



March 2, 2021

Ms. Laura Mensch
Principal Planner,
Regulatory Programs Manager
Delaware Coastal Programs
DNREC, Division of Climate, Coastal, & Energy
100 W. Water Street, Suite 7B
Dover, Delaware 19904

Re: Delaware Coastal Management Program Federal Consistency Review
Elkton Road Relocation Project
New Castle County, Delaware

Dear Ms. Mensch:

Eastern Shore Natural Gas Company (“Eastern Shore”) is a natural gas transmission company headquartered in Dover, Delaware. Eastern Shore is a fully owned subsidiary of Chesapeake Utilities Corporation, a diversified energy company also headquartered in Dover, Delaware, with operations on the Delmarva Peninsula, southeastern Pennsylvania, Florida and Ohio.

We submit this letter to initiate your review for the Elkton Road Relocation project for compliance with Delaware’s Coastal Management Program. This permit submission is required per Federal Energy Regulatory Commission (FERC) regulations 18 C.F.R. § 157.206A. Site Location Maps depicting the location of the project are enclosed.

Eastern Shore currently operates and maintains one six (6)-inch, one eight (8)-inch and one 16-inch diameter buried natural gas pipelines in the areas of Elkton Road (SR 279) and Otts Chapel Road, New Castle County, Delaware. The Delaware Department of Transportation (DelDOT) is performing extensive roadway improvements, including widening and drainage improvements. DelDOT’s project creates conflicts and requires relocation of a portion of the six (6) – inch main.

Following is a detailed description of the proposed activity, an assessment of the probable coastal effects of the project, and the findings derived from the assessment indicating compliance:

List of Attachments:

1. Project Location Site Maps;
2. National Wetland Inventory Mapping;
3. Flood Hazard Area Map;
4. Tax Ditch Area Map;

COASTAL ZONE EFFECTS ASSESSMENT:

The proposed project will have minimal or no effect on coastal resources, as outlined below in accordance with Coastal Management Program Policies from *Delaware Coastal Management Program (DCMP), Comprehensive Update and Routine Program Implementation (CURPI)*, dated June 2011, and published by the DNREC. Delaware Coastal Management Program Policy numbers listed below correspond to policy numbers in the *CURPI*.

5.1 Wetlands Management: Eastern Shore reviewed the National Wetland Inventory Mapping and found no evidence of known wetlands in or around the limits of disturbance for this project. In addition, the limit of disturbance included known areas of previous disturbance and construction activity. The existing condition of the lands within the limit of disturbance included paving, sidewalk and maintained lawn adjacent to retail (bank and mini storage facilities) parking lots. The project is consistent with the DMCP Policy as no wetlands will be impacted and there are no adjacent wetlands.

5.2 Beach Management: This project does not propose to impact public or private beaches.

5.3 Coastal Waters Management:

5.3.1 General: Through careful consideration of the proposed relocation, proposed impacts to federally regulated wetlands and waterbodies are minimized. Construction of the pipeline will be performed in accordance with approved grading, sediment, and erosion control plans to protect adjacent and nearby waterbodies from sediment.

5.3.2 Marinas: The proposed project does not involve a marina.

5.4 Subaqueous Lands and Coastal Strip Management: The proposed project does not impact any subaqueous lands and is not located within the Coastal Strip.

5.5 “Public Lands” Management: The majority of disturbance for the proposed project is temporary. Proposed impacts to State public lands, if any, will be performed in accordance with construction plans reviewed and approved by state agencies.

5.6 Natural Areas Management: The proposed project does not disturb nature preserves and is not located within the watershed for Delaware’s Inland Bays.

5.7 Flood Hazard Areas Management: The FEMA FIRM Map (120 of 0475) places the Project location within Zone X: an area of minimal flooding outside of the 500-year floodplain. The flood hazard area map is attached to this submission. Eastern Shore will maintain the preconstruction conditions in this area.

5.8 Port of Wilmington: The proposed project is not located near the Port of Wilmington.

5.9 Woodlands and Agricultural Lands Management:

5.9.1 Woodlands: This project does not disturb any existing woodland areas.

5.9.2 Silviculture: The project does not propose any silviculture activities.

5.9.3 Agricultural lands: The project does not disturb any agricultural lands.

5.9.4 Tax Ditches: According to the DNREC Delaware Environmental Navigator [website](https://maps.dnrec.delaware.gov/navmap/) <https://maps.dnrec.delaware.gov/navmap/> the proposed project is within any tax ditch areas.

