to determine the alternative that would minimize impacts to the natural and cultural resources within the parks and surrounding areas. Other alternatives are currently being developed by the NPS and may include relocation of the project partially outside of park(s) boundaries. Additionally, the No Action Alternative is also being considered, in which the existing 230kV power lines running through the parks would be kept but the current request for construction and right-of-way permits would not be granted.

#### Project Effects and Selecting Alternatives

The NHPA mandates that the NPS consult with both State and Tribal Historic Preservation Offices and the public on matters that will have effects of historic resources. From a discipline-based approach, the NPS anticipates there will be both direct and indirect effects of the project on archeological resources, historic structures, cultural landscapes, scenic and historic vistas and landscapes, and ethnographic resources. The NPS anticipates that all alternatives to be considered under the EIS will have these effects. Some of the resources are located within NPS property. Other resources are located on private property, state-owned lands in Pennsylvania and New Jersey, and other federal lands. Given the size of the project area, the NPS expects to provide our Section 106 consulting parties with significant numbers of cultural resource compliance reports to evaluate fully the proposed project's effects.

The NPS is aware that the SHPOs from both New Jersey and Pennsylvania have been consulting directly with the Applicants on this project. While the NPS will be incorporating the Applicants' data into our EIS process, the NPS consultation with states, tribes, and the public is a separate consultation process.

Currently, the NPS is between project scoping and the announcement of draft public alternatives. This is in preparation for public hearings in the third week of August, 2010. When the public alternatives to be carried into the Draft EIS are finalized, the NPS anticipates that fieldwork and literature and database reviews related to the resource studies will begin. When internal review of the resulting reports is complete, the NPS will forward these resource reports to 106 consulting parties for review and comment. Agency input is very important in the selection of

alternatives in the EIS process. The NPS encourages all consulting agencies and the public to comment on this project and help determine which alternative will be selected.

#### Consultation

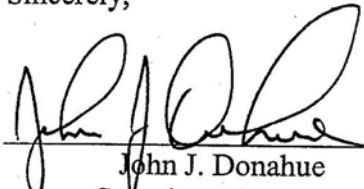
If the New Jersey State Historic Preservation Office wishes to consult with the NPS regarding this project as provided for under the regulations for the National Historic Preservation Act, please write to the address below or contact Amanda Stein by phone at (570) 426-2472 or email at [Amanda\\_Stein@nps.gov](mailto:Amanda_Stein@nps.gov).

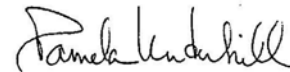
We would appreciate your comments within 30 days of receipt of this letter.

Please send responses to:

Delaware Water Gap National Recreation Area  
HQ 1 River Road, off US 209  
Bushkill, PA 18324-9999

Sincerely,

  
\_\_\_\_\_  
John J. Donahue  
Superintendent, DEWA



\_\_\_\_\_  
Pam Underhill  
Superintendent, APPA

#### Enclosures:

Figure 1. Location Map for the Parks

Listing of State Historic Preservation Offices and Tribal Governments

#### cc:

Kara Deutsch  
Brinnen Carter  
Amanda Stein  
Sarah Bransom



## **COOPERATING AGENCY CORRESPONDENCE**



IN REPLY REFER TO:

## United States Department of the Interior

NATIONAL PARK SERVICE  
Delaware Water Gap National Recreation Area  
Bushkill, Pennsylvania 18324

D5015

**FEB 07 2011**

Mr. Michael Horne, Refuge Manager  
Wallkill River, Cherry Valley, Shawangunk Grasslands  
National Wildlife Refuge Complex  
1547 County Route 565  
Sussex, New Jersey 07461

Dear Mr. Horne:

We would like to invite the U.S. Fish and Wildlife Service (USFWS) to participate as a cooperating agency in the National Park Service's environmental review of the Susquehanna to Roseland Transmission Line project.

As you are aware, pursuant to the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4332(2)(C), the National Park Service (NPS) is preparing an Environmental Impact Statement (EIS) for the evaluation of construction and right-of-way (ROW) permits requested in relation to the proposed Susquehanna (Berwick, Pennsylvania) to Roseland, New Jersey 500,000 volt (500 kV) Transmission Line project. Construction is proposed for a double circuit 500 kV line, although one line will only be energized to 230 kV at the time of project completion. The applicant, (a consortium of Utilities, PPL and PSE&G), has received qualified project approvals from the respective state utility commissions, the Pennsylvania Public Utility Commission and New Jersey Board of Public Utilities. No environmental permits from regulatory agencies have been issued to date.

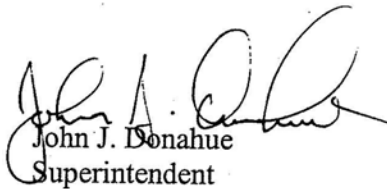
As part of the NEPA process the NPS will seek consultation with the USFWS New Jersey and Pennsylvania Field Offices under Section 7 of the Endangered Species Act of 1973 (16 U.S.C. § 1531 et seq., ESA) and the Fish and Wildlife Coordination Act (16 U.S.C. 661-667e; the Act of March 10, 1934; Ch. 55; 48 Stat. 401), as amended. But the USFWS has additional interests in this review. As proposed, the project would cross lands and waters of the United States in the Delaware Water Gap National Recreation Area (DEWA), the Middle Delaware National Scenic and Recreational River (MDSR), and the Appalachian National Scenic Trail (APPA). Some alternatives, developed as part of the NEPA process, would also cross lands within the designated boundary of the Cherry Valley National Wildlife Refuge (CVNWR).

The Council on Environmental Quality (CEQ) regulations addressing cooperating agencies status (40 C.F.R. §§ 1501.6 & 1508.5) implement the NEPA mandate that federal agencies responsible for preparing NEPA analyses and documentation do so "in cooperation with State and local

governments" and other agencies with jurisdiction by law or special expertise. (42 U.S.C. §§ 4331(a), 4332(2)). Because of your expertise and local knowledge of the resources within the CVNWR we request your participation as a cooperator in the development and review of the EIS. We expect that coordination in this manner will result in improved understanding of each of our respective bureaus' roles and will result in the most informed decision for protecting and preserving the valuable natural, cultural, scenic and recreational resources of these units. In addition, our close association as sister agencies under the same Assistant Secretary makes our close cooperation even more necessary. In this manner USFW can meet its obligations for ecological services and as a land manager.

As part of the project team, the EIS files are available for your review. Because the schedule continues to be an important consideration, we encourage you to arrange a time with our staff to review and make copies of the materials you may need for the environmental review. We look forward to your response. If you have any questions please call Superintendent Donahue at (570) 426-2418 or Amanda Stein, project manager at (570) 426-2472.

Sincerely,



John J. Donahue  
Superintendent

Delaware Water Gap National Recreation Area &  
Middle Delaware National Scenic and  
Recreational River  
(570) 426-2418



Pamela Underhill  
Superintendent  
Appalachian National Scenic Trail  
(304) 535-6279

cc:

Mr. Marvin Moriarty, Regional Director  
Northeast Regional Office  
U.S. Fish and Wildlife Service  
300 Westgate Center Drive  
Hadley, Massachusetts 01035-9587

Mr. Dennis Reidenbach, Regional Director  
Northeast Regional Office  
National Park Service  
200 Chestnut Street, Suite 502  
Philadelphia, Pennsylvania 19106

Michael Chezick, DOI Office of Environmental Policy and Compliance  
Andrew Raddant, DOI Office of Environmental Policy and Compliance  
Andrew Tittler, DOI Office of the Solicitor  
Eric Davis, U.S. Fish and Wildlife Service  
Clint Riley, U.S. Fish and Wildlife Service

Pamela Shellenberger, U.S. Fish and Wildlife Service  
Wendy Walsh, U.S. Fish and Wildlife Service  
Jennifer McConaghie, National Park Service, NER  
Patrick Malone, National Park Service, DSC  
Patrick Lynch, National Park Service, DEWA  
Kara Deutsch, National Park Service, DEWA  
Amanda Stein, National Park Service, DEWA

Denver Service Center - TIC  
Attn: SRLINE EIS  
12795 West Alameda Parkway  
Denver, Colorado 80225-0287



United States Department of the Interior  
FISH AND WILDLIFE SERVICE  
WALLKILL RIVER NATIONAL WILDLIFE REFUGE COMPLEX  
1547 County Route 565  
Sussex, New Jersey 07461



March 14, 2011

Mr. John J. Donahue  
Superintendent  
Delaware Water Gap National Recreation Area and  
Middle Delaware National Scenic and Recreational River  
Bushkill, Pennsylvania 18324

Ms. Pamela Underhill  
Superintendent  
Appalachian Trail Park Office  
P O Box 50  
Harpers Ferry, West Virginia 25425

Dear Mr. Donahue and Ms. Underhill:

Thank you for your February 7, 2011 letter inviting the U.S. Fish and Wildlife Service to become a cooperating agency in the National Park Service's review under the National Environmental Policy Act of the applications submitted to it for the Susquehanna to Roseland 500-IV transmission line project.

As some alternative routes for the project would cross lands within the acquisition boundary of the Cherry Valley NWR, and as FWS also has interests and expertise to offer concerning wildlife and habitat throughout the study area, we are happy to serve as a cooperating agency. We have already been reviewing the drafts of the EIS chapters made available to us.

We understand that the NPS has a cost-recovery agreement with the permit applicants. It would greatly enhance our ability to provide expertise and review capacity to NPS beyond the bounds of our standard ESA consultation if we could execute an Interagency Agreement for the acquisition of the expertise the FWS will provide, for which cost NPS could be reimbursed. This would allow us to devote additional hands to the necessary review.

Sincerely,

Michael Horne  
Refuge Manager  
Wallkill River, Cherry Valley  
and Shawangunk Grasslands NWR

Cc: Marvin Moriarty, Regional Director  
Susan McMahon, Deputy Regional Chief  
Dennis Reidenbach, Regional Director  
Michael Chezik, DOI Office of Environmental Policy and Compliance  
Andrew Raddant, DOI Office of Environmental Policy and Compliance  
Andrew Tittler, DOI Office of the Solicitor  
Eric Davis, U.S. Fish and Wildlife Service  
Clint Riley, U.S. Fish and Wildlife Service  
Pamela Shellenberger, U.S. Fish and Wildlife Service  
Wendy Walsh, U.S. Fish and Wildlife Service  
Jennifer McConaghie, National Park Service, NER  
✓ Patrick Malone, National Park Service, DEWA  
Patrick Lynch, National Park Service, DEWA  
Kara Deutsch, National Park Service, DEWA  
Amanda Stein, National Park Service, DEWA  
Denver Service Center-TIC, attn: SRLINE EIS



IN REPLY REFER TO:

## United States Department of the Interior

NATIONAL PARK SERVICE  
Delaware Water Gap National Recreation Area  
Bushkill, Pennsylvania 18324

D5015

**APR 01 2011**

Mr. Michael Horne, Refuge Manager  
Wallkill River, Cherry Valley, Shawangunk Grasslands  
National Wildlife Refuge Complex  
1547 County Route 565  
Sussex, New Jersey 07461

Dear Mr. Horne:

This letter is in response to your March 14, 2011, correspondence to support the National Park Service (NPS)-led Environmental Impact Statement (EIS) team for the proposed Susquehanna to Roseland Transmission Line. We welcome your support and know that the technical expertise provided by staff at both the ecological services division and the wildlife refuge will contribute greatly towards reaching an important decision regarding the potential impacts to wildlife and habitat within the EIS study area. First, formal consultation, under Section 7 of the Endangered Species Act, 16 U.S.C. Section 1536(a)(2), will help to insure that any action authorized by the NPS is not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of designated critical habitat. Second, staff of the Cherry Valley National Wildlife Refuge (CVNRW) brings specific technical expertise and invaluable insight on several of the EIS alternatives crossing the Refuge.

We will need to formalize an Interagency Agreement with the purpose of: 1) formally designating the USFWS as a cooperating agency in this process; 2) formalizing and providing a framework for cooperation and coordination between the parties in order to successfully complete the NEPA process in a timely, efficient, and thorough manner; 3) describing the respective roles, responsibilities and expertise of each entity in the process; and 4) developing cost recovery for services rendered by the USFWS staff. We will be sending a letter under separate cover to discuss next steps in developing the interagency agreement.

Additionally, as lead agency we have two procedural requests that we would like you to address:

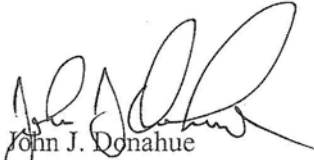
1. Please address all written communications to the Superintendent of the Delaware Water Gap National Recreation Area (DEWA) and the Superintendent of the Appalachian National Scenic Trail (APPA), with a copy for the administrative record to the Denver Service Center. The address is:

Denver Service Center -TIC  
Attn: SRLINE EIS  
12795 W. Alameda Parkway  
Denver, Colorado 80225-0287

2. Please identify the members of your EIS team (including their name, address, email address and phone numbers). Please include your primary point of contact and your EIS project manager (lead), your NEPA specialist, contract specialist, budget analyst, and any other staff person you will have working on this project.

Thank you for your support and your attention to the points above. We expect that the USFWS will bring a great deal of added value to our EIS process as a cooperating agency. If you have any questions please call Superintendent Donahue at (570) 426-2418 or Project Manager, Amanda Stein, at (570) 426-2472.

