



State of New Jersey

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Highlands Applicability Determination Review Draft Consistency Determinations December 21, 2011

Please take notice that the Highlands Water Protection and Planning Council (Highlands Council) is accepting public comments on the Council staff's draft Consistency Determination regarding the following Highlands Applicability Determination (HAD) applications to the Highlands Council and the New Jersey Department of Environmental Protection:

**Amended Tennessee Gas Pipeline Company 300 Line Project
Passaic & Sussex Counties, New Jersey**

**Tennessee Gas Northeast Upgrade Project – Loop Within Highlands Region
Bergen & Passaic Counties, New Jersey**

In accordance with the Highlands Regional Master Plan, the Highlands Council staff has prepared a draft Consistency Determination for the above-referenced applications, which are available with supporting information for public review and comment at:

<http://www.highlands.state.nj.us/njhighlands/projectreview/>

Tennessee Gas Pipeline Company submitted an application on July 8, 2011 for an amendment to an existing Highlands Applicability Determination for the 300 Line Project issued by NJDEP for the Preservation Area, and to the Highlands exemption determination issued by the Highlands Council for the Planning Area. The submitted Amendment has two related but independent components – Attachment A and Attachment B. Attachment A addresses modifications made to the 300 Line Project within the Highlands Region since the Highlands Council and NJDEP issued a coordinated determination that the project was exempt from the Highlands Act under Exemption #11 as an upgrade of public utility lines, rights of way, or systems, by a public utility and the project was consistent with the goals and purposes of the Highlands Act. Attachment B contains the application for the proposed Northeast Upgrade Project, which will affect the same pipeline but as a separate project to the east of the 300 Line Project. Two separate Consistency Determinations were prepared – one that addresses Attachment A (Amended 300 Line Project) and one that addresses Attachment B (Northeast Upgrade Project) both of which are available at the web link above. Please note that the Highlands Council is requesting public notice on each project concurrently but reserves the right to issue findings and decisions on each project as separate proposals.

Additional general information regarding these proposals may be available on the following Web sites. Please note that the Highlands Council is accepting testimony only with regard to the Consistency Determinations posted to the Highlands Council web site, and that the information at the following websites is not part of the Highlands Council public record:

- Federal Energy Regulatory Commission: <http://www.ferc.gov/docs-filing/elibrary.asp>
- Tennessee Gas:
 - 300 Line Project: <http://www.elpaso.com/tgp300lineproject/>
 - Northeast Upgrade: <http://www.northeastupgradeproject.com/>

Comments may be provided **on or before Friday January 6, 2012** by email to: chris.ross@highlands.state.nj.us. Comments may also be provided by mail or hand delivery to the address above. **Please note:** public comments should be submitted separately on the two proposals, or otherwise clearly annotated, to ensure that each comment is appropriately ascribed by project. Subsequent to the close of public comment, revised draft Consistency Determinations may be prepared. It is anticipated that the draft Consistency Determinations for the above HAD application may be reviewed by the Highlands Council at its regularly scheduled meeting on **Thursday, January 19, 2012 at 4 pm**. The Highlands Council may consider the draft Consistency Determination by way of a formal resolution in which case an opportunity for public comment will be provided. However, it should be noted that the opportunity for public comment at the Council meeting may be limited and that the Council may vote on the resolution the same day. Therefore, the applicant and the public are strongly encouraged to provide all comments and information during the initial comment period on the draft Consistency Determination.

DATE OF NOTICE: December 21, 2011