5.10 Historic and Cultural Areas Management: Consultation with the Delaware State Historic Preservation Office (SHPO) is underway. We expect that SHPO will conclude that no historic properties eligible for, or listed on, the National Register will be affected by this undertaking and no further architectural or archaeological survey is needed. We will provide this concurrence once received.

5.11 Living Resources: In addition, Eastern Shore contacted the United States Fish and Wildlife Service (USFWS) and the DNREC Division of Fish & Wildlife (DFW) inquiring about the possible presence of rare, threatened, or endangered species within the project area. Eastern Shore will provide DNREC with their response.

5.12 Mineral Resource Management: This project does not propose the extraction and/or production of minerals.

5.13 State Owned Coastal Recreation and Conservation: This project does not propose to impact state-owned lands whose natural condition or present state of use would maintain important recreational areas and wildlife habitat, or would maintain or enhance the conservation of natural, cultural, or historic resources. Additionally, the proposed project is not located within the Coastal Strip.

5.14 Public Trust Doctrine: The public has a right of navigation and fishery on all streams where the tide ebbs and flows. This project does not propose impact to any tidal waterways.

5.15 Energy Facilities: The proposed project is not located within the Coastal Strip and does not propose any heavy industry uses of any kind of offshore gas and liquid or solid bulk product transfer facilities; the construction of new petroleum refineries; the construction of offshore deep-water ports, production, or exploration facilities; the construction of off-shore pipelines; the construction of outer continental shelf energy facilities; storage tanks connected to outer continental shelf facilities; or construction of a nuclear power plant.

5.16 Public Investment: Neither the Delaware Water Pollution Control Revolving Fund nor large-scale resource recovery and recycling projects are applicable to the proposed project. Furthermore, the project is not a highway improvement or public housing project.

5.17 Recreation and Tourism: The proposed project is not directly related to recreation or tourism.

5.18 National Defense and Aerospace Facilities: The proposed project is not a national defense or aerospace facility.

5.19 Transportation Facilities: The proposed project is not applicable to the expansion and development of the Port of Wilmington; activities involving the transfer of petroleum products; the construction, maintenance, and improvement of transportation systems; transportation alternatives to private motor vehicles and highways; railroad networks; public transit systems; new or expanded port facilities.

5.20 Air Quality Management: Negligible air emissions are associated with the operation of the project. Potential air quality impacts will be temporary and associated with the construction phase of the project. As proposed, the project will not require State or Federal air permits.

5.21 Water Supply Management: Construction of the proposed project will not require the construction of groundwater wells or underground injections of material other than those used for directional drilling procedures for the installation of the underground gas line. Surface or groundwater withdraws, if required for the construction of the project, will be appropriately permitted.

5.22 Waste Disposal Management

5.22.1 On-site Wastewater Treatment and Disposal System Management: This topic is not applicable to the proposed project.

5.22.2 Land Treatment of Wastes: This topic is not applicable to the proposed project.

5.22.3 Disposal of Solid Wastes: No solid waste is expected to be encountered. Any solid waste encountered will be handled in accordance with Eastern Shore's Waste Management Plan (attached).

5.22.4 Hazardous Waste Management: No hazardous waste is expected to be encountered. Any hazardous waste encountered will be handled in accordance with Eastern Shore's Waste Management Plan (attached).

5.22.5 Cleanup of Hazardous Substances: No hazardous waste is expected to be encountered. Any hazardous waste encountered will be handled in accordance with Eastern Shore's Waste Management Plan (attached).

5.22.6 Underground Storage Tanks: This topic is not applicable to the proposed project.

5.23 Development: The proposed project is not a community development project, commercial strip development project, major commercial development project, highway oriented development project, industrial site development or redevelopment project, a future site for a marine terminal, or a future site for a bulk transfer facility. The proposed project is a natural gas pipeline proposed within existing DelDOT rights-of-way and private easements.

5.24 Pollution Prevention: Disposal of solid waste is not anticipated for this project. If generated, the generation of waste will be reduced or eliminated as expeditiously as possible, and waste that is generated will be recovered, reused, recycled, treated, or disposed of in a manner that minimizes present or future threats to human health or the environment. Furthermore, it is understood that industries are encouraged to utilize the DNREC Pollution Prevention Program's services, including non-regulatory technical assistance and information, to ensure that the potential for degradation of the quality of air, land, and water is minimal.

5.25 Coastal Management Coordination: The proposed project is proposed by a State Agency that is required to coordinate coastal management.