Sincerely,



John J. Donahue  
Superintendent  
Delaware Water Gap National Recreation Area &  
Middle Delaware National Scenic and  
Recreational River  
(570) 426-2418



Pamela Underhill  
Superintendent  
Appalachian National Scenic Trail  
(304) 535-6279

cc:

Mr. Marvin Moriarty, Regional Director  
Northeast Regional Office  
U.S. Fish and Wildlife Service  
300 Westgate Center Drive  
Hadley, Massachusetts 01035-9587

Mr. Dennis Reidenbach, Regional Director  
Northeast Regional Office  
National Park Service  
200 Chestnut Street, Suite 502  
Philadelphia, Pennsylvania 19106



REPLY TO  
ATTENTION OF

## DEPARTMENT OF THE ARMY

PHILADELPHIA DISTRICT CORPS OF ENGINEERS  
WANAMAKER BUILDING, 100 PENN SQUARE EAST  
PHILADELPHIA, PENNSYLVANIA 19107-3300

MAY 13 2010

Regulatory Branch  
Application Section IISUBJECT: CENAP-OP-R 2008-241-30 (PASPGP-3)  
Project Name: Susquehanna Roseland Power Transmission LineMr. John J. Donahue, Superintendent  
United States Department of the Interior  
Nation Park Service  
Delaware Water Gap National Recreation Area  
Bushkill, Pennsylvania 18324

Dear Mr. Donahue:

This is in response to correspondence dated February 1, 2010, regarding the Susquehanna Roseland Power Transmission Line project to construct a 500 kilovolt transmission line from Susquehanna, Pennsylvania to Roseland, New Jersey and the request for cooperating agency status in the preparation of a National Environmental Policy Act (NEPA) document for the proposed project.

The U.S. Army Corps of Engineers, Philadelphia District (Corps) will be a cooperating agency in the preparation of an Environmental Impact Statement (EIS) under NEPA. We look forward to working with your agency as the document is developed to ensure that the information presented in the EIS is adequate to fulfill the requirements of the Corps regulations, the Clean Water Act (CWA) Section 404(b)(1) Guidelines, and the Corps public interest review process.

To meet the requirements of the Corps review process, we request that the following topics be comprehensively evaluated in the EIS:

1) Purpose and need for the project. In order to satisfy Department of the Army regulations, the Corps will need to concur on the purpose and need statement for the project. We would be pleased to work with you and the applicant to develop a purpose and need statement that will satisfy the Department of the Army regulations for review of the project under Section 404 of the CWA and Section 10 of the Rivers and Harbors Act.

2) CWA Section 404(b)(1) Guidelines. The 404(b)(1) Guidelines require an Alternatives Analysis, which addresses how impacts to waters of the United States have been avoided and/or minimized. If impacts to waters of the United States, including jurisdictional wetlands, cannot be avoided, the Alternatives Analysis identifies the compensatory mitigation required to replace lost functions and services of the aquatic resources. Information on the Alternatives Analysis

-2-

and the results of any studies, assessments, and evaluations of the proposed project are needed in the EIS. The range of Alternatives in the Alternatives Analysis will be based on the project purpose, as determined by the Corps, in accordance with established Corps policy on the review of energy projects. The Corps will need to concur on the range of alternatives retained for detailed study in the NEPA document.

3) Corps public interests review factors. The decision to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Among the factors that must be evaluated as part of the Corps public interest review include; conservation, economics, aesthetics, general environmental concerns, wetlands and streams, historic and cultural resources, fish and wildlife values, floodplain values, land use navigation, shore erosion and accretion, recreation, water supply and conservation, energy needs, safety, food and fiber production, mineral needs, water quality, consideration of property ownership, air and noise impacts, and, in general the needs and welfare of the people. Each of the Corps public interest factors must be evaluated comprehensively in the NEPA analysis.

4) Delineation of all wetlands and waters within the project study area. This should include roads of accessibility and staging areas.

5) Quantify impacts (permanent, temporary and secondary) to all waters of the United States (e.g., perennial, intermittent, ephemeral streams, river, lakes and ponds), including wetlands, for each project alternative. For streams and rivers, include both the linear feet of streams/river (measured along the centerline of the stream/river) and acreage of impact. For temporary impacts, quantify any change in wetland classification (e.g., palustrine forested to palustrine emergent, etc.). For secondary impacts or adverse effects from impoundments to open water (changes to the Ordinary High Water Mark (OHWM) or wetland, provide the acreage of the affected area.

6) Cumulative and indirect impacts resulting from the project.

7) Environmental justice, including compliance with the Executive Order 12898 on environmental justice.

8) Describe and locate the disposal options for any excess fill material resulting from the project.

9) Proposed compensatory wetland and/or stream mitigation plans that provide for the replacement/compensation of lost functions and services, in accordance with the Environmental Protection Agency/Corps mitigation rule.

10) Analysis of the project's compliance with Section 7 of the Endangered Species Act, Section 106 of the National Historic Preservation Act, Section 401 of the Clean Water Act, and the Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267) [essential fish habitat (EFH) assessment].

11) Chemical and physical analysis of any dredged or excavated material.

-3-

12) Based on core samples of the chemical/physical composition of any possible sediments to be removed, the method of removal (e.g., mechanical, hydraulic), and the expected resulting conditions in the waterway(s) e.g., flow, currents, circulation patterns, etc.,) describe the maximum expected turbidity plume and any adverse environmental/water quality impacts, both upstream and downstream, and the expected time duration, resulting from the proposed operation. In addition, describe the plans and methods to contain and/or otherwise minimize the deleterious effects of the operation to the aquatic environment.

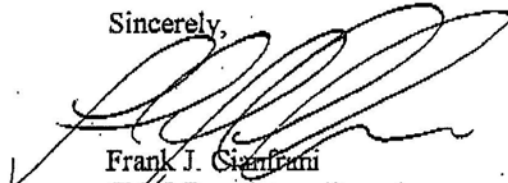
13) Air quality impacts (i.e., Section 176(c) of the Clean Air Act General Conformity Rule Review).

14) Compliance with the Executive Order on floodplains.

15) Project review schedule and NEPA document preparation schedule. Other important milestones (e.g., public hearings, etc.,) should be listed in the NEPA document.

We look forward to working with your agency as the NEPA document is developed and the review of the project proceeds. A copy of this letter is also being furnished to Ms. Pam Underhill, Superintendant of the Appalachian National Scenic Trail (APPA). Should you have any questions regarding this matter, please contact Wayne Poppich at (570) 842-1044 between the hours of 1:00 and 3:30 p.m. or write to the above address.

Sincerely,



Frank J. Cianfrani  
Chief, Regulatory Branch

RECEIVED  
MAY 20 2010  
BY: \_\_\_\_\_



**DEPARTMENT OF THE ARMY**

PHILADELPHIA DISTRICT CORPS OF ENGINEERS  
WANAMAKER BUILDING, 100 PENN SQUARE EAST  
PHILADELPHIA, PENNSYLVANIA 19107-3390

**AUG 03 2010**

Regulatory Branch  
Application Section II

SUBJECT: CENAP-OP-R 2008-241-30  
Project Name: Susquehanna Roseland Power Transmission Line

Mr. John J. Donahue, Superintendent  
United States Department of the Interior  
Nation Park Service  
Delaware Water Gap National Recreation Area  
Bushkill, Pennsylvania 18324

Dear Mr. Donahue:

This is in further response to your agency's letter dated February 1, 2010, regarding the National Park Service's preparation of an Environmental Impact Statement (EIS) to analyze the impacts for the proposed construction of the Susquehanna Roseland Power Transmission Line. The project involves improving an existing 230 kV electric transmission line, and adding a second 500 kV electric transmission line from Susquehanna, Pennsylvania to Roseland, New Jersey.

In a letter dated May 13, 2010, this office indicated that the Corps would be a cooperating agency in the preparation of the EIS under the National Environmental Policy Act (NEPA). The determination by this office to be a cooperating agency was based at the time on the District's understanding of the scope of the project, and the extent of potential regulated work that would require authorization from the Corps.

Since the issuance of our May 13 letter, representatives of the District's Regulatory Branch have met with representatives of both the National Park Service (NPS) and the PPL Electric Utilities Corporation to learn more about the scope of the project. Specifically the District has become more aware of the scope of the project that will be reviewed by both the NPS and the Corps, and the extent of regulated work that will require authorization from the Corps. Preliminarily the District has determined that regulated work may qualify for authorization through applicable Department of the Army (DA) nationwide permits, or Pennsylvania State Programmatic General Permit 3. Both of these are DA general permit processes where an applicable NEPA document has already been prepared, and do not require the Corps to prepare a project specific NEPA document.

-2-

Based upon our preliminary finding regarding permitting requirements for the project and the potential applicability of general permits to authorize regulated activities associated with the project, the District has determined that its continuing role as a cooperating agency in the preparation of the EIS is no longer necessary. The District remains willing to assist the NPS in the identification and delineation of wetlands and waters within the three National Park Service units in Pennsylvania and New Jersey that may be impacted by the project, and would require authorization from the Corps.

A copy of this letter is being furnished to Ms. Pamela Underhill, Superintendant of the Appalachian National Scenic Trail so that she is aware of the District's determination. Should you have any questions regarding this matter please contact Wayne Poppich at (570) 842-1044, or write to the above address.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Frank J. Cianfrani', is written over a light blue horizontal line. The signature is fluid and cursive.

Frank J. Cianfrani  
Chief, Regulatory Branch

-3-

Copies Furnished:

Appalachian National Scenic Trail (Pamela Underhill, Superintendant)  
CENAP-OP-RG (Poppich)

## **ENDANGERED SPECIES ACT SECTION 7 CONSULTATION**

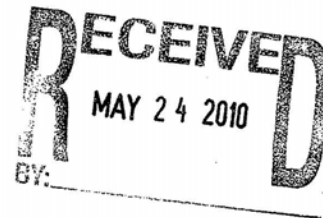




**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE

Habitat Conservation Division  
James J. Howard Marine  
Sciences Laboratory  
74 Magruder Road  
Highlands, NJ 07732

May 13, 2010



John J. Donahue, Superintendent  
Delaware Water Gap National Recreation Area  
National Park Service,  
Bushkill, PA 18324

ATTN: Amanda Stein

Dear Mr. Donahue:

This responds to your letter dated April 9, 2010 concerning the preparation of an environmental impact statement (EIS) to analyze the potential effects of the proposed construction of a high voltage electric transmission line traversing three National Park Service (NPS) units in Pennsylvania and New Jersey: Delaware Water Gap National Recreation Area (DEWA), Middle Delaware National Scenic and Recreation River (MDSR) and the Appalachian National Scenic Trail (APP). PPL Electric Utilities Corporation and PSE&G have proposed to upgrade and to expand the existing 230 kilovolt (kV) power transmission line that currently passes through these three NPS units. The existing line would be replaced with new larger towers to co-locate both the existing 230 kV and a new 500 kV line. This would require the widening of the existing right-of-way and the construction of new access roads and the rehabilitation and widening on existing access roads. The applicant's stated project purpose is to strengthen the reliability of the of the grid at the direction of the Regional Transmission Operator, PJM Interconnection.

The Delaware River and its tributaries provide a migratory pathway, spawning, nursery and forage habitat for anadromous fishes such as American shad. American shad usually enter the Delaware River in mid-March and move past the tidal section below Trenton to the primary spawning reach from the Water Gap (I-80 crossing) up to the New York border. In recent years, some American shad may be spawning in the Philadelphia reach due to improved water quality.

From the information available, it is unclear how the proposed project would cross the Delaware River. If any in-water work within the Delaware River is proposed, or if any work adjacent to the river and its tributaries which would degrade the water quality or habitat values of the Delaware River is planned, NMFS' Habitat Conservation Division should be consulted under the provisions of the Fish and Wildlife Coordination Act.

In addition, the Delaware River Basin Fish & Wildlife Management Cooperative, (Co-op), comprised of the (1) U.S. Fish & Wildlife Service, (2) the National Marine Fisheries Service, (3) the Delaware Division of Fish and Wildlife, (4) the Pennsylvania Fish and Boat Commission, (5) the New York Division of Fish, Wildlife, and Marine Resources, and (6) the New Jersey Division of Fish and Wildlife has developed recommended seasonal work restrictions to protect a variety of important aquatic species found in the Delaware River including American shad, alewife, blueback herring, striped bass, hickory






shad and freshwater species such as large mouth bass, small mouth bass, bluegill, trout and others. These timing restrictions should be incorporated into the project schedule for any work proposed in the Delaware River and its tributaries.

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires federal agencies including the NPS to consult with NMFS regarding any action or proposed action authorized, funded, or undertaken by the agency that may adversely affect essential fish habitat identified under the MSA. The EFH regulations, 50 CFR Section 600.920, outline that consultation procedure and, further, enable federal agencies to use existing consultation/environmental review procedures to satisfy the MSA consultation requirements when appropriate. Included in this consultation process is the preparation of a complete and appropriate EFH assessment to provide necessary information on which to consult.

No EFH has been designated within the project area. As a result, an EFH consultation by NPS will not be required for the actions proposed. However, should project plans change or if new information becomes available that would change the basis for this determination, consultation should be initiated.

If you have any questions regarding these comments, please contact Karen Greene at 732 872-3023.

