



**Township of Holland**  
IN  
HUNTERDON COUNTY

61 Church Road  
Milford, New Jersey 08848  
Phone (908) 995-4847  
Fax (908) 995-7112  
[www.hollandtownship.org](http://www.hollandtownship.org)

September 7, 2016

Kimberly Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

RE: Proposed PennEast Pipeline Project  
FERC Docket # CP15-558  
Holland Township Committee Comments in Support of August 23 Comments by  
New Jersey Highlands Council on Draft Environmental Impact Statement

Dear Secretary Bose:

The Holland Township Committee is registered as an Intervenor in these proceedings, and the Township of Holland is on the route of the proposed PennEast Pipeline Project.

Holland Township is also the only municipality on the route that lies within the Highlands Region and has chosen to conform the entire Township to the Highlands Council's Regional Master Plan (RMP), including the Planning Area section of the Township that is the location of the pipeline route.

Holland fully supports the position of the Highlands Council conveyed in their August 23, 2016 comment letter, especially because we are the community most affected by FERC's and PennEast's refusal to acknowledge the protections accorded through conformance to the Highlands RMP.

Holland chose to adopt the full protections of New Jersey's Highlands Act because we value the natural resources of our Township. We were also aware that our actions would have a positive impact on the users of Highlands water in more developed sections of New Jersey to our east. The latest figures indicate that 60 percent of the population of New Jersey gets all or part of their water supply from the Highlands.

Consequently, we willingly constrained development in the Planning Area of Holland (around 87 percent of the Township). Zoning went from five acres to 13 acres in the farmland Conservation Zone, and to 33 acres in the wooded and hilly Protection Zone.

All streams have a 300 foot buffer on both sides. These protections are not as strict as

those in the Preservation Area, but the Planning Area also has rules that are much stricter than regulations outside the Highlands. PennEast seems to persist in the mistaken belief that the only exceptional Highlands Resources are in the Preservation Area. Section 4.7.7.1 of the DEIS has the only mention of the Highlands Region and states:

The Highlands Planning Area is distinct from the Highlands Preservation Area, which is the portion of the Highlands Region that has exceptional natural resource value.

The Preservation Area is less developed and does have stricter rules, but the Planning Area also has valuable resources, such as wetlands, riparian buffers, C-1 streams; habitat for rare, threatened and endangered animal and plant species; forested areas and groundwater recharge areas. Holland has acted to protect those resources, and when the Highlands Council is called upon to do a Consistency Determination after PennEast applies for DEP permits, PennEast will discover they can no longer pretend that there are no special resources and appropriate rules in the Planning Area.

We find this whole argument very frustrating because way back on February 26, 2015, at a Scoping Hearing in Hampton, N.J., Holland's Mayor Ray Krov submitted the Highlands Environmental Resources Inventory to FERC and said it was the best information available on the natural resources in our Township. Eight months later, after the Resource Reports were submitted with the September application, the Highlands Council wrote an October 30, 2015 letter that said they could find no evidence that PennEast had made any effort to protect Highlands resources. Along with that October comment the Council submitted the same Highlands Environmental Resources Inventory that the mayor had submitted in February. Now the Council's August 23, 2016 comment letter finds that the Highlands have been ignored yet again. Frankly, we feel like we are talking to the wall.

We agree with the Highlands Council's contention that:

One of the principal purposes for the adoption of the New Jersey Highlands Water Protection and Planning Act (N.J.S.A. C.13:20-2) was to implement the stated purposes of the Federal Highlands Conservation Act.

It is our understanding that FERC will answer comments from Intervenors such as Holland Township. If so, we would like answers to these questions:

- Does FERC consider that it is subject to the Federal Highlands Conservation Act?

- Does FERC accept that the New Jersey Highlands Water Protection and Planning Act (N.J.S.A. C.13:20-2) implements the stated purposes of the Federal Highlands Conservation Act, similar to how New Jersey's Flood Hazard Area rules implement the Federal Clean Water Act?
- Does FERC recognize that the Planning Area of the Highlands Region in New Jersey has resources with special protections as set forth in the Highlands Regional Master Plan?
- Will FERC require PennEast to submit a Comprehensive Mitigation Plan to detail proposed efforts to avoid, minimize and mitigate impacts to Highlands RMP Resources in the Planning Area?

Thank you.