Findings

With careful consideration of the proposed relocation, Eastern Shore believes that the activities proposed adjacent to wetlands and waterbodies will be conducted in a manner that minimizes resource destruction, degradation, and fragmentation, helps preserve the natural and beneficial values of these resources, and the public's interest therein. Furthermore, the project should not result in the degradation of Delaware's bays and coastal areas as the proposed natural gas pipeline will be located outside of the Coastal Strip. Sediment and erosion control measures will be utilized to minimize, to the maximum extent practicable, the degradation of downstream water quality and habitat.

We believe that all relevant agencies indicate that the proposed project will not result in significant adverse impacts to known rare, threatened, or endangered species of plants, animals, or natural communities.

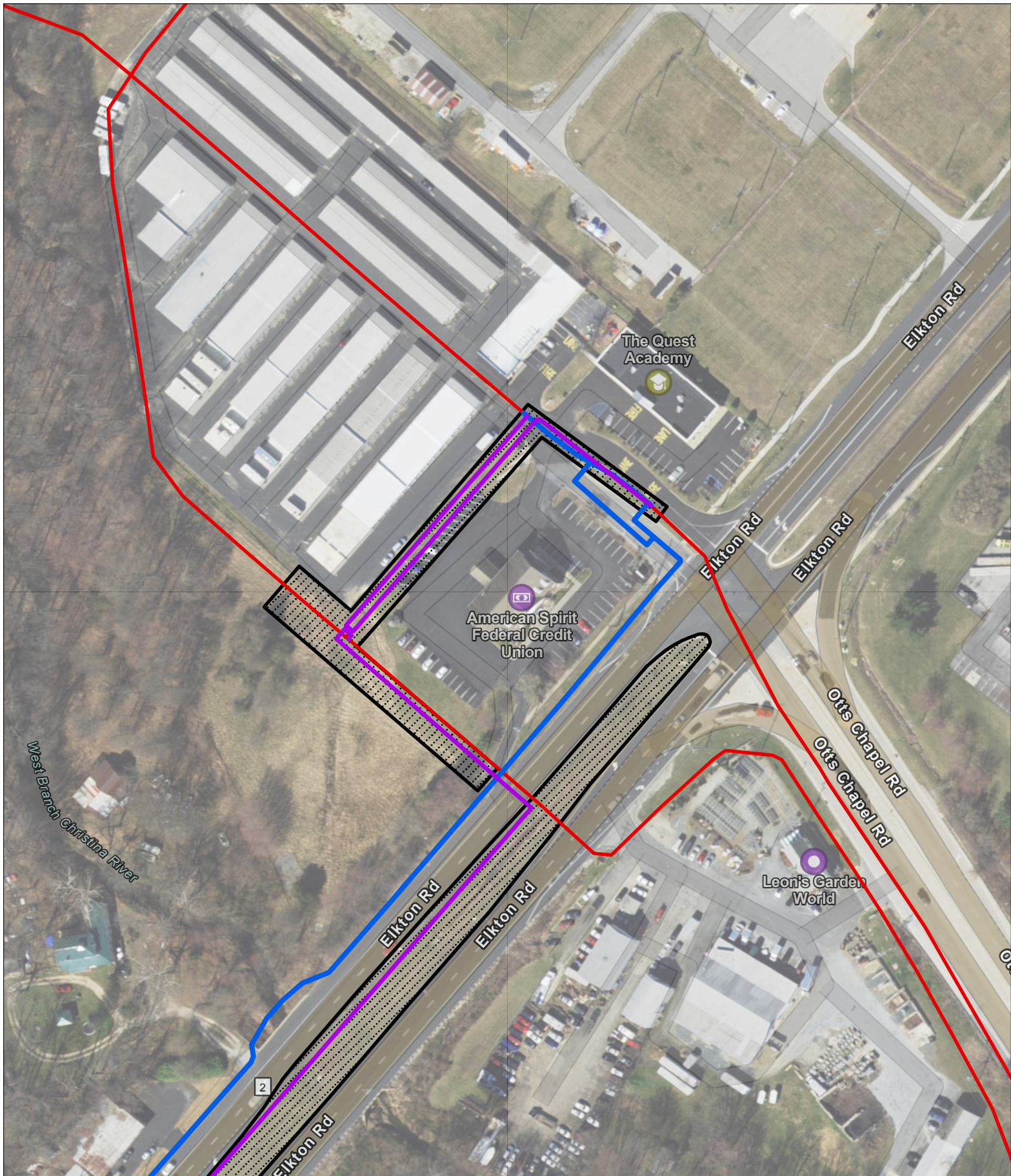


Eastern Shore respectfully requests concurrence that the proposed relocation project is in compliance with the Delaware Coastal Zone Management Program. Please contact me (302-373-4715) with any questions or comments.

Sincerely,

A handwritten signature in blue ink that reads "Mark C. Parker".