Sincerely,

  
Stanley W. Gorski  
Field Offices Supervisor

cc: PRD – J. Crocker  
FWS DRC – J. Mohler



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
55 Great Republic Drive  
Gloucester, MA 01930-2276

John J. Donahue  
US Department of the Interior  
National Park Service  
Delaware Water Gap National Recreation Area  
Bushkill, Pennsylvania 18324



Dear Mr. Donahue,

This is in response to your letter dated July 16, 2010 regarding the National Park Service's (NPS) preparation of an Environmental Impact Statement to analyze the potential impacts for the proposed construction of a high voltage electric transmission line traversing three NPS units in Pennsylvania and New Jersey. Your letter requests information on the presence of species listed by NOAA's National Marine Fisheries Service (NMFS) in the project area.

NMFS has reviewed the seven alternatives presented in your letter, all of which involve a crossing of the Delaware River. However, while a population of endangered shortnose sturgeon (*Acipenser brevirostrum*) occurs in the Delaware River, the best available information indicates that the species is limited to the area downstream of Lambertville, New Jersey, which is well downstream of the NPS project area. As no listed species occur in the action area, no further coordination with NMFS Protected Resources Division (PRD) regarding the proposed project is necessary. Should project plans change or new information become available that changes the basis for this determination, further coordination should be pursued. If you have any questions regarding these comments, please contact Julie Crocker of my staff at (978)282-8480 or by e-mail ([Julie.Crocker@Noaa.gov](mailto:Julie.Crocker@Noaa.gov)).

Sincerely,

Mary A. Colligan  
Assistant Regional Administrator  
for Protected Resources

File Code: Sec 7 No Species Present 2010





# United States Department of the Interior

## FISH AND WILDLIFE SERVICE



In Reply Refer To:

2008-I-0319

New Jersey Field Office  
Ecological Services  
927 North Main Street, Building D  
Pleasantville, New Jersey 08232  
Tel: 609/646 9310  
Fax: 609/646 0352

<http://www.fws.gov/northeast/njfieldoffice/>

Thomas Micai, Director  
Division of Land Use Regulation  
New Jersey Department of Environmental Protection  
P.O. Box 439  
Trenton, New Jersey 08625-0439  
Attention: Lou Cattuna

JUN 11 2010

Re: PSE&G Roseland to Susquehanna Electric Transmission Line  
NJDEP File Number 0000-08-0010.1

Dear Mr. Micai:

The U.S. Fish and Wildlife Service (Service) has reviewed additional information provided by PSE&G (applicant) on June 8 and 9, 2010 in response to our May 21 and 24, 2010 (e-mail) and June 8, 2010 (facsimile) requests. This additional information was requested by the Service in regard to PSE&G's application to the New Jersey Department of Environmental Protection (NJDEP) for a New Jersey Freshwater Wetlands Protection Act (N.J.S.A. 13:9B *et seq.*) individual permit and other State authorizations (File Number 0000-08-0010.1) to construct the eastern portion of the Roseland to Susquehanna Electric Transmission Line.

The proposed project involves installation of approximately 25 miles of new 500-kV overhead electric transmission lines along an existing 150-foot-wide right-of-way (ROW) from Hopatcong Borough, Sussex County to Roseland Borough, Essex County, New Jersey. The project also involves construction of a new switching station in Hopatcong and an expanded switching station in Roseland.

PSE&G intends to construct a western portion of the project, roughly 20 miles from Hopatcong to the Delaware River, sometime after the spring of 2012. The subject application does not cover the western portion. Additional project segments are proposed in Pennsylvania by PPL Electric.

### AUTHORITY

This response is pursuant to the December 22, 1993 Memorandum of Agreement (MOA) among the U.S. Environmental Protection Agency, the NJDEP, and the Service; the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) (ESA); the Bald and Golden Eagle Protection Act (54 Stat. 250; 16 U.S.C. 668-668d); and the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 703-712).

## FEDERALLY LISTED SPECIES

### Indiana Bat

Pursuant to the 1993 MOA, the subject permit has the potential to affect the federally listed (endangered) Indiana bat (*Myotis sodalis*) unless the following permit conditions are implemented.

- All conservation measures recommended by the Service and adopted by PSE&G, as reflected in the enclosed excerpt of PSE&G's revised *Construction and Restoration Standards for the Susquehanna-Roseland Transmission Project*.
- Service concurrence with final compensatory mitigation plans for forest impacts including: (1) preservation, enhancement, and/or restoration of Indiana bat habitat as one component of the 100 to 200-acre Highlands Forest restoration/education pilot site at the Hopatcong Switching Station;<sup>1</sup> and (2) preservation, enhancement, and/or restoration of Indiana bat habitat at a site along the Passaic River. Information regarding Indiana bat habitat requirements is enclosed.

The Service has reviewed the January 29, 2010 Summer Mist Net Survey Report prepared by ESI, Inc., and concurs that no seasonal restriction on tree clearing is necessary at the Hopatcong Switching Station or Fredon Relocation area if work is completed within the next 2 calendar years. The Service has reviewed the June 8, 2010 habitat assessment for the Roseland Switching Station prepared by EcolSciences, Inc., and concurs that no mist net survey is needed for this approximately 2-acre forest.

Via electronic mail dated June 9, 2010, PSE&G agreed to implement Service-recommended conservation measures for the Indiana bat (enclosed), and provided the following estimates of total tree clearing, including rights-of-way, access roads, and temporary work spaces.

	Eastern Portion	Western Portion	Total
Wetland	0.52 acres	0.25 acres	0.77 acres
Transition Area (assumed 150')	6.90 acres	3.04 acres	9.94 acres
Upland	13.60 acres	7.30 acres	20.90 acres
Total	21.02 acres	10.59 acres	31.61 acres

With implementation of the above permit conditions, the Service concurs that, even considering cumulative impacts (*i.e.*, from the western portion), the loss of approximately 21.02 acres of potential Indiana bat summer roosting and foraging habitat from construction of the eastern portion of the project is insignificant based on the following.

- The impacts are spread across a 25-mile linear project.

<sup>1</sup> The Hopatcong forest restoration project is a component of PSE&G's Comprehensive Mitigation Plan, which was part of the basis for NJDEP's January 15, 2010 Highlands Regional Master Plan Consistency Determination.

- The areas with the greatest impacts have been evaluated for Indiana bat habitat (Roseland Switching Station, Picatinny Arsenal) or surveyed using the Service's mist netting guidelines (Hopatcong Switching Station, Fredon Relocation Site).
- In those areas identified by the Service as hibernacula and/or maternity colony foraging habitat, PSE&G will not install any permanent structure (*e.g.*, access road, tower) within 300 feet of wetlands or open waters and will not clear trees or locate temporary work spaces within 150 feet of wetlands or open waters.
- PSE&G will provide compensatory mitigation for forest impacts, as described above.

To minimize cumulative impacts to Indiana bat habitat, additional information, surveys, and/or conservation measures may be necessary for the western portion of the Roseland to Susquehanna Electric Transmission Line project.

With implementation of the above permit conditions, the Service concurs that the risk of disturbance or injury to roosting bats from construction of the eastern portion of the project is discountable based on the seasonal restrictions included in PSE&G's revised *Construction and Restoration Standards for the Susquehanna-Roseland Transmission Project*. Except for the Hopatcong Switching Station and Fredon Relocation area, all portions of the project (including access roads, temporary work spaces, Picatinny Arsenal, and the Roseland Switching Station) will be constructed with seasonal restrictions on tree clearing as specified in the revised *Construction and Restoration Standards for the Susquehanna-Roseland Transmission Project*.

### **Bog Turtle**

Pursuant to the 1993 MOA, the subject permit has the potential to affect the federally listed (threatened) bog turtle (*Clemmys muhlenbergii*) unless the following permit condition is implemented.

- All conservation measures recommended by the Service and adopted by PSE&G, as reflected in the enclosed excerpt of PSE&G's revised *Construction and Restoration Standards for the Susquehanna-Roseland Transmission Project*.

The Service concurs, or has previously concurred, with the following survey reports prepared by EcolSciences, Inc.

- July 8, 2008 (Phase 1 right-of-way)
- December 23, 2008 (Phase 1 Delaware Water Gap National Recreation Area)
- June 18, 2009 (Phase 2 for 5 wetlands)
- July 29, 2009 (Phase 1 Hopatcong Switching Station)
- March 23, 2010 (Phase 1 access roads; concurrence for eastern portion only)
- June 8, 2010 (Phase 1 for 11 additional spans)

With implementation of the above permit condition, the Service expects that impacts to the bog turtle from construction of the eastern portion of the project will be insignificant and

discountable. This determination is based on the extensive surveys (listed above) and on the habitat buffers, fencing, and monitoring protocols detailed in PSE&G's revised *Construction and Restoration Standards for the Susquehanna-Roseland Transmission Project*.

Please note that additional bog turtle surveys and information are still needed for the western portion of the project. Based on this information, the Service may recommend additional conservation measures for the western portion.

## **MIGRATORY BIRDS**

The Migratory Bird Treaty Act prohibits the take of migratory birds, their parts, nests, and eggs, even when incidental to an otherwise lawful activity. In response to the Service's recommendation, PSE&G has prepared a draft Avian Protection Plan (APP) dated June 2010. Pursuant to the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act, we recommend that NJDEP include a condition in the subject permit to incorporate Service comments on the draft APP, and to fully implement the final APP.

The Service offers the following preliminary comments on the draft APP.

- The draft APP includes all components recommended in the 2005 *Avian Protection Plan (APP) Guidelines*, and provides a thorough overview of avian issues associated with the project.
- Under "Construction Timing (page 18)," PSE&G proposes to initiate activity in the right-of-way prior to the bird breeding season to discourage nesting and thereby minimize bird mortality and nest failure from vegetation clearing. This section should also mention that the seasonal restriction on tree clearing for Indiana bats (April 1 to September 30 or April 1 to November 15, as specified in PSE&G's revised *Construction and Restoration Standards for the Susquehanna-Roseland Transmission Project*) applies to most work areas and will be effective in avoiding take of nests in trees. Note that the Migratory Bird Treaty Act prohibits all take of nests with eggs or young, and that Service permits are required to relocate such nests (see enclosed fact sheet).
- The seasonal restriction on disturbance within 1,000 feet of bald eagle (*Haliaeetus leucocephalus*) nests during the nesting season (December 15 to August 31) (page 18) is consistent with the National Bald Eagle Management Guidelines.
- The Service requests an opportunity to review the "Project-specific Transmission Right-of-Way Vegetation Management Plan" (page 21), and recommends that the plan reflect all adopted conservation measures for federally listed species as described in PSE&G's October 23, 2009 letter to the Service.



- Change “May” to “April” in the first bullet on page 21 of the APP, in reference to the bird breeding season and time to avoid activities such as mowing and cutting. Also add a reference to PSE&G’s intention to perform the majority of its transmission vegetation maintenance activities between October 1 through March 31, as indicated in its October 23, 2009 letter.
- The Service appreciates PSE&G’s adoption of our guidelines for aviation safety lighting, and supports the choice of the new Obstacle Collision Avoidance System technology to minimize migratory bird collision hazards caused by light entrapment.
- Bald eagle populations in New Jersey are expanding, and the proposed lines will be in place for many decades. The Service recommends that PSE&G implement the “eagle-safe” electrocution standards (first bullet on page 23) in areas of highly suitable (but as yet unoccupied) eagle habitat, not just current nests and foraging habitats.
- The “raptor-safe” electrocution standards (second bullet on page 23) should be adopted as a minimum standard for the entire line, not just the specified spans, as these species may occur across the entire project area. (Of course, the higher standards for eagles and tall birds would apply in the areas specified.)
- The final APP should specify where flight diverters (transmission line marker) will actually be used (fourth bullet on page 23).
- The final APP should specify which avian enhancement opportunities will actually be constructed within project lands, and should add a section describing enhancement efforts outside of project lands (page 28).

## CONCLUSION

Pursuant to the 1993 MOA, the subject permit has the potential to affect the federally listed Indiana bat and bog turtle unless the above-listed conditions are included in the permit. The Service also recommends a permit condition to require PSE&G’s full implementation of the final APP.

The Service appreciates the cooperation of PSE&G and NJDEP in evaluating and minimizing adverse effects to federally listed species and migratory birds. Please contact Wendy Walsh at (609) 383-3938, extension 48, if you have any questions or require further assistance regarding federally listed threatened or endangered species.

Sincerely,



Acting Supervisor

cc via email:

DLUR, Tina Wolff, John Heilferty, Díane Dow, Larry Torok  
PAFO, Clint Riley, Pam Shellenberger  
PSE&G, Rob Pollock, David Grossmueller





In Reply Refer To:  
2008-I-0319

## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

New Jersey Field Office  
Ecological Services  
927 North Main Street, Building D  
Pleasantville, New Jersey 08232  
Tel: 609/646 9310  
Fax: 609/646 0352  
<http://www.fws.gov/northeast/njfieldoffice/>



OCT 21 2010

Amanda J. Stein, Biologist/Project Manager  
Delaware Water Gap National Recreation Area  
1 River Road  
Bushkill, Pennsylvania 18324-9999

Dear Ms. Stein:

The U.S. Fish and Wildlife Service (Service) has reviewed the preliminary alternative routes identified by the National Park Service (NPS) in your July 2010 newsletter for the proposed Susquehanna to Roseland Transmission Line project to be located in Morris, Sussex, and Warren Counties, New Jersey. The NPS identified these alternative routes for analysis in an Environmental Impact Statement you are preparing to evaluate impacts from the proposed project to three park units: the Appalachian National Scenic Trail, the Delaware Water Gap National Recreation Area (DWGNRA), and the Middle Delaware National Scenic and Recreational River. The project proponent in New Jersey, PSE&G, proposes to upgrade an existing overhead electric transmission line from 230 kV to 500 kV between the existing Roseland Switching Station and the Delaware River. The project may also involve construction of a new switching station and expansion of the Roseland Switching Station. Additional project segments are proposed in Pennsylvania by PPL Electric. Separate comments may be provided by the Service's Pennsylvania Field Office regarding portions of the project located in Pennsylvania.

