

December 2, 2008

Ms. Terry Pilawski, Chief
Bureau of Watershed Regulation
NJDEP Division of Watershed Management
P.O. Box 418
401 E. State St.
Trenton, NJ 08625

RE: Highlands Applicability Determination (HAD) application for PSE&G's proposed
Susquehanna-Roseland expansion project

Dear Ms. Pilawski:

The undersigned organizations request an extension of the public comment period on PSE&G's Highlands Applicability Determination (HAD) application for the proposed Susquehanna-Roseland transmission line expansion project.

We also request a non-adversarial hearing, to be held within the Highlands Region, to allow a meaningful opportunity for the public to provide oral and written testimony on the proposed project's HAD application.

The scope and nature of the project are such that we are concerned that a 30-day public comment period is not sufficient to allow all interested parties the opportunity to carefully review the PSE&G's HAD application. Although affected municipalities have been notified and furnished a copy of this HAD application, many governing bodies, including planning boards and environmental commissions meet on a monthly basis, making their review of the application difficult or unlikely. In our opinion, every affected municipality should have the opportunity for their environmental commission to review the HAD application. Additionally, all interested members of the public living adjacent to the existing right-of-way or proposed access routes or who are interested in more carefully examining the potential environmental, health, scenic, recreational and construction impacts of this proposed project should be given adequate opportunity to do so. The current 30-day comment period does not provide an adequate opportunity. **An extended public comment period would allow municipalities to notify their residents of the application, how to view it, as well as where and when public comments should be submitted.**

Members of the public presently have the opportunity to review the HAD application at the NJDEP offices in Trenton, at the Highlands Water Protection and Planning Council offices in Chester, and at the offices of any municipalities located along the power line. However, since most affected property owners work full time, opportunities to review the application outside of normal working hours are not sufficient. PSE&G will be holding four public workshops on December 9th and 17th in Sussex County, and December 8th and 16th in Morris County. These public workshops could provide a reasonable opportunity for the public to examine the maps and other documents related to the project and the HAD application, and ask questions related to the impacts of the project. Therefore, **we urge the DEP to extend the public comment 30 days beyond the date of the last scheduled PSE&G workshop,** thus allowing for the public to gain a

better understanding of the HAD application process and the requirements of Exemption #11, for which PSE&G has applied.

We also request that PSE&G's HAD application be provided online for public review from any Internet accessible computer. The aerial maps at the scale of 1" = 200' provided in the HAD application contain essential information, and should be included online, although we recognize that there may be difficulties in digitizing them.

The HAD application shows the location of many access routes proposed to move equipment and material into and out of the existing right-of-way. These access routes will create impacts to residential streets and neighborhoods near the right-of-way. Members of the public may wish to provide comments to the DEP regarding the HAD application and the impacts these access routes will have on water resources, critical wildlife habitat, recreational opportunities, and scenic and historic resources, as well as other potential impacts as they relate to the goals and purposes of the Highlands Act.

There is a severe deficiency in the maps provided by PSE&G in the HAD application. The maps do not identify and delineate publicly owned and preserved lands. In order to judge the project's impacts on critical wildlife habitat, water resources, preserved farmland and recreational, scenic and historic resources, it is essential to see where access routes or other construction features are proposed on, across or near to existing state, county, municipal or non-profit open space lands or preserved farmland. These lands were purchased using taxpayer financed public funds to protect their environmental, recreational, historic and scenic values. Nearly all of these lands were purchased, fully or in part, with DEP Green Acres funding. Therefore it is essential that the public be given opportunity to examine and provide comments regarding any impacts to preserved open space. The Highlands Council has mapped open space lands and preserved farmland in the Highlands Region and the data is publicly available. **We request that PSE&G provide a series of maps showing the proposed expansion route, the proposed access roads, the proposed Jefferson Switching Station and their relationship to all federal, state, county, municipal and non-profit lands so that the public can be fully aware of any potential impacts to these publicly owned properties.** Preferably, this public lands information should be added to the current aerial photo maps, as well as the smaller scale maps.