On behalf of the Holland Township Committee,

*Ray Krov*

Ray Krov, Mayor

cc: U.S. Senator Cory Booker  
U.S. Senator Robert Menendez  
Rep. Leonard Lance  
State Senator Michael Doherty  
State Senator Kip Bateman  
Assemblyman Eric Peterson  
Assemblyman John DiMaio  
Margaret Nordstrom, NJ Highlands Council  
Ruth Foster, NJDEP - Permit Coordination and Environmental Review  
John Gray, NJDEP - Office of the Commissioner  
Hunterdon County Freeholder Director Suzanne Lagay  
Hunterdon County Freeholder Deputy Director John E. Lanza  
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RE: Proposed PennEast Pipeline Project  
FERC Docket # CP15-558  
Holland Township Committee Comments on Lack of Information about  
Permanent Access Roads in Draft Environmental Impact Statement

Dear Secretary Bose:

The Holland Township Committee is registered as an Intervenor in these proceedings, and the Township of Holland is on the route of the proposed PennEast Pipeline Project.

We are very concerned about the lack of specific information about permanent access roads in the DEIS. Storms that wash rocks and other materials from these access roads onto municipal roads in Holland Township could cause our community to pay expenses for clearing these municipal roads. Yet, the DEIS gives us no information on the location of these permanent access roads or the landowner agreements that presumably establish responsibility for maintaining these facilities.

The DEIS says that temporary access roads used during construction will be restored "in accordance with landowner agreements" after the project is completed. The document says that there will also be permanent access roads for which landowner permission will be received. However, we can find no listing in this document or indication on maps that distinguishes temporary from permanent access roads.

In addition, the content of the "landowner agreements" is never revealed. It is entirely unclear to us who would have responsibility for maintaining these permanent access roads. If materials from such a road impinge on municipal right-of-way, whom do we

call? How fast would they respond? Do we use our own DPW to clear the debris and then bill someone?

Finally, we are fully aware that as an interstate project, the PennEast pipeline is immune from observing our local regulations, such as our Driveways Ordinance. However, that ordinance was developed in consultation with our local Emergency Services organizations. Specifications were not pulled out of the air but were designed to accommodate the specific vehicles that would respond to an event, such as an emergency on the pipeline route. We are concerned that we could be sending the citizen volunteers that staff our Holland Township Fire Company onto a PennEast permanent access road that will not have the dimensions and turn radius to safely handle their equipment.

When FERC responds to this comment, we expect you to answer these questions:

- Will FERC require PennEast to show on their route maps the specific locations of proposed permanent access roads in Holland Township (and indeed in the other municipalities on the pipeline route)?
- Will FERC require PennEast to show examples of their land owner agreements so it is clear who has responsibility for maintaining these permanent access roads and how situations such as a wash-out in a major storm would be handled?
- Does FERC have published standards for the construction of permanent access roads governing elements such as width and type of pavement?
- Will FERC devise a process for PennEast to consult with Holland Township (and other municipalities on the route) about the required dimensions, curves and other factors that will ensure that the permanent access road adequately accommodates local emergency services vehicles and will not put our emergency volunteers in peril?

Thank you.

On behalf of the Holland Township Committee,

*Ray Krov*

Ray Krov, Mayor

cc: U.S. Senator Cory Booker  
U.S. Senator Robert Menendez  
Rep. Leonard Lance

Comment #2 – Permanent Access Roads

State Senator Michael Doherty  
State Senator Kip Bateman  
Assemblyman Eric Peterson  
Assemblyman John DiMaio  
Hunterdon County Freeholder Director Suzanne Lagay  
Hunterdon County Freeholder Deputy Director John E. Lanza  
Hunterdon County Freeholder J. Matthew Holt  
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Federal Energy Regulatory Commission  
888 First Street, N.E.  
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RE: Proposed PennEast Pipeline Project  
FERC Docket # CP15-558  
Holland Township Committee Comments on Absence of Information about  
Private Wells on Pipeline Route in Draft Environmental Impact Statement

Dear Secretary Bose:

The Holland Township Committee is registered as an Intervenor in these proceedings, and the Township of Holland is on the route of the proposed PennEast Pipeline Project.