### AUTHORITY

This response is pursuant to Section 7 the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) (ESA); the Bald and Golden Eagle Protection Act (54 Stat. 250; 16 U.S.C. 668-668d) (Eagle Act); and the National Environmental Policy Act of 1969 as amended (83 Stat. 852; 42 U.S.C. 4321 *et seq.*). These comments do not preclude separate review and comments by the Service pursuant to the Fish and Wildlife Coordination Act (48 Stat. 401; 16 U.S.C. 661 *et seq.*), if any permits are required from the U.S. Army Corps of Engineers pursuant to the Clean Water Act of 1977 (33 U.S.C. 1344 *et seq.*); or the December 22, 1993 Memorandum of Agreement among the U.S. Environmental Protection Agency, New Jersey Department of Environmental Protection (NJDEP), and the Service, if project implementation requires a permit from the NJDEP pursuant to the New Jersey Freshwater Wetlands Protection Act (N.J.S.A. 13:9B *et seq.*).

## FEDERALLY LISTED SPECIES

### Indiana Bat

#### Alternative 2

The Service has been working with PSE&G since 2008 to evaluate impacts to the federally listed (endangered) Indiana bat (*Myotis sodalis*) from Alternative 2. Via our June 11, 2010 letter to the NJDEP (enclosed), the Service concurred that the eastern segment of Alternative 2 (from the proposed Hopatcong Switching Station to the Roseland Switching Station) is not likely to adversely affect the Indiana bat, based on PSE&G's adoption of several conservation measures. The Service recommends continued refinement and eventual implementation of these and/or other appropriate project-wide conservation measures, regardless of which alternative is selected. We will review and comment on the revised conservation measures (as detailed in PSE&G's *Construction and Restoration Standards for the Susquehanna-Roseland Transmission Project*) after PSE&G and NPS have selected a preferred alternative route through New Jersey.

Among the previously adopted conservation measures for Alternative 2 are buffers on wetlands and open waters within those right-of-way spans identified by the Service as foraging habitat associated with known Indiana bat hibernacula and/or maternity colonies. In such spans, PSE&G will not install any permanent structure (e.g., access road, tower) within 300 feet of wetlands or open waters, and will not clear trees or locate temporary work spaces within 150 feet of wetlands or open waters. If these or any other project-wide conservation measure cannot be implemented for any particular span, PSE&G has agreed to work with the Service to develop alternative site-specific conservation measures sufficient to avoid adverse effects to the Indiana bat. If Alternative 2 is selected, the Service will request an analysis of which spans west of the proposed Hopatcong Switching Station may require alternative site-specific conservation measures. This analysis was already completed for the spans between the Hopatcong and Roseland Stations.

The Service also requests a copy of any survey results that were not previously submitted for the Indiana bat or its habitat in New Jersey (e.g., any Indiana bat surveys conducted within the New Jersey portion of DWGNRA).

#### Alternatives 3 Through 7

The New Jersey portions of Alternatives 3 through 7 are all located within the geographic range of the Indiana bat. The eastern portions of Alternatives 5 and 6/7 also cross known migratory corridors, swarming habitat associated with known hibernacula, and foraging habitat associated with known maternity colonies. Tree clearing could disturb or injure any roosting bats, and could destroy or degrade roosting sites. To minimize impacts, the Service generally recommends a seasonal restriction on tree clearing from April 1 to November 15 within 10 miles of known hibernacula, and from April 1 to September 30 in other parts of the species' range in New Jersey.

To evaluate potential impacts to Indiana bat habitat, the Service requests information regarding the estimated number of acres of tree clearing associated with the New Jersey portion of each Alternative 3 through 7, including for access roads and temporary work spaces. For Alternative 5, please provide a separate subtotal for the portion of the alignment east of Route 206 (where it intersects Route 80 in Mount Olive Township). For Alternative 6/7, please provide a separate subtotal for the portion of the alignment east of Mount Olive Township. Based on the estimated acres of tree clearing, the Service may request habitat characterizations and/or mist net surveys to determine if further conservation measures are necessary in certain areas.

## **Bog Turtle**

### Alternative 2

The Service has been working with PSE&G since 2008 to evaluate impacts to the federally listed (threatened) bog turtle (*Clemmys muhlenbergii*) from Alternative 2. Via our June 11, 2010 letter to the NJDEP (enclosed), the Service concurred that the eastern segment of Alternative 2 (Hopatcong Station to Roseland Station) is not likely to adversely affect the bog turtle, based on PSE&G's adoption of several conservation measures. The Service recommends continued refinement and eventual implementation of these and/or other appropriate project-wide conservation measures, regardless of which alternative is selected. We will review and comment on the revised conservation measures (as detailed in PSE&G's *Construction and Restoration Standards for the Susquehanna-Roseland Transmission Project*) after PSE&G and NPS have selected a preferred alternative route through New Jersey.

Among the previously adopted conservation measures for Alternative 2 are buffers on bog turtle habitat, which includes all wetland areas confirmed as bog turtle habitat through field surveys and/or the NJDEP's Landscape Project mapping, or that are treated as such in the absence of a Phase II survey. PSE&G has agreed that no permanent structures (including but not limited to tower footings and new or improved access roads) will be located within 300 feet of bog turtle habitat. Also, no temporary disturbances (including but not limited to removal of existing towers or other structures, use of motorized equipment, earth disturbance, and equipment/materials storage areas) will take place within 150 feet of bog turtle habitat. If these or any other project-wide conservation measure cannot be implemented for any particular span, PSE&G has agreed to work with the Service to develop alternative site-specific conservation measures sufficient to avoid adverse effects to the bog turtle. If Alternative 2 is selected, the Service will request an analysis of which spans west of the proposed Hopatcong Switching Station may require alternative site-specific conservation measures. This analysis was already completed for the spans between the Hopatcong and Roseland Stations.

The Service also requests a copy of any survey results that were not previously submitted for the bog turtle or its habitat in New Jersey (e.g., Phase II surveys within the New Jersey portion of DWGNRA; surveys requested via the Service's May 21, 2010 electronic mail to PSE&G and NJDEP for specific areas between DWGNRA and the Hopatcong Switching Station).

Alternatives 3 Through 7

The New Jersey portions of Alternatives 3 through 7 are all located within the geographic range of the bog turtle. Alternative 5 includes areas of habitat associated with 4 known bog turtle occurrences. Alternative 6/7 includes areas of habitat associated with 3 known bog turtle occurrences. The locations of known, occupied bog turtle habitat along these alternative routes can be obtained from the NJDEP Landscape Project mapping. Further consultation with the Service will be necessary to evaluate and minimize impacts in areas of known, occupied bog turtle habitat if Alternative 5 or 6/7 is selected.

Alternatives 3 through 7 each include areas of scrub/shrub and emergent wetlands that may provide suitable habitat for the bog turtle. Many areas of New Jersey have not been thoroughly surveyed for endangered and threatened species. If present, bog turtles could be injured or disturbed during construction, and could be adversely affected by any temporary or permanent impacts to wetlands. Therefore, the Service requests that a recognized, qualified surveyor (see enclosed list) evaluate all previously unsurveyed wetlands within and adjacent to each Alternative 3 through 7 for the presence or absence of bog turtle habitat (see enclosed guidance). The survey area should include wetlands in and adjacent to proposed access roads and temporary work spaces as well as the proposed right-of-way. The results of any survey, whether showing presence or absence of bog turtle habitat, must be forwarded to this office for review; please include photographs and the qualifications of the surveyor(s).

**Dwarf Wedgemussel**

Alternative 4 would cross the Pequest River [redacted] downstream of a known occurrence of the federally listed (endangered) dwarf wedgemussel (*Alasmidonta heterodon*). Alternative 5 would cross the Pequest River [redacted] downstream of a known dwarf wedgemussel occurrence. Alternative 6/7 would cross the Pequest River [redacted] dwarf wedgemussel occurrences located both upstream and downstream of the alignment. The dwarf wedgemussel has also been recorded in the Delaware River [redacted] Alternatives 5 and 6/7.

Text contains sensitive archeological resource information

To evaluate potential impacts to the dwarf wedgemussel, the Service requests information for each alternative regarding any proposed in-stream or riparian work along the Delaware River and within the Pequest River watershed. The Service may recommend surveys and/or conservation measures for the dwarf wedgemussel if any permanent or temporary disturbances are proposed within, or within 300 feet of, these open waters.

**Swamp Pink**

The headwaters of tributaries to the Lamington and Raritan Rivers historically supported several occurrences of the federally listed (threatened) swamp pink (*Helonias bullata*), and one known population still persists in this watershed. Many areas of New Jersey have not been thoroughly surveyed for endangered and threatened species. If present, swamp pink could be adversely affected by any temporary or permanent impacts to its forested wetland habitat. Therefore, the Service requests that a qualified surveyor conduct a survey to determine the presence or absence

of swamp pink (see enclosed guidance). The survey area should include all forested wetlands within [redacted] along Alternative 6/7, including access roads and temporary work areas as well as the right-of-way. The results of any survey, whether showing presence or absence of swamp pink, must be forwarded to this office for review; please include photographs and the qualifications of the surveyor(s).

Text contains  
sensitive  
archeological  
resource  
information

## BALD EAGLE

Several active nests of the bald eagle (*Haliaeetus leucocephalus*) are located along the eastern terminus of Alternative 2. An active bald eagle nest is also located [redacted] of Alternative 3. Important bald wintering areas occur along the Delaware River in the vicinity of Alternatives 2 and 3, and additional wintering habitat is mapped by the NJDEP Landscape Project near the eastern ends of Alternatives 2 and 3. All of the alternatives cross foraging habitat mapped by the NJDEP Landscape Project.

The bald eagle was removed from the Federal List of Endangered and Threatened Wildlife on August 8, 2007. The bald eagle continues to be protected under the Eagle Act and the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 703-712). The bald eagle also remains a State-listed species under the New Jersey Endangered and Nongame Species Conservation Act (N.J.S.A. 23:2A *et seq.*), which carries protections under the State land use regulation program. These Federal and State laws prohibit take of bald eagles. For the continued protection of bald eagles, and to ensure compliance with Federal and State laws, the Service recommends managing bald eagles in accordance with the National Bald Eagle Management Guidelines and all applicable State regulations. Links to the Guidelines and additional information about the delisting of the bald eagle are available on the New Jersey Field Office web site at <http://www.fws.gov/northeast/njfieldoffice/endangered>.

## OTHER MIGRATORY BIRDS

The Migratory Bird Treaty Act prohibits the take of migratory birds, their parts, nests, and eggs, even when incidental to an otherwise lawful activity. At the Service's recommendation, PSE&G has prepared an Avian Protection Plan (APP) for Alternative 2. The Service recommends adaptation and implementation of the APP for whichever alternative is selected. The Service provided comments on a draft of the APP in June 2010. We will provide further review and comments on the revised APP after PSE&G and NPS have selected a preferred alternative route through New Jersey. In addition, the Service generally recommends a seasonal restriction on tree clearing from March 15 to July 31 to prevent unauthorized take of nests and unfledged chicks.

## CONCLUSION

The proposed project may adversely affect the federally listed Indiana bat, bog turtle, dwarf wedgemussel and/or swamp pink. Therefore, further consultation with the Service is necessary pursuant to Section 7 of the ESA. Through the informal consultation process, the Service will continue to work cooperatively with NPS and PSE&G to avoid adverse effects to federally listed



species. We also appreciate your cooperation in evaluating and minimize impacts to the bald eagle and other migratory birds.

Except for the above-mentioned species, no other federally listed or proposed threatened or endangered flora or fauna are known to occur within the vicinity of the proposed project. If additional information on listed and proposed species becomes available or if project plans change, this determination may be reconsidered.

Please refer to our web site at <http://www.fws.gov/northeast/njfieldoffice/endangered/> for current lists of federally listed and candidate species in New Jersey. The web site also provides a link to the National Bald Eagle Management Guidelines, and contacts for obtaining current information regarding State-listed and other species of concern from the New Jersey Natural Heritage and Endangered and Nongame Species Programs.

Please contact Wendy Walsh at (609) 383-3938, extension 48, if you have any questions or require further assistance.