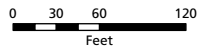
Mark C. Parker, P.E.
Eastern Shore Natural Gas
Engineering Manager



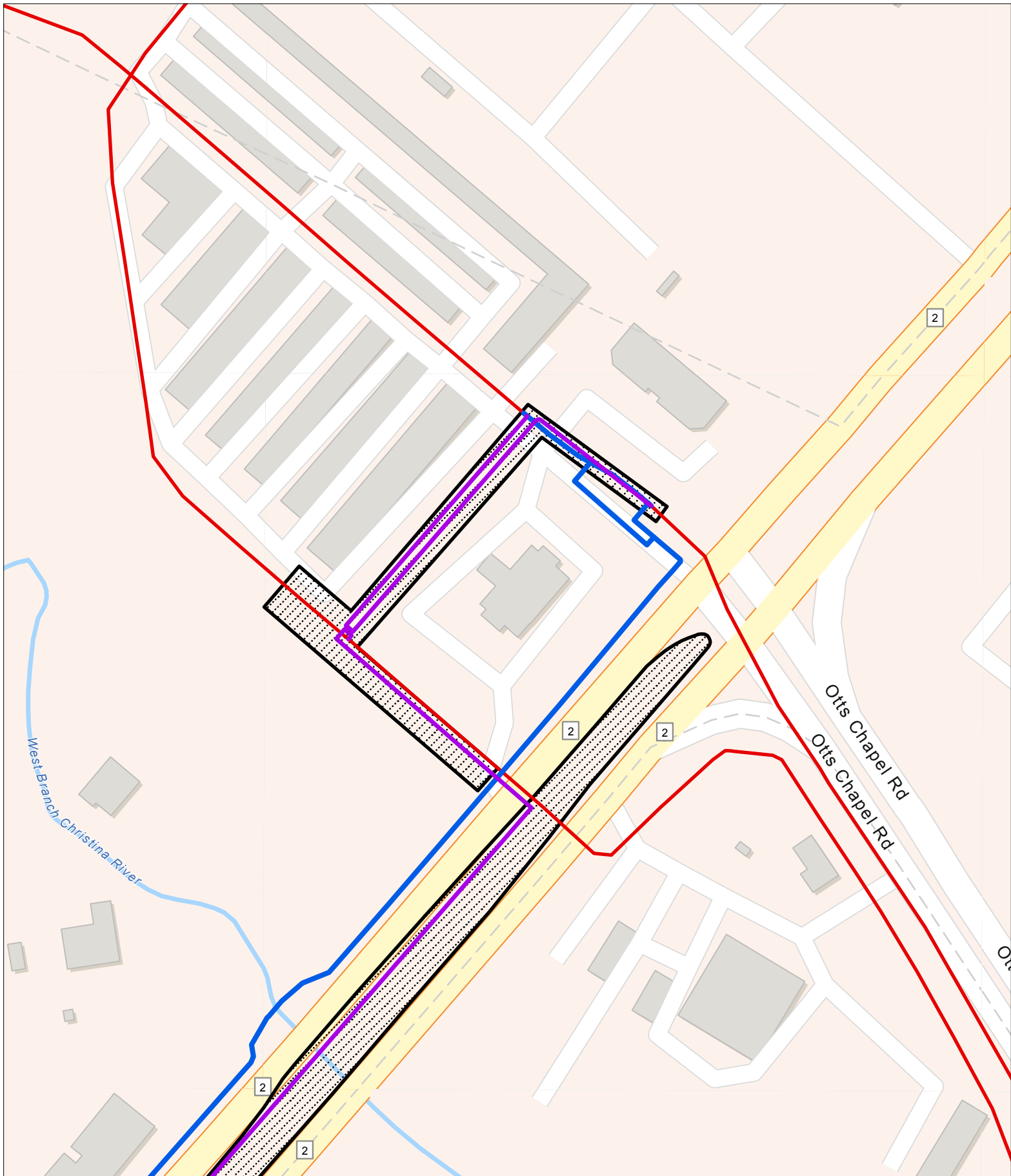
Elkton North Lateral Relocation Project

New Castle County, Delaware

- Existing Pipeline
- Abandoned/Removed Pipeline
- New Pipeline
- Project LOD



