

# GIORDANO, HALLERAN & CIESLA

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ATTORNEYS AT LAW

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(732) 741-3900

FAX: (732) 224-6599

www.ghclaw.com

JOHN C. GIORDANO, JR.  
FRANK R. CIESLA - DC  
BERNARD J. BERRY, JR.  
JOHN A. AIELLO - NY  
MICHAEL J. GROSS  
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MICHAEL D. PAWLOWSKI  
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JOHN L. SIKORA  
VINCENT M. DeSIMONE  
JACLYN B. KASS

OF COUNSEL  
JOHN R. HALLERAN  
S. THOMAS GAGLIANO  
THOMAS A. PLISKIN  
RONALD P. HEKSCH  
DERRICK A. SCENNA  
STEVEN J. CORODEMUS  
EDWARD S. RADZELY - NY  
.....

JOHN C. GIORDANO  
(1921-1989)  
.....

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SUPREME COURT OF NEW  
JERSEY AS A CIVIL TRIAL  
ATTORNEY

DC - ALSO ADMITTED DC  
FL - ALSO ADMITTED FL  
MA - ALSO ADMITTED MA  
NY - ALSO ADMITTED NY  
PA - ALSO ADMITTED PA

DIRECT DIAL NUMBER

(732) 219-5486

DIRECT EMAIL

[mgross@ghclaw.com](mailto:mgross@ghclaw.com)

CLIENT/MATTER NO.

16452-1

September 30, 2009

## VIA E-MAIL [Eileen.swan@highlands.state.nj.us](mailto:Eileen.swan@highlands.state.nj.us) & LAWYERS SERVICE

Eileen Swan, Executive Director

Highlands Water Protection & Planning Council

100 North Road (Route 513)

Chester, NJ 07930-2322

**RE Highlands Applicability Determination – Highlands Exemption Request(s)  
Tennessee Gas Pipeline Company – 300 Line Project  
Blocks and Lots – Various  
Vernon and West Milford Townships and Ringwood Borough  
Sussex and Passaic Counties  
Program Interest Nos. 435442 and 435459  
Activity Nos. CSD090016 and CSD090002**

Dear Ms. Swan:

I am writing on behalf of Tennessee Gas Pipeline Company (“Tennessee”) as confirmation of my telephone conversation with Mr. Thomas Borden of your office on September 29, 2009. The purpose of the conversation was to advise Highlands Council staff of the relocation of a minor aboveground facility associated with the 300 Line Project as it relates to the above-referenced proceedings.

The aboveground facilities, which consist of an internal pipeline inspection tool or “pig” receiver and associated tie-in piping will be relocated from approximate Milepost (“MP”) 17.3 to approximate MP 15.97 in the Township of West Milford (assessor’s Block 4601 Lot 8). This area, located within the permanent easement associated with the proposed loop was already intended to be cleared as part of workspace associated with the Horizontal Directional Drill (“HDD”) crossing of the Monksville Reservoir. The relocation will result in a net reduction in impacts to the Highlands Preservation Area through the elimination of the workspace in the original receiver location. The receiver facility and the HDD workspace were both described in the Applications filed for the Project and for which mitigation has been planned for and described in the Comprehensive Mitigation Plan (“CMP”).

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Eileen Swan, Executive Director  
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Tennessee believes that this minor modification does not change the permanent visual impact associated with the Project. The aboveground facility will be sited in an area that will continue to be maintained in a non-forested area. All of the mitigation and restoration practices identified within the CMP will be followed to ensure that scenic resources are protected. The closest view shed to the relocated facility site is Burnt Meadow Road, which is approximately 1,500 feet to the west. Typically, above ground facilities are less than ten feet in height, and there is a significant forested buffer between the facility location and Burnt Meadow Road that will ensure the protection of any scenic resources that may be viewable from the roadway.

Tennessee will also be providing notification of this minor change to applicable agencies including the NJDEP and the Federal Energy Regulatory Commission.

We appreciate the opportunity to convey this additional project detail to Highlands staff, and believe it remains consistent with information provided to date and with the CMP as submitted.

Very truly yours,



MICHAEL J. GROSS

cc: Robin Kline, Vernon Township Municipal Clerk  
Antoinette Battaglia, West Milford Township Municipal Clerk  
Kelley A. Rohde, Ringwood Borough Municipal Clerk  
Stan Chapman  
C. Susan King  
Mark A. Hamarich  
David M. Waterson, Jr., Esq.  
Melissa M. Dettling  
Jacquelyne M. Rocan, Esq.  
Thomas G. Joyce  
Robert. B. Wooten  
John Zimmer