Sincerely,



J. Eric Davis Jr.  
Supervisor

Enclosures

cc via email:

DLUR, Tina Wolff, John Heilferty, Diane Dow, Larry Torok  
PAFO, Clint Riley  
PSE&G, Rob Pollock, David Grossmueller



IN REPLY REFER TO:

## United States Department of the Interior

NATIONAL PARK SERVICE  
Delaware Water Gap National Recreation Area  
Bushkill, Pennsylvania 18324

D5015

**JAN 10 2011**

Mr. J. Eric Davis Jr., Supervisor  
U.S. Fish and Wildlife Service  
New Jersey Field Office, Ecological Services  
927 North Main Street, Building D  
Pleasantville, New Jersey 08232

Dear Mr. Davis:

Thank you for your letter of October 21, 2010, (Reference 2008-I-0319) responding to our July 2010, data request. We have reviewed it and appreciate the information you provided therein. We are writing because we would like to clarify the scope of our current analysis and request additional information.

The National Park Service is currently developing the Susquehanna to Roseland Transmission Line Environmental Impact Statement to analyze whether to grant permits to the applicant (PPL and PSE&G) to construct a transmission line and expand the current right-of-way within three units of the National Park System: the Appalachian National Scenic Trail, Delaware Water Gap National Recreation Area, and Middle Delaware National Scenic and Recreation River. Our permitting authority is limited to the line's crossings within these three park units, therefore our analysis of direct effects is focused impacts accruing within the parks' boundaries. We will also be evaluating indirect and cumulative effects outside the parks, but it is critical that we have data to evaluate direct effects inside the three NPS units.

While the October 21, 2010, letter provided information on areas outside the park units, it did not provide information for areas within the park units. Therefore, we would like to request any information you have on federally listed species in the vicinity of the proposed alternatives within the park units.

If you have additional questions regarding this request or need additional maps of the alternative routes please feel free to contact me or the Project Manager, Amanda Stein at phone 570-426-2472 or by email [amanda\\_stein@nps.gov](mailto:amanda_stein@nps.gov). Thank you for your time and assistance in this matter.

Sincerely,

John J. Donahue  
Superintendent  
Delaware Water Gap National Recreation Area &  
Middle Delaware National Scenic and  
Recreational River  
(570) 426-2418

Pamela Underhill  
Superintendent  
Appalachian National Scenic Trail  
(304) 535-6279

Cc:

Michael Chezik, DOI Office of Environmental Policy and Compliance  
Patrick Lynch, National Park Service, DEWA  
Kara Deutsch, National Park Service, DEWA  
Amanda Stein, National Park Service, DEWA  
Patrick Malone, National Park Service, DSC  
Jennifer McConaghie, National Park Service, NER

Clint Riley, U.S. Fish and Wildlife Service  
Pamela Shellenberger, U.S. Fish and Wildlife Service  
Wendy Walsh, U.S. Fish and Wildlife Service

Denver Service Center - TIC  
Attn: SRLINE EIS  
12795 W. Alameda Parkway  
Denver, CO 80225-0287



**SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT  
CONSULTATION**



"Vincent Maresca"  
<Vincent.Maresca@dep.state.nj.us>

06/22/2010 10:05 AM

To <Amanda\_Stein@nps.gov>

cc "Dan Saunders" <Dan.Saunders@dep.state.nj.us>, "Kate Marcopul" <Kate.Marcopul@dep.state.nj.us>

bcc

Subject PSE&G Susquehanna to Roseland 500kV Line, Delaware Water Gap National Recreation Area, NPS

History:

✉ This message has been replied to.

HPO-F2010-164

Log#08-1556-14

Ms. Stein,

Thank you for contacting the New Jersey Historic Preservation Office (HPO) regarding the EIS for the above-referenced undertaking. The HPO is interested in consulting on this project pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR 800. Please address correspondences to Daniel D. Saunders, Deputy State Historic Preservation Officer, at the address below. Feel free to contact me with any questions.  
Regards,

Vincent Maresca  
Historic Preservation Specialist  
New Jersey Historic Preservation Office  
Phone: (609) 633-2395  
Fax: (609) 984-0578  
Email: Vincent.Maresca@dep.state.nj.us  
Website: <http://www.nj.gov/dep/hpo>

Mailing Address:  
Mail Code 501-04B  
State of New Jersey  
Department of Environmental Protection  
Historic Preservation Office  
PO Box 420  
Trenton, NJ 08625-0420



**RECEIVED**  
AUG 16 2010  
BY: \_\_\_\_\_

Delaware Tribe of Indians  
170 NE Barbara  
Bartlesville, Oklahoma 74006  
(918) 336-5272 FAX (918) 337-  
6591

August 10, 2010

Amanda Stein  
National Park Service  
Delaware Water Gap National Recreation Area  
Bushkill, Pennsylvania  
18324

Re: Susquehanna to Roseland 500kv Transmission Project – Phase I Archaeological Survey  
Revised End of Field Summary: The Delaware Water Gap National Recreation Area (New  
Jersey and Pennsylvania)

Dear Amanda Stein:

Thank you for informing the Delaware Tribe regarding the above referenced project. We concur with the recommendations given in the Phase 1 Archaeological Survey. If the project location cannot be moved, then a Phase 2 Archaeological Survey would be appropriate to determine the integrity of the archaeological sites that lie within the current project area. We wish to continue as a consulting party on this project and look forward to receiving a copy of the Phase 2 Survey if one is performed. We appreciate your cooperation and look forward to working together on our shared interests in preserving Delaware cultural heritage.

Sincerely,

Brice Obermeyer  
Delaware Tribe Historic Preservation Office  
1417 West  
Emporia, KS 66801

14 Recipients



IN REPLY REFER TO:

## United States Department of the Interior

NATIONAL PARK SERVICE  
Delaware Water Gap National Recreation Area  
Bushkill, Pennsylvania 18324

D5015(H4217)

JUL 18 2011

Karen Kieniatobe  
Absentee-Shawnee Tribe of Indians of Oklahoma  
2025 South Gordon Cooper Drive  
Shawnee, Oklahoma 74801

Dear Ms. Kieniatobe:

As we have notified you in previous correspondence, Park Managers are preparing an Environmental Impact Statement (EIS) to analyze the potential impacts for the proposed construction of a high-voltage electric transmission line traversing the park, Middle Delaware National Scenic and Recreational River (MDSR), and the Appalachian National Scenic Trail (APPA). We are writing to continue consultation regarding the proposed project and to request information regarding Tribal resources within the EIS study area.

We are seeking your input about this project in regard to three specific topics:

- Tribal Laws and Policy
- Ethnographic Resources
- Sacred Burial and Ceremonial Sites

We are interested in learning about your current tribal law and policy having to do with lands in the study area (see Project Summary below) and projects of this nature in the study area, as well as any information on any tribally-significant sites in the study area.

We recognize the importance of keeping location information about burial sites and ceremonial sites confidential---and will protect information you provide to the full extent of Federal laws (e.g. Archeological Resource Protection Act [ARPA]; American Indian Religious Freedom Act [AIRFA]; and the Native American Graves Protection and Repatriation Act [NAGPRA]). If you prefer providing non-written comments, we can arrange for consultation via phone or in-person.

We appreciate your attention to our request and to a deadline that we are working hard to meet. As such, we would appreciate your input within 30 days of receipt of this letter. We intend to include your information, except for that which is confidential, in the EIS document and will forward a copy of the draft EIS once our internal review has been completed.

### Project Summary

PPL Electric Utilities Corporation and PSE&G, jointly known as the applicant, are proposing to expand an existing 230,000 volt (230 kV) electric transmission line from Susquehanna (Berwick, Pennsylvania) to Roseland, New Jersey (the SR Line). The applicant's proposed action includes

replacing the existing 80 foot towers with newer larger towers (up to 200 feet high) and adding an additional 500,000 volt (500 kV) transmission line. This would necessitate widening the existing right-of-way (ROW), and in areas, would require granting additional legal rights beyond the applicant's current rights. The proposed action would also include constructing new access roads and rehabilitating and widening existing roads to access the transmission corridor. The EIS purpose and need is to address the applicant's proposed action and decide whether to grant the applicant permits, and if so, where and under what conditions would the construction of the upgraded transmission line be permitted. For additional background materials please see the National Park Service's Planning, Environment and Public Comment (PEPC) website:

<http://parkplanning.nps.gov/projectHome.cfm?projectID=25147>

#### EIS Alternatives and Analysis of Impacts

The EIS addresses the area affected by the 4.18 mile portion of the SR Line and additional areas affected by the alternatives drafted as part of the EIS process. The EIS would compare eight alternatives; seven action alternatives and the No Action alternative (Alternative #1). The No Action alternative allows the existing 230 kV line to remain, but the current request for construction and right-of-way permits would not be granted. The applicant's proposal is identified as Alternative #2. The applicant recently requested that the NPS analyze an additional alternative (Alternative #8). The alignment for Alternative #8 would follow the same route as described for Alternative #2. The difference between these two alternatives is that Alternative #2 would require widening of the ROW and Alternative #8 would construct the proposed 500 kV transmission line within the existing ROW; which in certain stretches is 100 feet in width. Alternative #8 would also require two additional 200 foot towers within NPS lands compared to Alternative #2. The five other routes developed by the NPS are identified as Alternatives #3, #4, #5, #6, and #7. Please see the enclosed map for the locations of the alternatives and currently known Tribal resources, identified from NPS records, the applicant's surveys, and our consultant's surveys.

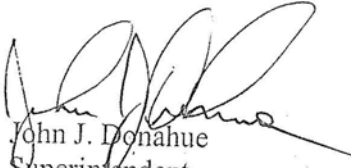
Included for your reference are maps (with accompanying table) of archaeological resources found in relation to the proposed Northeast Upgrade Project. The Tennessee Gas Pipeline Company (TGP) filed an application with the Federal Energy Regulatory Commission (FERC) on March 31, 2011, to expand its pipeline and associated infrastructure along the existing 300 line in Pennsylvania and New Jersey (*FERC Docket No. PF10-23*). The proposal does not include a potential crossing of DEWA, which includes the Middle Delaware National Scenic and Recreational River. The two alternatives listed in the document would in fact cross DEWA and MDSR, but are not the preferred alternative of the applicant. The Northeast upgrade consists of installing a pipeline loop segment which is pipeline constructed parallel to the existing pipeline to increase capacity. If the loop were constructed within the existing easement, as the two alternatives to the proposal would do, it would require the issuance of a new right-of-way to meet engineering and safety requirements. The current status is that TGP has applied for a permit from DEWA to conduct archeological investigations under the Archaeological Resources Protection Act. To date no application has been received.

#### Contact Information

Thank you for your cooperation. For general questions on our government-to-government relations, please feel free to contact us (see phone numbers below). For questions about the

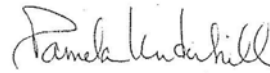
project please contact Amanda Stein by phone at (570) 426-2472 or by e-mail at amanda\_stein@nps.gov. If you have questions about cultural resource and tribal issues, please contact Brinnen Carter, Ph.D., by phone at (570) 588-3480 or by e-mail at brinnen\_carter@nps.gov.

Sincerely,



John J. Donahue  
Superintendent

Delaware Water Gap National Recreation Area &  
Middle Delaware National Scenic and  
Recreational River  
(570) 426-2418



Pamela Underhill  
Superintendent  
Appalachian National Scenic Trail  
(304) 535-6279

Enclosures (map and tables)

cc:

Leslie Morlock, National Park Service, DEWA  
Brinnen Carter, National Park Service, DEWA  
Kara Deutsch, National Park Service, DEWA  
Amanda Stein, National Park Service, DEWA  
Brent Allen, National Park Service, APPA  
→ Steven Culver, National Park Service, DSC  
Morgan Elmer, National Park Service, DSC  
Chuck Smythe, National Park Service, NER  
Jennifer McConaghie, National Park Service, NER

Mr. Douglas McLearen, Chief  
Pennsylvania Historical and Museum Commission  
Bureau for Historic Preservation  
Division of Archaeology and Protection  
400 North St., 2<sup>nd</sup> Floor  
Harrisburg, Pennsylvania 17120-0093

Mr. Daniel D. Saunders  
New Jersey State Historic Preservation Office  
Post Office Box 404  
Trenton, New Jersey 08625

Denver Service Center - TIC  
Attn: SRLINE EIS  
12795 W. Alameda Parkway  
Denver, Colorado 80225-0287



IN REPLY REFER TO:

## United States Department of the Interior

NATIONAL PARK SERVICE  
Delaware Water Gap National Recreation Area  
Bushkill, Pennsylvania 18324

D5015

**JUN 30 2011**

Wayne Donaldson  
Chairman, Advisory Council on Historic Preservation  
1100 Pennsylvania Avenue NW, Suite 803  
Old Post Office Building  
Washington, D.C. 20004

Dear Mr. Donaldson:

Officials from the National Park Service (NPS) are preparing a Draft Environmental Impact Statement (DEIS) to analyze the potential impacts for the proposed construction of a high-voltage electric transmission line traversing three NPS units in Pennsylvania and New Jersey. These units include Delaware Water Gap National Recreation Area (DEWA), Middle Delaware National Scenic and Recreational River (MDSR), and the Appalachian National Scenic Trail (APPA). The purpose of this letter is to inform you of the applicant's proposed project and to provide a status report on the NPS accomplishments to date.