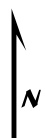
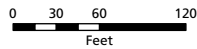
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| PRODUCED BY: PL | EASTERN SHORE NATURAL GAS 500 ENERGY LANE, SUITE 200 DOVER, DE 19901 |
| DATE CREATED: 2/25/2021 | www.esng.com Ph: 302.736.7831 Fax: 302.735.5601 |
| CSYS: NAD 1983 STATEPLANE DELAWARE TIPS 0710 FEET PROJECTION: TRANSVERSE MERCATOR DATUM: NORTH AMERICAN 1983 | 1:1,600 |
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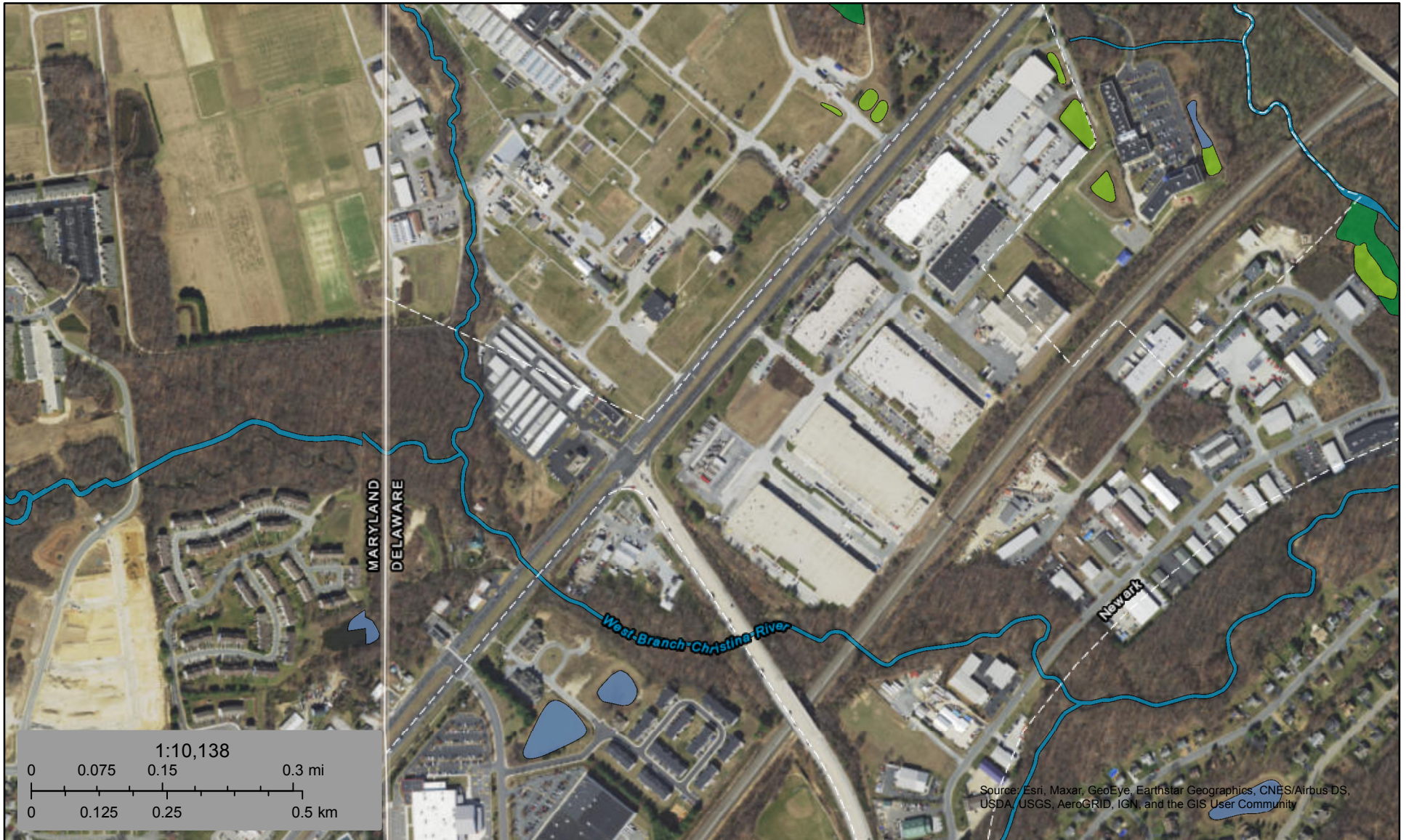
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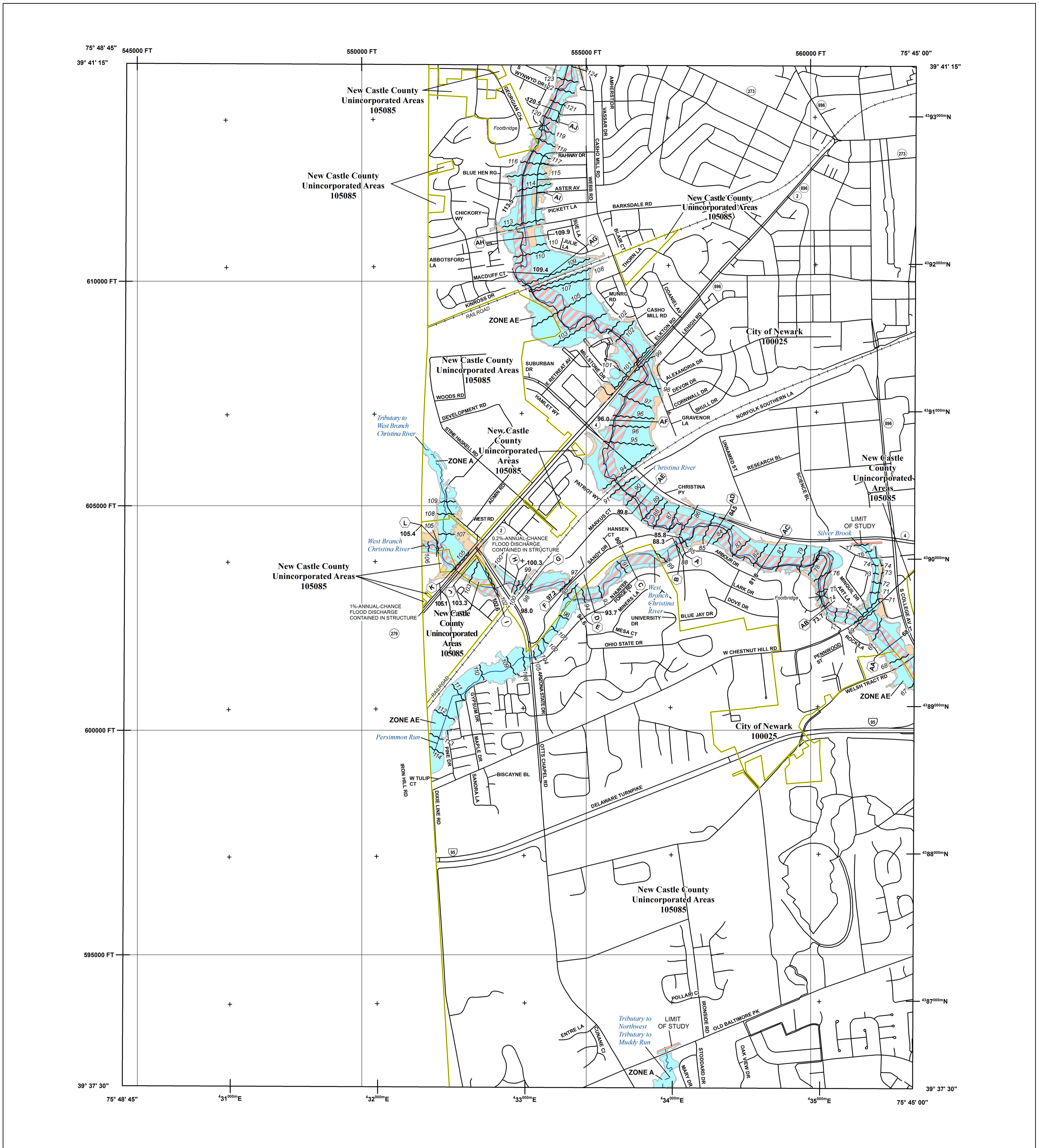