Interested members of the public may also not be aware of the opportunity to comment on PSE&G's HAD application. A project of this scope and nature will have impacts far beyond a single site or block and lot. Therefore, we believe that notification of the opportunity to provide public comments on the HAD application should be expanded beyond the NJDEP Bulletin, an online resource that is not proactively distributed by mail in hard copy or by email. **Information regarding the opportunity to provide public comments to the DEP on the HAD application should be noticed in newspapers of record along the affected line and posted on the bulletin board of every municipality along the route within the Highlands Region.**

In summary, we believe that our requests for an extension of the public comment period by an additional 30 days; a public hearing scheduled after the applicant's public workshops; distribution of maps with significant attention to public/open space lands; improved public outreach via the newspapers of record; and internet access to the application's documents are reasonable considering the substantial and unprecedented scope and nature of this project in the Highlands Region, as identified by the 2004

Highlands Water Protection and Planning Act. This landmark statute was found necessary to protect the drinking water supplies and natural, historic, cultural, scenic and recreational resources of the Highlands for over 5.4 million New Jersey residents and businesses. It is important that PSE&G's HAD application is carefully considered for its "*consistency with the goals and purposes of the Highlands Water Protection and Planning Act*" by both the public and the DEP before a final decision is reached.

Thank you very much for your consideration of our requests.

Contact information:

Mark Zakutansky, New Jersey Highlands Coalition
508 Main St. Boonton, NJ 07005
Ph: 973-588-7190
mark@njhighlandscoalition.org

Sincerely,

Association of New Jersey Environmental Commissions (ANJEC), Sandy Batty, Executive Director
Byram CARES, Donna Griff
Delaware Riverkeeper, Maya K. van Rossum
Environment New Jersey, Dena Mottola Jaborska, Executive Director
Longwood Lake Cabin Owners Association, Kenneth Rosenfeld
Morris County Trust for Historic Preservation, Marion Harris, Chairman
New Jersey Environmental Federation, David Pringle, Campaign Director
New Jersey Highlands Coalition, Julia M. Somers, Executive Director
New York / New Jersey Trail Conference, Ed Goodell, Executive Director
Pequanock River Coalition, Ross Kushner, Executive Director
Preserve Historic Hackettstown, Lynne Haberkern, Chairperson
Protect Our Wetlands, Water & Woods (POWWW), Joan R. Lisi, President
Sierra Club New Jersey, Jeff Tittel, Director
Skylands CLEAN, Inc., Robin O'Hearn, Executive Director
South Branch Watershed Association, William S. Kibler, Executive Director
Stop The Lines, Tom Hill and Dave Slaperud
Sustainable Highlands NJ, Inc., Sylvia M. Kovács, Executive Director
Upper Raritan Watershed Association, Cindy Ehrenclou, Executive Director
Upper Rockaway River Watershed Association, Constance Stroh, President

CC:

Governor Jon S. Corzine
Mark Mauriello, Commissioner, NJ Department of Environmental Protection
Eileen Swan, Executive Director, NJ Highlands Water Protection and Planning Council
John Weingart, Chairman, NJ Highlands Water Protection and Planning Council
United States Senator Robert Menendez
United States Senator Frank Lautenberg
United States Representative Rodney Frelinghuysen
United States Representative Scott Garrett
Senator Leonard Lance, District 23
Senator Steven V. Oroho, District 24

Senator Anthony R. Bucco, District 25
Senator Joseph Pennacchio, District 26
Senator Richard J. Codey, District 27
Assemblyman Michael J. Doherty, District 23
Assemblywoman Marcia A. Karrow, District 23
Assemblyman Gary R. Chiusano, District 24
Assemblywoman Alison Littell McHose, District 24
Assemblyman Michael Patrick Carroll, District 25
Assemblyman Richard A. Merkt, District 25
Assemblyman Alex DeCroce, District 26
Assemblyman Jay Weber, District 26
Assemblyman John F. McKeon, District 27
Assemblywoman Mila M. Jasey, District 27
Morris County Freeholders
Sussex County Freeholders
Andover Township officials
Boonton Township officials
Byram Township officials
East Hanover Township officials
Fredon Township officials
Hardwick Township officials
Hopatcong Borough officials
Jefferson Township officials
Kinnelon Borough officials
Montville Township officials
Newton Township officials
Parsippany-Troy Hills Township officials
Rockaway Township officials
Sparta Township officials
Stillwater Township officials