### Project Summary

PPL Electric Utilities Corporation and PSE&G, jointly known as the applicant, are proposing to expand an existing 230,000 volt (230 kV) electric transmission line from Susquehanna (Berwick, Pennsylvania) to Roseland, New Jersey (the SR Line). The applicant's proposed action includes replacing the existing 80 foot towers with newer larger towers (up to 200 feet high) and adding an additional 500,000 volt (500 kV) transmission line. This would necessitate widening the existing right-of-way (ROW), and in areas, would require granting additional legal rights. The proposed action would also include constructing new access roads and rehabilitating and widening existing roads to access the transmission corridor. The DEIS purpose and need is to address the applicant's proposed action and decide whether to grant the applicant permits, and if so, where and under what conditions NPS managers would allow construction of the upgraded transmission line. For additional background materials please see the National Park Service's Planning, Environment and Public Comment (PEPC) website:

<http://parkplanning.nps.gov/projectHome.cfm?projectID=25147>

### EIS Alternatives and Analysis of Impacts

The EIS study area includes the area affected by the 4.18 mile portion of the SR Line and additional areas affected by the alternatives drafted as part of the DEIS process. The DEIS compares eight alternatives; seven action alternatives and the No Action Alternative (Alternative #1). The No Action Alternative allows the existing 230 kV line to remain, but the current request for construction and right-of-way permits would not be granted. The applicant's proposal is identified as Alternative #2. The applicant recently requested that NPS staff analyze an additional alternative (Alternative #8). The alignment for Alternative #8 would follow the same route as described for Alternative #2. The difference between these two alternatives is that Alternative #2 would require widening of the ROW and Alternative #8 would

construct the proposed 500 kV transmission line within the existing ROW (which, in certain stretches, is 100 feet in width). Alternative #8 would also require two additional 200 foot towers on NPS lands compared to Alternative #2. The five other routes developed by the NPS are identified as Alternatives #3, #4, #5, #6, and #7. Please see the enclosed map for the locations of these Alternatives.

From a discipline-based approach, NPS managers anticipate there will be both direct and indirect project effects on archaeological resources; historic structures; traditional cultural properties; cultural landscapes; scenic and historic vistas; landscapes; and ethnographic resources. NPS managers also anticipate that all action alternatives considered under the DEIS will have these effects. Thus, in accordance with Section #106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation, as revised in 1999 and 2004, the National Park Service has initiated formal consultation with the Pennsylvania Bureau for Historic Preservation; the New Jersey State Historic Preservation Office; and Tribal Governments in regard to the applicant's proposal. Additionally letters have been sent to the agencies and tribal governments listed in the enclosure.

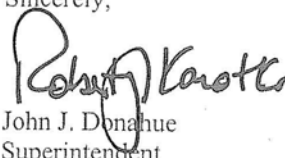
#### Public Involvement and Next Steps

Throughout the process, NPS managers have engaged and maintained communication with the public via press releases, newsletters, the Planning, Environment and Public Comment (PEPC) website, and a telephone hotline. Additionally, two public hearings were held to solicit input from the public and other interested stakeholders. Public scoping meetings were held in February 2010, whereby over 6,300 comments were received; in August 2010, over 1,700 comments were received during the public alternatives meetings. All comments were reviewed and substantive comments were incorporated into the analysis during the development of the DEIS.


Realizing that technical expertise provided by U.S. Fish and Wildlife (FWS) staff, at both the Ecological Services Division and the Cherry Valley National Wildlife Refuge (CVNWR), would contribute greatly towards reaching an important decision regarding potential impacts to wildlife and habitat with the DEIS study area, NPS managers invited and officials from the FWS accepted the role of Cooperating Agency. NPS and USFWS staff have held several calls and meetings to exchange information and discuss potential impacts. The NPS staff will review the first full draft of the DEIS in the summer of 2011; this is the first opportunity to review the entire document in context. NPS managers will hold public meetings in February 2012, to solicit comments on the first public release of the DEIS. The NPS Record of Decision is expected in December 2012.

For questions about the project please contact the project manager, Ms. Amanda Stein by phone at (570) 426-2472 or email at amanda\_stein@nps.gov. If you have technical questions about the cultural resource work please contact the Cultural Resources Manager, Brinnen Carter Ph.D. by phone at (570) 588-3480 or by email at brinnen\_carter@nps.gov.

Sincerely,



John J. Donahue  
Superintendent  
Delaware Water Gap National Recreation Area &  
Middle Delaware National Scenic and  
Recreational River  
(570) 426-2418



Pamela Underhill  
Superintendent  
Appalachian National Scenic Trail  
(304) 535-6279

Enclosures (map and agency/tribe list)



cc:

Leslie Morlock, National Park Service, DEWA  
Brinnen Carter, National Park Service, DEWA  
Kara Deutsch, National Park Service, DEWA  
Amanda Stein, National Park Service, DEWA  
Brent Allen, National Park Service, APPA  
Steven Culver, National Park Service, DSC  
Morgan Elmer, National Park Service, DSC  
Chuck Smythe, National Park Service, NER  
Jennifer McConaghie, National Park Service, NER

Mr. Douglas McLearen, Chief  
Pennsylvania Historical and Museum Commission  
Bureau for Historic Preservation  
Division of Archaeology and Protection  
400 North St., 2<sup>nd</sup> Floor  
Harrisburg, Pennsylvania 17120-0093

Mr. Daniel D. Saunders  
New Jersey State Historic Preservation Office  
P.O. Box 404  
Trenton, New Jersey 08625

Denver Service Center - TIC  
Attn: SRLINE EIS  
12795 W. Alameda Parkway  
Denver, Colorado 80225-0287



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*State of New Jersey*

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NATURAL & HISTORIC RESOURCES, HISTORIC PRESERVATION OFFICE  
PO Box 404, Trenton, NJ 08625-0404  
TEL: (609) 984-0176 FAX: (609) 984-0578  
www.state.nj.us/dep/hpo

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

BOB MARTIN  
Commissioner

April 21, 2010

Mr. Kristopher Beadenkopf  
The Louis Berger Group, Inc.  
412 Mount Kemble Avenue  
P.O. Box 1946  
Morristown, NJ 07962-1960

Re: Essex, Morris, Sussex, and Warren Counties, New Jersey  
Susquehanna to Roseland 500 kV Transmission Line – PSE&G – New Jersey

Dear Mr. Beadenkopf:

Thank you for submitting the following Phase I/II Archaeological survey report and preliminary-level Historic Architectural Surveys to the Historic Preservation Office (HPO) for review and comment:

Fortugno, Tina M. and Kristofer M. Beadenkopf  
March 2010 *Susquehanna to Roseland 500 kV Transmission Project, Phase I/II Archaeological Investigations, Warren, Sussex, Morris, and Essex Counties, New Jersey, Volumes I and II.* The Louis Berger Group, Inc., Morristown, NJ. Prepared for Public Service Electric and Gas, Newark, NJ. (Archaeological Investigations)

Van Steen, Deborah Baldwin, Carolyn Keenan and Kristofer M. Beadenkopf  
March 2010 *Susquehanna to Roseland 500 kV Transmission Project, Preliminary Survey of Historic Architecture, Warren, Sussex, Morris, and Essex Counties, New Jersey, Volumes I – IV.* The Louis Berger Group, Inc., Morristown, NJ. Prepared for Public Service Electric and Gas, Newark, NJ. (Preliminary Survey of Historic Architecture)

My comments on the Preliminary Survey of Historic Architecture are organized by Survey Volume. I have first listed all those properties where intensive level survey is requested. The next section of our comments identifies previously identified "known"

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properties within the Area of Potential Effects. Comments on the Archaeological Investigations are organized geographically and come last.

## **PRELIMINARY SURVEY OF HISTORIC ARCHITECTURE**

For any sites determined to be eligible for, or listed on the National Register of Historic Places, we ask that an assessment of effects be made. Please note that due to the substantial increase in tower height, adverse effects should be anticipated. In New Jersey, Freshwater Wetlands permits are reviewed under an Assumption Agreement with the Environmental Protection Agency (EPA). EPA requires that the review of the impact of NJDEP FWW permitted projects on historic properties must be at least as stringent as the federal Section 106 Review process. Section 106 requires, among other things: identification of historic properties, assessing project effects, and resolving adverse effects.

The Historic Preservation Office concurs with the assessment made in the above referenced Preliminary Survey of Historic Architecture that additional intensive level survey is needed for the following properties:

### Additional Intensive Survey Needed Volume 1

240 Weldon Road, Jefferson Township, Block 335, Lot 7  
224 Weldon Road, Jefferson Township, Block 335, Lot 6.03  
175 Weldon Road, Jefferson Township, Block 320, Lot 18  
1 Jessica Court, Jefferson Township, Block 306, Lot 15.25  
163 Weldon Road, Jefferson Township, Block 320, Lot 20.05  
544 Green Pond Road, Rockaway Township, Block 30201, lot 19  
332 Split Rock Road, Rockaway Township, Block 50003, Lot 9  
Split Rock Reservoir and Dam, Split Rock Road, Rockaway Township

The following properties must be evaluated for eligibility as a potential historic district and/or traditional cultural landscape rather than as individual farms:

The Looker-Lyon Farm/Oakside Farm, Charlotteburg Road  
Rockaway Township, Block 50002, Lot 1, 2, 3 and Block 50003, Lot 11, 12, 13, 14

Crane House, 322 Split Rock Road, Rockaway Township, Block 50003, Lot 7

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Rockaway Township, 327 Split Rock Road, Rockaway Township, Block 30901, Lot 6

Lyon House, 64 Lyonsville Road, Rockaway Township, Block 30901, Lot 1

Lyon House, 331 Split Rock Road, Rockaway Township, Block 31001, Lot 21

Crane House, 341 Split Rock Road, Rockaway Township, Block 31001, Lot 18

347 Split Rock Road, Rockaway Township, Block 31001, Lot 16

Additional Intensive Survey Needed Volume 2

Valley Farm (Decker-Kincaid Homestead) Barn Complex, 600 Powerville Road, Boonton Township, Block 2070, Lot 1. (The preliminary architectural survey recommends that this is a possible extension of Decker-Kincaid Homestead.)

Decker Kincaid House and Forge, 605 Powerville Road, Boonton Township Block 20601, Lot 15

101 Boonton Avenue and 103-105 Boonton Avenue, Montville Township Block 3/41.1, 41.02, 41.03

Vreeland House, 164 Boonton Avenue, Montville Township, Block 1, Lot 6

Vreeland House, 444 Main Road, Montville Township, Block 39.11, Lot 79

120 Waughaw Road, Montville Township, Block 21.1, Lot 18.3

12 Change Bridge Road, Montville Township, Block 82.20, Lot 2

Miller Homestead, 56 Millers Lane, Montville Township, Block 59.1, Lot 5

79 Change Bridge Road, Montville Township, Block 76, Lot 6

Beach House, 129 Old Change Bridge Road, Montville Township Block 123, lot 16

Samuel Stilcs House, 155 Change Bridge Road, Montville Township Block 131, Lot 16

We also ask for intensive level survey for the following property:

Lake Rickabear Girl Scout Camp

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414 Kinnelon Road  
Kinnelon Borough  
Block 300.01, Lot 7.01

Additional Intensive Survey Needed Volume 3

1 Sioux Avenue, Parsippany-Troy Hills, Block 549, Lot 5

Additional Intensive Survey Needed Volume 4

13 Harvest Avenue, East Hanover Township, Block 222, Lot 14

29 Klinger Road, East Hanover Township, Block 5.02/ 9

574 Ridgedale Avenue, East Hanover Township, Block 5, Lot 48

412 River Road, East Hanover Township, Block 38.06, lot 13

Swinefield Bridge, Eagle Rock Avenue over the Passaic River, East Hanover Township

Roseland Switching Station, 7 Eisenhower Parkway, Roseland Borough  
Block 33, Lot 4

The HPO also recommends that the intensive level survey be completed for:

Adoniram Pruden House, 644 Ridgedale Avenue, East Hanover Township  
Block 5, Lot 7.01

Appolis Pruden House, 632 Ridgedale Avenue, East Hanover Township  
Block 5, Lot 8.01

The HPO does not concur with the recommendation for intensive level survey on the following properties:

Proposed Eberhardt Road Streetscape Historic District  
East Hanover Township, (Volume 4, Map number 142 – 158)

424 River Road, East Hanover Township, Block 38.06, Lot 16

**Known Historic Properties**

Known Historic Properties Volume I

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Ogden/ Talmadge House, at 5125 Berkshire Valley, Jefferson Township, has previously been identified a contributing resource to the Talmadge Archaeological and Historic Complex. We concur with your assessment that an updated survey is needed.

Picatinny Arsenal 600 Ordinance Testing Area District, Rockaway Township, SHPO  
Opinion of eligibility 7/2/1999

Navy Commander's Quarters (Building 3250) Picatinny Arsenal Rockaway Township,  
SHPO opinion 7/21/1999

Stable Building 3316, Picatinny Arsenal Rockaway Township, SHPO opinion 7/21/1999

1500 Rocket Test Area Historic District, SHPO opinion 4/20/1999

Split Rock Furnace, Split Rock Road, Rockaway Township Block 31001, Lot 310, NR  
11/16/1974, SR 7/1/1974

Looker-Lyon Farm/ Oakside Farm, Charlotteburg Road, Rockaway Township  
Block 50002, Lot 1, 2, 3 and Block 50003, Lot 11,12,13,14

#### Known Historic Properties Volume 2

Decker-Kincaid Homestead, Valley Farm, 591 Powerville Road, Boonton Township  
Block 20601, Lot 11, NR 3/9/2005, SR 1/4/2005

Van Duyne- Jacobus House, 29 Change Bridge Road, Montville Township  
Block 59.02, Lot 3, Already identified properties:

Morris Canal, Montville Township

Parsonage of the Montville Reformed Dutch Church, (Cornelius T. Doremus House)  
107 Change Bridge Road, Montville Township, Block 123, Lot 2

Demarest Farmhouse, 140 Old Change Bridge Road, Montville Township  
Block 124.9, Lot 10.03

#### Known Historic Properties Volume 3 & Volume 4

No known properties were identified.