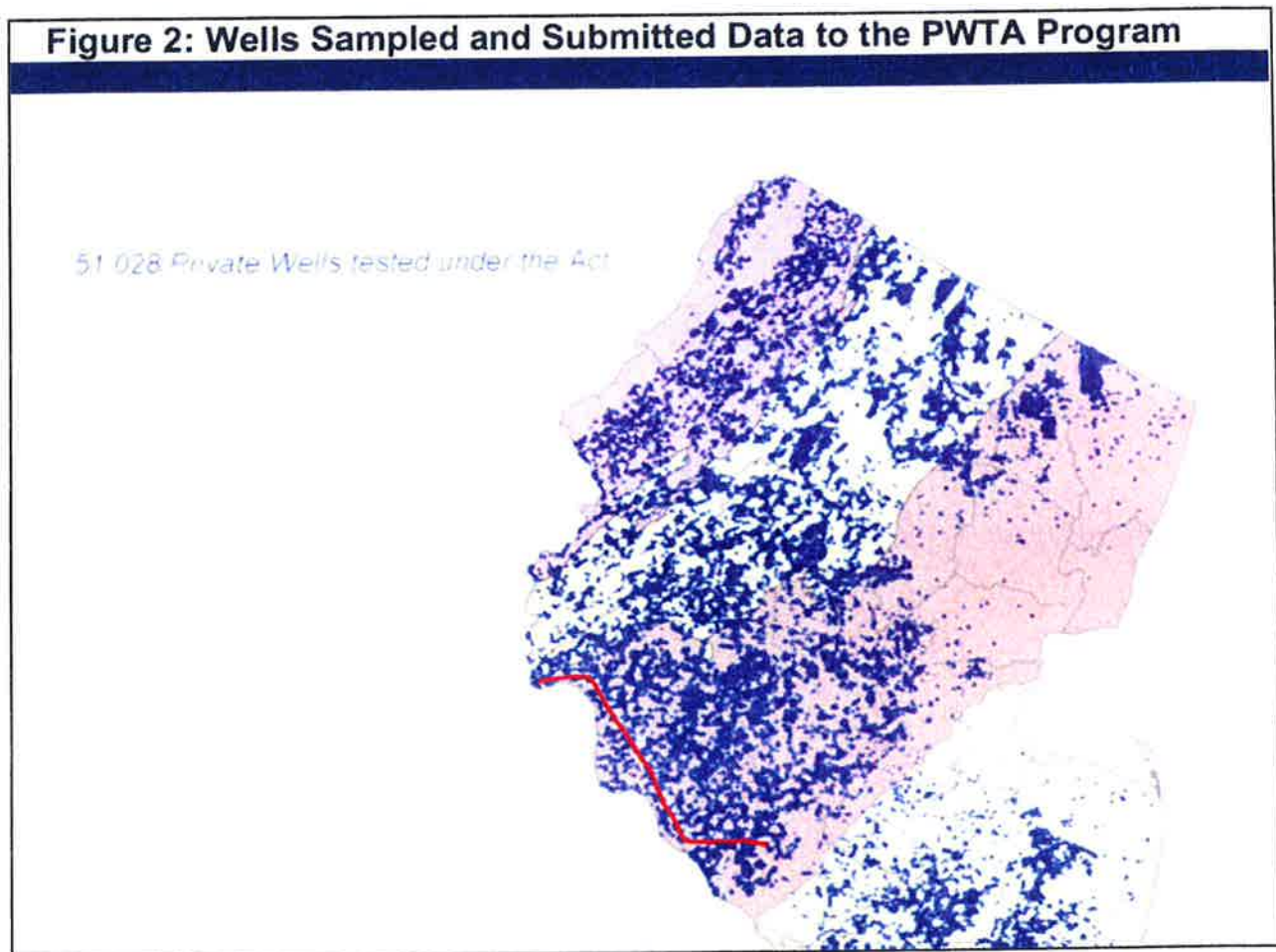
The Executive Summary of the Draft Environmental Impact Statement states, "Two public supply wells were identified within 150 feet of the pipeline construction workspace in Hunterdon County, New Jersey." (Volume 1, Page ES-5) That may be, but this statement ignores the fact that the vast majority of residences and businesses in Holland Township and the other four Hunterdon County municipalities on the pipeline route are served by private wells.

A small part of Holland Township along Route 519 is served by a public water system operated by Aqua New Jersey, but that service area is far from the PennEast pipeline route, which is located near the Delaware River to the west of that public system.