February 26, 2021

Wetlands

- Estuarine and Marine Deepwater
- Freshwater Emergent Wetland
- Freshwater Pond
- Freshwater Forested/Shrub Wetland
- Lake
- Riverine
- Other

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT [HTTP://MSC.FEMA.GOV](http://msc.fema.gov)

| | | |
|------------------------------------|--|---|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE) Zone A, V, A99 |
| | | With BFE or Depth Zone AE, AO, AH, VE, AR |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X |
| | | Future Conditions 1% Annual Chance Flood Hazard Zone X |
| | | Area with Reduced Flood Risk due to Levee See Notes Zone X |
| OTHER AREAS | | Area of Minimal Flood Hazard Zone X |
| | | Area of Undetermined Flood Hazard Zone D |
| GENERAL STRUCTURES | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | Cross Sections with 1% Annual Chance Water Surface Elevation (BFE) |
| | | Coastal Transect |
| | | Coastal Transect Baseline |
| | | Profile Baseline |
| | | Hydrographic Feature |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |

NOTES TO USERS

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with this FIRM, including historic versions, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Flood Map Service Center website at <http://msc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Study (FIS) Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website.

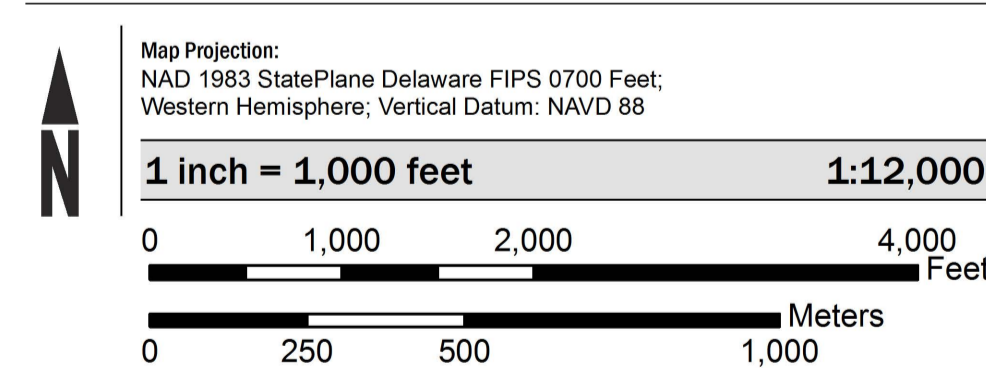
Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM index. These may be ordered directly from the Flood Map Service Center at the number listed above.

For community and countywide map dates refer to the Flood Insurance Study report for this jurisdiction.

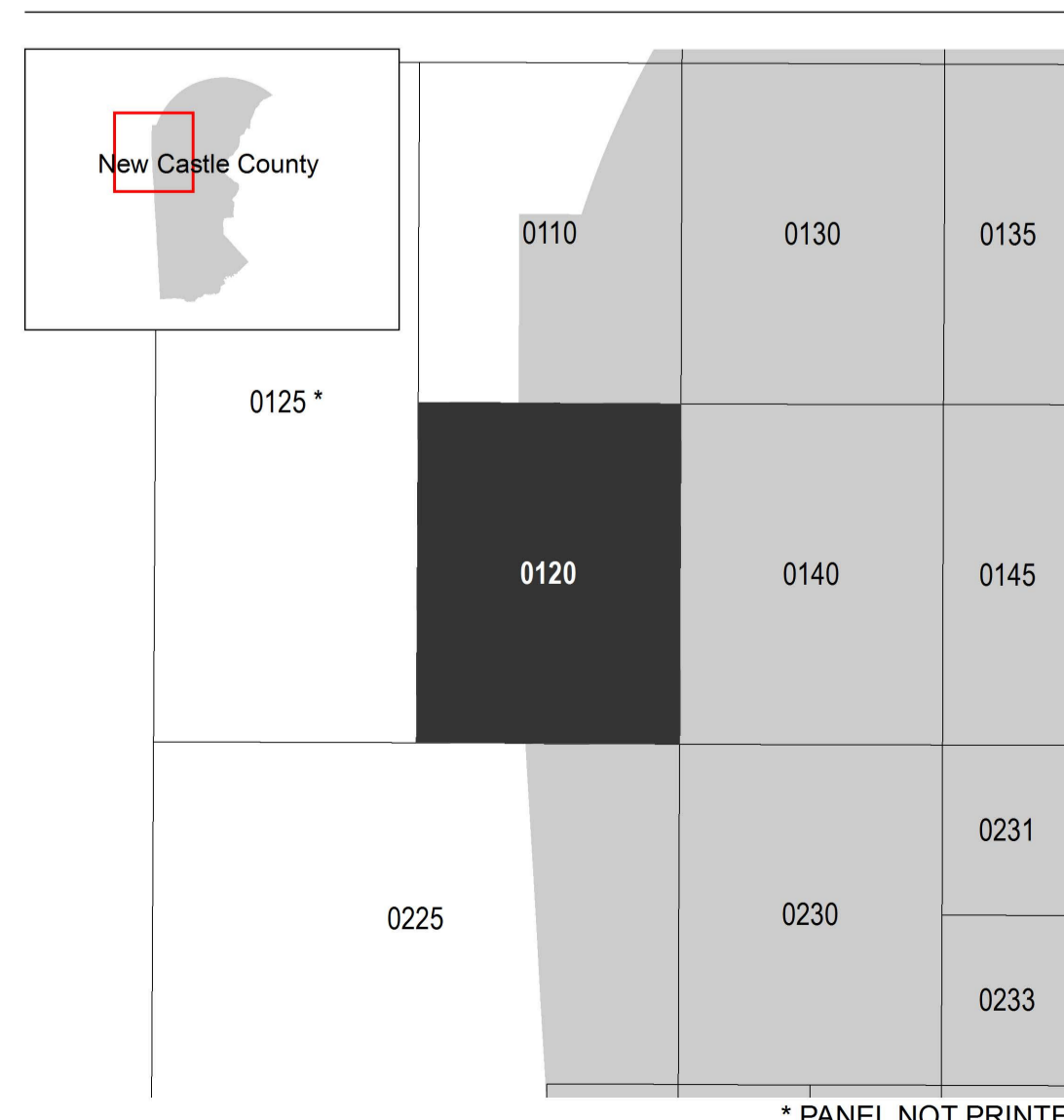
To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was provided in digital format by New Castle County GIS Department in 2015. For information about base maps, refer to Section 6.2 "Base Map" in the FIS Report.