### **ARCHAEOLOGICAL INVESTIGATIONS**

The above-referenced report documents the results of Phase I and Phase II archaeological survey of a majority of the area of potential effects (APE) for the above-referenced project. This report does not include the results of archaeological

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08-1556-9

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investigations undertaken within the boundaries of the Delaware Water Gap National Recreation Area. The report states that the archaeological survey report for the portion of the APE extending through the Delaware Water Gap National Recreation Area (DWGNRA) will be submitted separately.

### Report Comments

Archaeological survey of the project APE (outside of the DWGNRA) identified a total of eight previously unrecorded archaeological sites, refined the boundaries of previously recorded site 28-Mr-340, and documented extensive features associated with the [REDACTED]. The HPO has reviewed the archaeological survey report and has the following questions/comments:

#### Warren County

Shovel testing of AR1 APE identified two loci of prehistoric material which were registered as the Susquehanna to Roseland Line Prehistoric Site 1, 28-Wa-648, and the Susquehanna to Roseland Line Prehistoric Site 2, 28-Wa-649. These sites are located 234 feet apart. The consultant was not able to determine whether these loci are two different archaeological sites or part of the same site based upon the testing that was completed. However, based upon the nature of the material recovered at both of these loci, Berger concluded that the Susquehanna to Roseland Line Prehistoric Site 1, 28-Wa-648, and the Susquehanna to Roseland Line Prehistoric Site 2, 28-Wa-649, may be eligible for listing on the National Register of Historic Places. However, no additional archaeological survey work was recommended because the project, as proposed, will not affect either of these two sites. *The HPO concurs with this conclusion.* However, if no ground disturbing activities are proposed for this portion of the project APE, it is not clear why this area was subjected to subsurface testing as part of the survey. *Nonetheless, proposed project activities in this location should be detailed in order to determine whether additional archaeological survey or protective measures may be necessary.*

#### Sussex County, Stillwater Township

The excavation of shovel test PT229-1 identified a diversity of debitage and potential stone tools including a utilized flake and endscraper. This site was registered as the Susquehanna to Roseland Line Prehistoric Site #4, 28-Sx-448. Berger concluded that the site is not eligible because of the localized and limited nature of the deposit. However, adequate testing has not been conducted to make that conclusion. Nonetheless, according to the report, the project has been redesigned, and impacts to site 28-Sx-448 will be avoided. Therefore, Berger recommends no further work. *The HPO concurs with this recommendation.* However, proposed project activities in this location should be detailed in order to determine whether additional archaeological survey or protective measures may be necessary.



Shovel testing of the AR80 APE identified a lithic deposit that was registered as the Susquehanna to Roseland Line Prehistoric Site #3, 28-Sx-447. Additional testing at the Phase II level produced additional chert and quartzite lithic debitage, and led Berger to characterize the deposit as a lithic reduction station. Based upon the absence of temporally diagnostic artifacts, Berger concluded that site 28-Sx-447 is not eligible for listing on the National Register of Historic Places. *The HPO concurs with this conclusion.*

#### Fredon Township

Berger notes the presence of a previously recorded archaeological site within the AR18 APE. However, the report notes that this APE was not tested during the present archaeological survey because the right-of-way had not yet been acquired by PSE&G. Berger notes that this APE still needs to be tested prior to project implementation to identify archaeological deposits that may be present. *The HPO concurs with this recommendation.*

Berger notes that the AR31 APE contains potential features associated with the [REDACTED]. However, the report notes that the AR31 APE was not tested during the present archaeological survey because the right-of-way had not yet been acquired by PSE&G. Berger notes that this APE still needs to be tested prior to project implementation to identify archaeological deposits that may be present. *The HPO concurs with this recommendation.*

The cultural resource survey identified several archaeological resources outside of the current APE for AR30 and AR25. The Susquehanna to Roseland Line Prehistoric Site #5, 28-Sx-449, lies outside of the AR25 APE. In addition, two mortared stone features were situated east of the AR30 APE. No cultural material associated with either of these two sites was located within the APE. Therefore, Berger did not recommend additional archaeological survey. *The HPO concurs with this assessment. However, it is important to note that if project plans change so that the project will affect these resources, additional survey and/or documentation will be necessary.*

#### Hopatcong Township

A single piece of fire cracked rock was recovered from one shovel test in the AR35 APE. Radial shovel tests did not yield additional cultural material leading Berger to conclude that the piece of FCR was an isolated find. *The HPO concurs with this assessment.*

Two possible rock shelters were identified within the APE for the Hopatcong Switching Station. However, surface inspection of these rock shelters identified no cultural material. Two additional prehistoric sites were identified during shovel testing of the Switching Station APE, the Hopatcong Switching Station Prehistoric Site #1 (28-Sx-450) and the Hopatcong Switching Station Prehistoric Site #2 (28-Sx-451). Phase I



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testing of the Hopatcong Switching Station Prehistoric Site #1 (28-Sx-450) yielded chert, rhyolite, and argillite debitage. Subsurface testing at the Phase II level consisted of additional shovel tests which yielded additional lithic debitage indicative of early lithic reduction activities. Berger concluded that the Hopatcong Switching Station Prehistoric Site #1 (28-Sx-450) represents a transient lithic reduction station. Because of the lack of temporally diagnostic artifacts, Berger concluded the Hopatcong Switching Station Prehistoric Site #1 (28-Sx-450) does not meet the criteria of National Register eligibility. *The HPO concurs with this assessment.*

Phase I testing of the Hopatcong Switching Station Prehistoric Site #2 (28-Sx-451) yielded fire cracked rock and lithic debitage. Additional testing at the Phase II level yielded quartz, argillite, chert debitage representing early lithic reduction activities. Because of the lack of temporally diagnostic artifacts, Berger concluded the Hopatcong Switching Station Prehistoric Site #2 (28-Sx-451) does not meet the criteria of National Register eligibility. *The HPO concurs with this assessment.*

#### Morris County/Jefferson Township

Shovel testing completed as part of the ET125/PT118A APE yielded a single red jasper bifacial thinning flake. Radial tests excavated did not yield additional artifactual material. Therefore, Berger concluded that the bifacial thinning flake represented an isolated find. *The HPO concurs with this assessment.*

Page 10.63 of the report notes that a dry laid rock wall was observed near shovel tests ET126PT118B-8 and ET12PT118-13. However, the eligibility of these features was not assessed in the survey report, and it is not clear whether this feature will be affected by proposed project activities. *Please clarify the nature and potential impacts of proposed project activities relative to the rock wall feature.*

The AR39.1 APE is situated in close proximity to the National Register of Historic Places eligible [REDACTED] Pedestrian reconnaissance identified 11 pit/shaft features approximately one meter below the ground surface, five linear shaft features, large mounds of stacked rock fragments along the shoulder of AR39.1, and four foundations on either side of the road. Thirty-one shovel test pits excavated in this area yielded historic period material including nails, anthracite coal, and sheet metal. According to the report, if proposed activities in this area consist of the addition of gravel to the existing road, Berger recommends no additional survey work in the APE. However, if more extensive project activities are proposed, Phase II archaeological investigation is necessary. *The HPO concurs with this assessment. Please provide a detailed description of proposed project activities in this area so that the need for Phase II archaeological testing can be determined.*

#### Rockaway Township

#### Picatinny Arsenal

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Shovel test PT99-4 produced two prehistoric artifacts, a chert bifacial reduction flake and a rhyolite flake. As a result, Berger excavated radial shovel test pits at 25-foot intervals around shovel test PT99-4. These radial shovel tests did not produce additional cultural material, and as a result, Berger concluded that the two flakes represent an isolated deposit, and did not recommend additional testing. *The HPO does not concur with this assessment based upon the justification provided. Specifically, the HPO disagrees that the testing interval of 25-feet used in the placement of radial shovel tests is close enough to identify the presence of additional prehistoric archaeological deposits that may be present. Please provide additional information regarding the use of such a wide testing interval in the placement of the radial shovel tests. If adequate justification cannot be made, additional shovel testing to determine the presence of additional prehistoric cultural material will be necessary.*

Shovel testing at ET107/PT97 produced one chalcedony flake and one quartz crystal. Radial testing produced additional lithic debitage, and Berger registered the deposit as Susquehanna to Roseland Line Prehistoric site #6 (28-Mr-349). Phase II testing was conducted consisting of additional radial tests and excavation units. The artifact assemblage consisted of lithic material representing limited early stage tool production, experimentation, and exploitation. Based upon the lack of temporally diagnostic material, Berger concluded that the Susquehanna to Roseland Line Prehistoric site #6 (28-Mr-349) did not meet the criteria for National Register of Historic Places eligibility. *The HPO concurs with this assessment.*

The AR44.2 APE is situated adjacent to previously recorded site 28-Mr-340. Shovel testing completed within the APE identified lithic material in intact subsoils associated with 28-Mr-340. Berger recommended that PSE&G avoid impacts to this site, and according to the report, the project was subsequently redesigned. Therefore, no additional survey is recommended at this location unless project plans change, and avoidance of site 28-Mr-340 is no longer possible.

#### Montville Township

The project APE traverses the Morris Canal Historic District which was listed on the National Register of Historic Places on October 1, 1974 and on the New Jersey Register of Historic Places on November 26, 1973. However, despite the presence of the Morris Canal Historic District within the APE, no archaeological testing was conducted. The report contends that the area has been disturbed by a gas pipeline. However, the photograph in the report that was intended to show the disturbance in the area of the Morris Canal was obscured by a truck. *Please explain in more detail why the area of the Morris Canal Historic District was not tested as part of the current survey. If adequate justification for excluding this area from subsurface testing cannot be provided, subsurface testing of the APE in the area of the Morris Canal Historic District will be necessary.*

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Three prehistoric artifacts were recovered from disturbed contexts in shovel test pit PT38-1, two flakes and a piece of fire cracked rock. Radial tests did not yield additional cultural material, and as a result, Berger concluded the deposit is not eligible for listing on the National Register of Historic Places. *The HPO concurs with this assessment.*

Two dry laid foundations, each measuring approximately 20 feet by 21 feet were documented to the northeast of the AR57 APE. Shovel testing in the APE yielded historic and prehistoric artifactual material. (Shovel test AR57-11E19, located immediately west of the foundations, produced the densest artifact deposit.) Radial testing determined that the prehistoric artifact was an isolated find. However, radial tests did yield additional historic artifactual material dating from the mid-19<sup>th</sup> century to the mid-20<sup>th</sup> century. An examination of census data, deeds, historic period maps and other land records did not yield additional data that would associate the deposit with a particular person or persons. Berger concluded that this deposit is not a site according to New Jersey State Museum guidelines, and therefore, was not registered. *The HPO disagrees.* While the material found within the APE may not be significant, there may be additional historic archaeological deposits associated with the foundations that are situated outside of the APE for the current project. The site should be registered with the New Jersey State Museum for the benefit of future researchers.

#### Parsippany-Troy Hills Township

Testing within the AR74 APE produced both prehistoric and historic period cultural material in four shovel tests. Radial tests at 25-foot intervals were excavated, but no cultural material was recovered, and the prehistoric artifacts were determined to each be isolated finds. Berger recommended no additional archaeological survey work. *The HPO disagrees with this recommendation. As stated above, the use of a 25-foot testing interval is not adequate to identify the presence of additional prehistoric archaeological deposits that may be present. Generally, radial shovel tests placed at a minimum of 10-foot intervals are used to identify the presence of an archaeological site at a particular location. Please provide additional information regarding the use of such a wide testing interval in the placement of the radial shovel tests. If adequate justification cannot be made, additional shovel testing to determine the presence of additional prehistoric cultural material will be necessary.*

#### East Hanover Township

The report notes that ET25(82/5) and ET24(83/1) were excluded from shovel testing because of the presence of wetlands. *The HPO requests clarification regarding the exclusion of these tower locations from shovel testing. Were the proposed tower locations situated in standing water? Were these locations examined during pedestrian reconnaissance for the presence of knolls within the larger wetlands where there might be evidence for prehistoric occupation in the area?*

Testing within the location for the proposed East Hanover Switching Station identified two loci of prehistoric material, the B-9 locus and the E-2 locus. Additional tests excavated around the E-3 locus did not produce cultural material. As a result, Berger concluded that the E-3 locus was an isolated deposit. *The HPO concurs with this conclusion.*

Radial tests were excavated around the B-9 locus, and yielded three jasper flakes and a chert bifacial reduction flake. The site was registered as East Hanover Switching Station Prehistoric Site (28-Mr-346). Based upon the lack of features and the lack of temporally diagnostic artifactual material, Berger determined the site did not meet the criteria of National Register of Historic Places eligibility. *The HPO disagrees. While radial testing is useful for determining whether prehistoric material is an isolated find of part of a larger archaeological site, shovel testing does not provide the best lens for determining whether features are present. As a result, the HPO does not believe that adequate testing at the Phase II level was conducted to assess the site's eligibility. In addition, it appears from the maps included in the report that the site of the proposed East Hanover Switching Station is situated within the floodplain of the Passaic River. However, the potential for deeply buried deposits was not addressed in the archaeological survey report. Additional survey work is necessary to: 1) assess the potential for deeply buried deposits to exist within the switching station APE, 2) identify any deeply buried deposits, if there is potential for them to exist within the APE, and 3) assess the National Register of Historic Places eligibility of the East Hanover Switching Station Prehistoric site (28-Mr-346) through the excavation of larger excavation units.*

#### General Comments

In the summary of the subsurface testing conducted during the current investigation, the report notes that the total length of the APE assessed to have high, medium, or low sensitivity for the presence of archaeological resources is 54.2 miles. In addition, the total area of proposed switching stations assessed to have high, medium, or low sensitivity for the presence of archaeological resources is 21.54 acres. Based upon the minimum testing density of 17 shovel tests/acre specified in the Office's archaeological survey standards, the archaeological survey should have included the excavation of 5,723 shovel tests. Furthermore, even limiting subsurface testing to areas determined to have high archaeological sensitivity would require a total of 2895 shovel test pits, at the required density of 17 shovel tests/acre. However, as noted in the report, the actual number of shovel test pits excavated as part of the current survey was 2,460. According to the data provided in Chapter 11 of the report, the archaeological survey did not include adequate subsurface testing to meet the Historic Preservation Office's Phase I archaeological survey requirements, pursuant to N.J.A.C. 7:4-8.4. Please explain the discrepancy between the actual number of tests excavated during the survey and the Phase I archaeological survey requirements.