**Therefore, it is an absolute certainty that all Holland residences and businesses located along the PennEast route are served by private wells.** Moreover, these properties are all served by septic systems because the Township's small sewer service area is located in roughly the same area as the public water system along Route 519.

PennEast's egregious under-counting of wells along the pipeline route is also demonstrated by the results of New Jersey's Private Well Testing Act. All wells in the state must now be tested when a house is sold. The map from NJ DEP on the next

page shows the number of wells tested in Hunterdon County from September 2002 through April 2007. Nearly 5000 wells were tested in Hunterdon during this period of fewer than five years. Holland Township is located at the northern end of the pipeline route, shown in red, where the route enters New Jersey after crossing under the Delaware River. The blue dots indicating each tested well in Holland Township are so close to one another that they form a solid blue area. This is only a fraction of the actual existing wells along the pipeline route because the blue dots represent only wells at homes being sold.



NJDEP PWTA Well Test Results for September 2002 - April 2007  
[http://www.nj.gov/dep/watersupply/pwta/pdf/pwta\\_report\\_final.pdf](http://www.nj.gov/dep/watersupply/pwta/pdf/pwta_report_final.pdf)

Some of the pipeline route in Holland runs through preserved farmland and open space (creating a separate set of problems), but PennEast must recognize that any residence or business on the route is served by a well and septic system.

In all of the wooded and steeply sloped sections of Holland Township, the depth to bedrock is quite shallow. The Township has had water studies performed that indicate that in these sections of the municipality, wells tap into water that is in fractures in the bedrock. Pumping tests indicate that often these fractures are isolated and not interconnected to other water sources.

Comment #3 – Wells on Pipeline Route



PennEast's blasting tables indicate that much of the route through Holland Township will likely involve blasting. This will happen in the same sections of town where wells tap into water in isolated fractures in the bedrock. The DEIS speaks of wells within 150 feet of the pipeline, but nowhere is there any indication why this is assumed to be a safe distance between blasting and a well tapping into fractures in bedrock. Half the length of a football field does not seem a very comforting separation from blasting operations.

We are concerned because if blasting were to damage wells or septic systems along the route, homes would become uninhabitable. The DEIS does not even admit the existence of the problem, let alone offer a solution. Therefore, we ask FERC to answer these questions in its reply to these comments:

- What studies exist that show 150 feet or 200 feet to be a safe separation between blasting and wells or in-ground septic fields?
- Will FERC require PennEast to identify which properties along the route in Holland Township have residential and business structures that are certainly served by private wells and septic systems?

We consider this to be a very serious issue for the citizens of our Township, and PennEast's efforts to locate private wells have been totally inadequate. We feel that the DEIS should be withdrawn until PennEast can produce more credible data.

Thank you.

On behalf of the Holland Township Committee,

*Ray Krov*

Ray Krov, Mayor

cc: U.S. Senator Cory Booker  
U.S. Senator Robert Menendez  
Rep. Leonard Lance  
State Senator Michael Doherty  
State Senator Kip Bateman  
Assemblyman Eric Peterson  
Assemblyman John DiMaio  
Hunterdon County Freeholder Director Suzanne Lagay  
Hunterdon County Freeholder Deputy Director John E. Lanza  
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Ruth Foster, NJDEP – Permit Coordination and Environmental Review  
John Gray, NJDEP – Office of the Commissioner



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888 First Street, N.E.  
Washington, D.C. 20426

RE: Proposed PennEast Pipeline Project  
FERC Docket # CP15-558  
Holland Township Committee Comments on Alternate Routes around Gravel  
Hill Preserve in Holland Township

Dear Secretary Bose:

The Holland Township Committee is registered as an Intervenor in these proceedings, and the Township of Holland is on the route of the proposed PennEast Pipeline Project.

Comments dated August 12, 2016 filed by the New Jersey Natural Land Trust (NJNLT) continue the discussion of alternate routes around NJNLT's Gravel Hill Preserve in Holland Township. Holland wants to offer clarifications and additions to inform this discussion.

In an October 21, 2015 comment, NJNLT offered a fuller explanation of their proposal to route the pipeline along roads that surround the Gravel Hill Preserve:

"The NJNLT believes that pipeline installation is feasible within the county roads that surround the preserve boundary. This is a rural low traffic area. The NJNLT is not aware of any existing infrastructure within the subject roadways and there appear to be viable options for detours during construction."