SCALE



PANEL LOCATOR



**NATIONAL FLOOD INSURANCE PROGRAM
 FLOOD INSURANCE RATE MAP**

NEW CASTLE COUNTY, DELAWARE
 and Incorporated Areas
 PANEL 120 of 0475

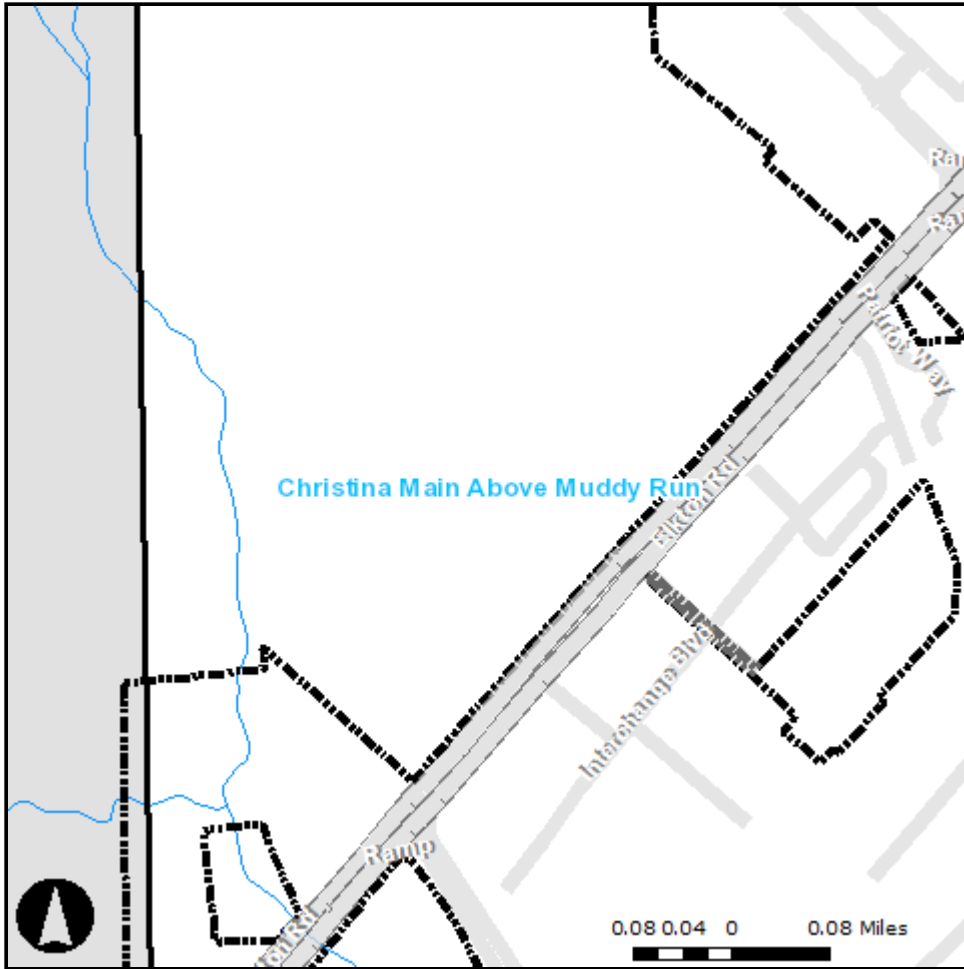


Panel Contains:

| COMMUNITY | NUMBER | PANEL | SUFFIX |
|-------------------|--------|-------|--------|
| NEW CASTLE COUNTY | 105085 | 0120 | K |
| NEWARK, CITY OF | 100025 | 0120 | K |

VERSION NUMBER
 2.3.3.3
 MAP NUMBER
 10003C0120K
 MAP REVISED
 JANUARY 22, 2020

Elkton Road Relocation



Watersheds



Recharge Areas



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