#### Editorial Comments



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1. Pages 6.1 and 6.2 appear twice in the report
2. Pages 8.4 through 8.7 appear twice in the report
3. Pages 10.2 to 10.19 appear twice in the report
4. A CD with a PDF copy of the report was not included with the submission, pursuant to N.J.A.C. 8.9(a)2. Please submit the required CD with a PDF copy of the revised report at your earliest convenience.

#### Additional Comments

Recent public comments submitted to the National Park Service regarding their intent to prepare an Environmental Impact Statement for the project under the National Environmental Policy Act (NEPA) asserted that the area of potential effects (APE) under Section 106 of the National Historic Preservation Act (NHPA) and NEPA should encompass the entire right-of-way for the proposed project. However, the report suggests that the APE for the purposes of Section 106 has been defined as the area of the DWGNRA. In light of the above, it is important to note that at the initiation of Section 106 consultation, the APE for the undertaking will need to be defined, and the comments noted above will need to be addressed. At the initiation of consultation, the lead federal agency will also need to clarify whether it intends to coordinate Section 106 consultation with the NEPA process, pursuant to 36 CFR §800.8.

Thank you for providing the opportunity to review and comment on the above-referenced survey report. We look forward to continuing consultation on this project. Please do not hesitate to contact Kate Marcopul of my staff at [kate.marcopul@dep.state.nj.us](mailto:kate.marcopul@dep.state.nj.us) with any questions regarding archaeology or Meghan Baratta of my staff at [Meghan.baratta@dep.state.nj.us](mailto:Meghan.baratta@dep.state.nj.us) with any questions regarding historic architecture, historic districts, or historic landscapes.

Sincerely,



Daniel D. Saunders  
Acting Administrator and  
Deputy State Historic  
Preservation Officer

C: John J. Donahue, Superintendent, DEWA  
Pamela Underhill, Superintendent, APPA  
Lou Cattuna, DEP LUR  
Elliott Ruga, NJ Highlands Coalition  
Montville Historic Preservation Commission



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State of New Jersey

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

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CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

BOB MARTIN  
Commissioner

July 28, 2010

John J. Donahue, Superintendent  
Delaware Water Gap National Recreation Area  
HQ 1 River Road, off US 209  
Bushkill PA 18324-9999

Re: S-R Line Expansion through DEWA  
Effects on Historic Properties

Dear Mr. Donahue:

Thank you for providing the following archaeological survey report for our review and comment regarding "professional sufficiency and quality" (received in the HPO on June 22, 2010). It is understood that Section 106 consultation for the proposed undertaking will be initiated at a later date.

Beadenkopf, Kristofer, M., and Tina M. Fortugno

May 2010 *Susquehanna to Roseland 500 kV Transmission Project, Phase I  
Archaeological Survey, Revised End of Field Summary, The Delaware Water Gap  
National Recreation Area (NJ and PA)*. The Louis Berger Group, Inc., Morristown NJ.  
Submitted to PPL Electric Utilities Corp, Allentown PA.  
HPO accession no. MULT C 841h, ID 9430

Your cover letter also requests our comments concerning archaeological work required for this project by New Jersey laws and rules. The New Jersey Freshwater Wetlands Protection Act is a state law that applies uniformly to all portions of the Area of Potential Effect (APE) within New Jersey. The implementing regulations for this Act [N.J.A.C. 7:7A-7.2(b)(9)] state, "construction activities conducted under the authority of a FW Individual Permit shall not adversely affect a property listed or eligible for listing in the New Jersey or National Register of Historic Places [National Register] unless the applicant demonstrates to the Department that the proposed activity avoids or minimizes impacts to the maximum extent practicable or the Department determines that any impact to the affected property would not impact the property's ability to continue to meet the criteria for listing in [the National Register] or otherwise negatively impact the integrity of the property or the characteristics of the property that led to the determination of listing or eligibility. The Department shall not issue a conditional permit if it finds that the mitigation proposed is inadequate to compensate for the adverse affect. Any permit for an activity which may adversely affect a property listed or eligible for listing on the New Jersey or National Register

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of Historic Places shall contain conditions to ensure that any impact to the property is minimized to the maximum extent practicable and any unavoidable impact is mitigated.”

The requirements of this state law parallel those of Section 106 of the National Historic Preservation Act, i.e., identify historic properties within the APE, then see that they are treated appropriately to avoid, minimize, and/or mitigate any adverse effects from direct and indirect project activities. This state law thus requires the same steps of archaeological work required by Section 106 archaeological work: Phase I survey to locate sites, Phase II work to evaluate National Register eligibility, and Phase III treatment plans to avoid, minimize, and/or mitigate any adverse effects.

The reported project methodology meets the archaeological survey requirements for work in New Jersey conducted pursuant to state law (N.J.A.C. 7:4-8.4). The stratification of the surveyed area into high, moderate, low, and no potential subareas was well designed. The on-the-ground survey methods and techniques were well implemented. The density and intensity of shovel testing meets New Jersey requirements. It is understood that the deep testing of Holocene soils within the Delaware River Valley portion of the APE will be conducted as part of Phase II investigations of [REDACTED].

Text contains  
sensitive  
archeological  
resource  
information

I concur with the authors' preliminary assessments of potential for identified sites to be eligible for listing in the National Register, and the recommendation to cordon off and avoid ground disturbing project construction activities in all identified site areas except that of prehistoric archaeological site [REDACTED], which will be the sole focus of Phase II investigations on the New Jersey side of the river. This plan is in accord with New Jersey laws and regulations.

#### Phase II Archaeological Investigations at [REDACTED]

We look forward to consulting on plans for National Register eligibility evaluation work at this prehistoric site. We also request to consult on planning for geomorphological work to be done as part of the effort that includes the Phase II work at [REDACTED].

#### Additional Comments

The plan for a unified, comprehensive final report for all Phase I, II, III DEWA archaeological work for this project is acceptable. Continuity of the consultant and principal investigator in direct charge of the work is very important in this case where there should be continuity in the overall scientific methodology through all collection and analytical work. For example, part of the reporting requirements for Phase I surveys is to assess the accuracy of the archaeological site location predictive model that provided the basis for the rest of the survey methodology. If Phase II and possibly Phase III work at [REDACTED] yield additional quantities of recovered artifacts, it is important for data collection techniques and methods to carry through from earlier phases of work to maximize potential for data analysis to yield

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results that will contribute important information to research topics identified for the project. The principal investigator who designed the methodology is best qualified for this.

Text contains  
sensitive  
archeological  
resource  
information

If  is found to be eligible for listing in the National Register as a result of Phase II investigation, we look forward to consulting with you concerning treatment options to avoid, minimize, and/or mitigate any adverse effects.

Please contact Vincent Maresca (phone 609-633-2395 or email Vincent.Maresca@dep.state.nj.us) with any questions.

Sincerely,



Daniel D. Saunders  
Deputy State Historic  
Preservation Officer

MG:V:Hpo/Adm/Staff/Gregg/Letters/Lur/08-1556-017 S-R Line in DEWA

c: Pam Underhill, APPA  
Amanda Stein, DEWA  
Brinnen Carter, DEWA  
Kris Beadenkopf, Berger  
Jeffrey Luzenski, PPL

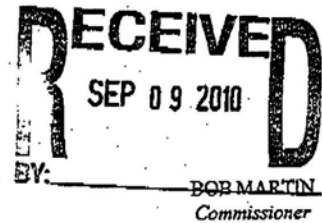




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HPO-H2010-281  
08-1556-11



CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

August 31, 2010

Kristofer M. Beadenkopf, RPA  
Senior Archaeologist  
The Lotus Berger Group, Inc.  
412 Mount Kemble Avenue  
PO Box 1946  
Morristown, New Jersey 07962-1946

Dear Mr. Beadenkopf:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published in the *Federal Register* on December 12, 2000 (65 FR 77725-77739) and amended on July 6, 2004 (69 FR 40544-40555), I am providing continuing consultation comments for the following proposed undertaking:

Sussex County, Stillwater Township, Fredon Township, Newton Township,  
Andover Township, Sparta Township, Byram Township, and Hopatcong  
Township  
Warren County, Hardwick Township  
PSE & G Susquehanna to Roseland 500 kV Transmission Line, 09-077

These comments were prepared in response to your request for HPO review and comment on the following report:

"Susquehanna to Roseland 500 kV Transmission Project, Preliminary Survey of  
Historic Architecture Hardwick Township, Warren County and Stillwater,  
Fredon, Newton, Andover, Sparta, and Byram Townships Sussex County, New  
Jersey" prepared by The Louis Berger Group, Inc. May 2010.

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### **Previously Identified Historic Properties**

Based on a review of the Historic Preservation Office's GIS information and shape files of the Area of Potential Effect provided by the consultant, the following properties are previously identified properties within the project area:

- Appalachian Trail (DOE 8/22/1978, SHPO Opinion 6/14/1978)
- Stillwater Historic District (SHPO Opinion 3/18/2003)
- Old Mine Road Historic District (NR listed 12/3/1980, SR 10/2/1975)
- Harmony Hill United Methodist Church (NR 19/19/1977, 6/13/1977)
- Stillwater Historic District (SHPO Opinion 3/18/2003)

### **Preliminary Survey of Historic Architecture**

Thank you for initiating consultation for the Western portion of this project. These comments do not address properties within the Delaware Water Gap National Recreation Area (DWGNRA). It is our understanding that a report concerning DWGNRA will be submitted separately. The HPO generally concurs with survey recommendations as listed in Table 3 (pages 398-403). However, contrary to the reports recommendations, the HPO requests intensive level survey for the following properties:

- 46. 471-479 Route 94, Fredon Township (Photograph is such that HPO cannot dismiss intensive level survey)
- 74. Saint Paul's Abbey, Andover and Newton Townships
- 84. 25 Perona Road, Andover Township (Photograph is such that HPO cannot dismiss intensive level survey)
- 86. Crusier Club, Byram Township (This property may contribute to the significance of the Lake Mohawk Reservation based upon period of significance. Please explore this in intensive level survey.)

Please note many of the property descriptions of resources within the Lake Mohawk Reservation either do not recommended further survey work or do not include any recommendations at all. However, all the properties appear on Table 3 (properties to be surveyed). The HPO requests confirmation that all the properties listed within the Lake Mohawk will be surveyed at an intensive level. If a house is deemed non-contributing to the district, due to alterations, please specifically address whether the alterations to the properties cause the buildings to no longer convey its historic association or diminish its character.

Additionally, in regards to the Stillwater Historic District, please note that the Casper and Abraham Shafer Gristmill Complex is within the boundaries of the district and is individually listed. The period of significance of the Gristmill is listed as 1741-1959. As the Casper and Abraham Shafer Gristmill would be a key contributing resource to the district, the period of significance (POS) of the district would go to at least 1959. Please note that the previous SHPO Opinion has a later POS than the consultant suggestion of 1954. Please consider all documentation and present sufficient justification for the POS suggested in the upcoming report.

08-1556-11

If you have any questions regarding this letter, please contact Michelle Hughes at (609) 984-6018. Thank you.

Sincerely,



Daniel D. Saunders  
Deputy State Historic  
Preservation Officer

CC: President, Highlands Coalition  
Clerk, Stillwater Township  
Historical Society of Stillwater Township  
Clerk, Fredon Township  
Clerk, Newton Township  
Clerk, Newton Township  
Newton Township, Historic Advisory Preservation Commission  
Clerk, Andover Township  
Historical Society of Andover Borough  
Clerk, Sparta Township  
Sparta Historical Society  
Clerk, Byram Township  
Clerk, Hopatcong Township  
Clerk, Hardwick Township  
Superintendent, Delaware Water Gap National Recreation Area  
Elliot Ruga, New Jersey Highlands Coalition