This proposal, now known as Deviation 1817, would avoid Gravel Hill by taking the pipeline north along Crab Apple Hill Road, then east on Church Road, then south on Route 519 (also known as Milford-Warren Glenn Road). Of these, only Route 519 is a Hunterdon County Road. **Crab Apple Hill and Church Roads are Holland Township Municipal Roads.** While Church Road is wide and has a 45 m.p.h. speed

limit, Crab Apple Hill Road is very narrow, with barely room for two cars to pass, with sharp curves and a low speed limit.

There are scores of homes along both Holland municipal roads, with some quite close to the roadway. While we share NJNLT's concern for the major importance of the Gravel Hill Preserve with its rare flora and fauna and historic resources, our concern cannot be just for natural resources. We also must have concern for the safety of Holland's residents, and this plan would place a 36-inch high-pressure natural gas line only a few yards from their homes.

PennEast pipeline construction on Church Road would run in front of the Municipal Building, which is also the headquarters for the Holland Township Police Department. It would be unacceptable for PennEast construction to interfere in any way with the operations of the Police Department or with the many public municipal meetings each month.

There is another major complication. Hunterdon County is planning to widen a portion of Route 519 in Holland to add break-down lanes on both sides. This construction project is quite a bit north of the section of Route 519 proposed for the PennEast pipeline under Deviation 1817. However, the county intends to use Church Road as the detour around this construction.

Current plans call for the Route 519 widening project to totally shut down the road from March through November 2017, with Church Road serving as the detour. The project will continue the following year, from March to November 2018. The hope is that the second year will see alternating one-way traffic, but there is a chance Route 519 could also be shut down for all or part of the construction season in 2018, with Church Road again serving as the only detour.

**It is obviously impossible for Church Road to be under construction by PennEast while also serving for two years as the only detour for the significant traffic on Route 519.**

As to the other proposed alternative, Route Deviation 1705, this is indeed a county road, Route 627, but it is unlike most county roads. Just south of where the present route would deviate before reaching the Gravel Hill Preserve, the road becomes so narrow that two vehicles cannot pass. There are frequent pull-over spaces so one car can give way to another moving in the opposite direction.

The area where the pipeline would turn away from the Delaware River to rejoin the proposed route is a very steep cliff that goes straight upward. It is difficult to imagine how the line would proceed up this vertical cliff.

Of course, another major concern is that this route would run very close to the Delaware River, presenting multiple challenges regarding how to keep construction run-off from reaching the river.

Making the choice among a route that goes through one of the most important preserved lands in the state, a route that tears up local roads and imperils multiple homes, and a route that follows an amazingly narrow road right next to the Delaware River is like trying to choose which child to sacrifice to the vengeful gods. We can only conclude, as we did in our resolution adopted in October 2014, that there is no way that this pipeline can be designed in a way that does no irreparable damage to Holland Township's natural resources and citizenry.

Thank you.

On behalf of the Holland Township Committee,

*Ray Krov*

Ray Krov, Mayor

cc: U.S. Senator Cory Booker  
U.S. Senator Robert Menendez  
Rep. Leonard Lance  
State Senator Michael Doherty  
State Senator Kip Bateman  
Assemblyman Eric Peterson  
Assemblyman John DiMaio  
Hunterdon County Freeholder Director Suzanne Lagay  
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Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C. 20426

RE: Proposed PennEast Pipeline Project  
FERC Docket # CP15-558  
Holland Township Committee Comments on Cultural Resources and Preserved  
Lands in Holland Township

Dear Secretary Bose:

The Holland Township Committee is registered as an Intervenor in these proceedings, and the Township of Holland is on the route of the proposed PennEast Pipeline Project.

We are very concerned about the lack of specific information regarding cultural resources in the DEIS. The DEIS is void of the required investigations, and by FERC's admission on page ES-12 of the DEIS, a sizable portion of the Project has not been investigated for cultural resources.

The DEIS only lists four historic/cultural resources requiring additional documentation and research while at least 12 were previously identified in a memo to URS Corporation from Gebhardt & Kiefer dated January 29, 2016. And in addition to these resources, there are four historic stone arch bridges on route 627 between Phillips and Spring Garden roads. All potentially require Section 106 reviews under the National Historic Preservation Act (NHPA). Section 106 is a consultative process where the views of consulting parties and the interested public are taken into account in the decision-making process. If there are adverse effects to historic resources, FERC and PennEast, in consultation with consulting and interested parties, must identify ways to avoid, minimize, and/or mitigate the impacts.

The proposed pipeline route crosses both preserved farmland (block 26 lots 16, 17 and 19; block 15 lot 3; block 15 lot 7; and block 25 lot 59) and open space (identified in a

letter to FERC from The New Jersey Natural Lands Trust dated August 12, 2016. Our preserved lands are not empty space on a map and were preserved with public money voted expressly for such a purpose. They provide valuable environmental and agricultural benefits, as well as intangible personal benefits to all, benefits that are irreplaceable and meant to continue in perpetuity. They do not belong to PennEast and should not be a part of the pipeline route. This route cuts through the heart of our Agriculture Development Areas.

We support the Eastern Environmental Law Center's objection filed August 1, 2016, in which its counsel states that the DEIS violates the National Environmental Policy Act (NEPA).

FERC should withdraw the Draft EIS, or at the very least, issue a revised DEIS with complete data.

Thank you.

On behalf of the Holland Township Committee,

*Ray Krov*

Ray Krov, Mayor

cc: U.S. Senator Cory Booker  
U.S. Senator Robert Menendez  
Rep. Leonard Lance  
State Senator Michael Doherty  
State Senator Kip Bateman  
Assemblyman Eric Peterson  
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Hunterdon County Freeholder Director Suzanne Lagay  
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RE: Proposed PennEast Pipeline Project  
FERC Docket # CP15-558  
Holland Township Committee Comments on Dangerous Slopes in Holland  
Township Identified in DEIS

Dear Secretary Bose:

The Holland Township Committee is registered as an Intervenor in these proceedings, and the Township of Holland is on the route of the proposed PennEast Pipeline Project.

We are very concerned that the current route through the New Jersey Natural Land Trust's Gravel Hill Preserve in Holland Township will pose a high physical danger for residents below the Preserve and motorists traveling County Route 627, and create ecological hazards for the Delaware River. The DEIS analysis says that Slope ID #76 and #77 at Milepost 80.8R are the most hazardous steep slopes on the entire route of the PennEast pipeline.

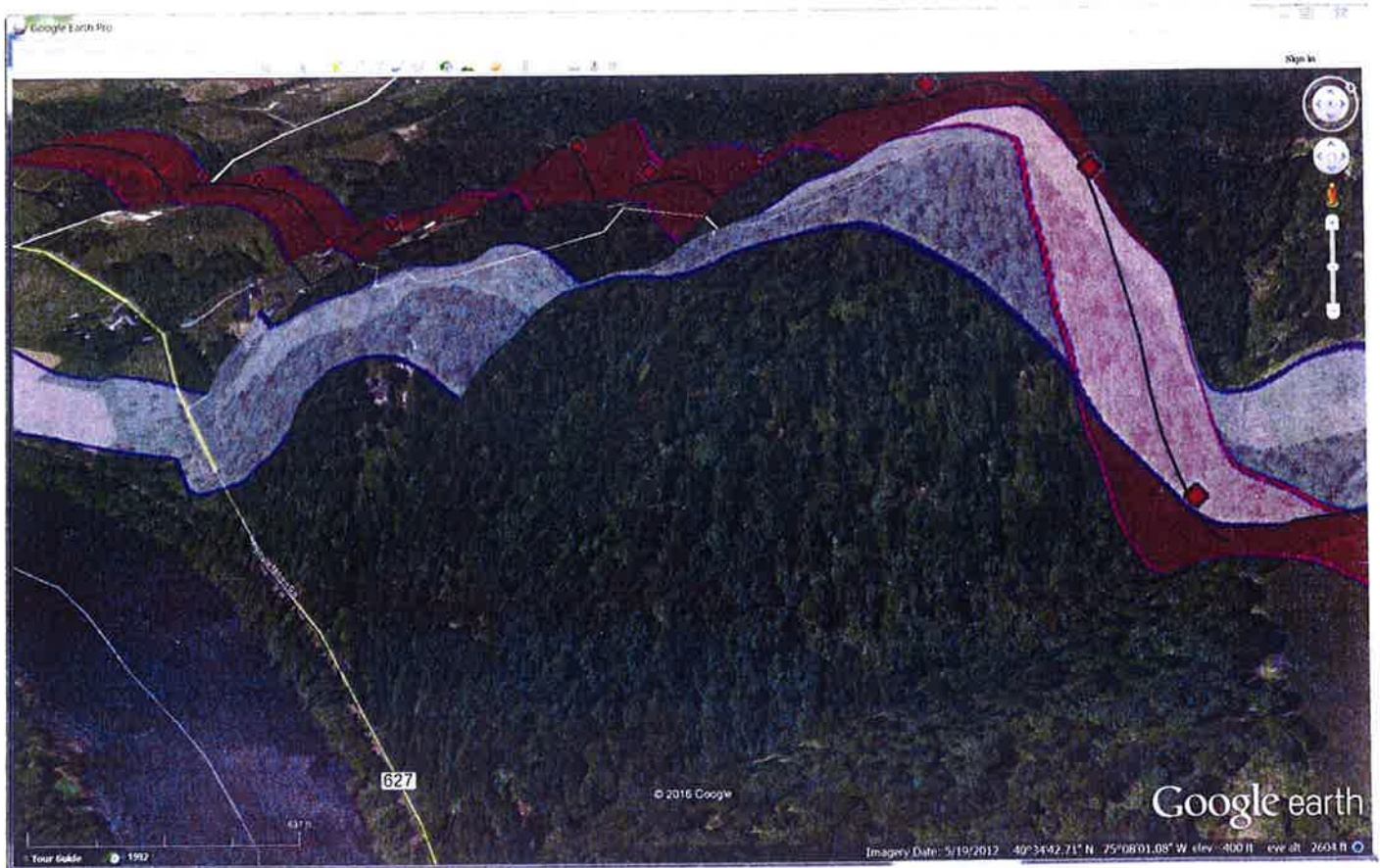
In a separate comment filed today, titled "Holland Township Committee Comments on Alternate Routes around Gravel Hill Preserve in Holland Township," we discuss the many problems with Route Deviations 1705 and 1817 that would avoid the proposed route through Gravel Hill. Analysis of the current proposed route shows that it is equally unacceptable and that none of the three routes is a satisfactory and safe proposal.

The current proposed route is a modification of the original route. It moved the pipeline further west into the right-of-way for power lines that go up the slope. We were originally gratified to see that the new route caused somewhat less harm to the valuable natural resources of the Gravel Hill Preserve, and we failed to realize at that



time how perilously close the pipeline would now come to the cliffs that hang over Route 627 below and several residences along that road.

The map below finally called our attention to the extreme danger of the proposed route. In the 3-D model superimposed over a Google Earth photo, the original route is shown in red, the current proposed route in blue. The Very High Hazard Slopes suddenly look like a new roller coaster thrill ride at an amusement park.



Because the pipeline must be a safe distance from the power lines, 150 feet of trees will have to be cleared on the western side of the ROW, cleared right to the edge of the ridge. Obviously, this cutting will vastly increase the danger of rock, tree and mud slides down onto Route 627 below and into the Delaware River to the left of 627. People live along this road and they will now have constant danger looming over them. Drivers on one-lane Route 627 will not only have to worry about an approaching vehicle around the next bend but also a landslide burying their car. The Delaware River will be subjected to ecological dangers.

PennEast offers no plans for mitigating these perils. FERC must demand a plan for avoiding the increased hazards from construction on Slopes #76 and #77 that are already rated as 100, Very High Hazard. There must be a plan for avoiding water runoff with increased sediment into the Delaware River.

Comment #6 – Dangerous Slopes in Holland

There are also serious questions about liability for damage to individual residences, for injury to residents or motorists, or for destruction of Hunterdon County's Route 627 roadway.

We have said from the beginning in 2014 that there is no way to run a 36-inch pipeline through Holland Township without destroying environmental resources and endangering residents. It seems that PennEast just put a ruler on a map from the source of the gas out in Pennsylvania to the point in Mercer County where they could connect to other pipelines and then drew a straight line between those two points. Then they discovered that there were huge challenges in doing construction along that straight line. They chose the shortest route - but certainly not the sanest route.

Thank you.

On behalf of the Holland Township Committee,

*Ray Krov*

Ray Krov, Mayor

cc: U.S. Senator Cory Booker  
U.S. Senator Robert Menendez  
Rep. Leonard Lance  
State Senator Michael Doherty  
State Senator Kip Bateman  
Assemblyman Eric Peterson  
Assemblyman John DiMaio  
Hunterdon County Freeholder Director Suzanne Lagay  
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