



New Jersey Judiciary  
Superior Court - Appellate Division  
**Civil Case Information Statement**

Please type or clearly print all information.

|                                                                                                                                                                                                                         |                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| Title in Full<br><b>IN THE MATTER OF 1219-25-0004.1 TDI250001<br/>TRANSCONTINENTAL GAS PIPE LINE COMPANY, UTILITY<br/>LICENSE, CHEESEQUAKE CREEK TRIBUTARY &amp; RARITAN BAY,<br/>SAYREVILLE BORO, MIDDLESEX COUNTY</b> | Trial Court or Agency Docket Number<br><b>1219-25-0004.1 TDI250001<br/>TRANSCONTINENTAL GAS PIPE</b> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|

**Appellant's Attorney** Email Address: **aprovence@litprolaw.com**

☐ Plaintiff ☐ Defendant ☒ Other (Specify) **INTERVENOR**

|                                               |                                           |                    |                     |                                         |
|-----------------------------------------------|-------------------------------------------|--------------------|---------------------|-----------------------------------------|
| Name<br><b>ANDREW J PROVENCE, Esq.</b>        | Client<br><b>CLEAN OCEAN ACTION, INC.</b> |                    |                     |                                         |
| Street Address<br><b>108 SOUTH FINLEY AVE</b> | City<br><b>BASKING RIDGE</b>              | State<br><b>NJ</b> | Zip<br><b>07920</b> | Telephone Number<br><b>973-642-1801</b> |

**Respondent's Attorney \*** Email Address: **dol.appeals@law.njoag.gov**  
**DOLAPPEALS@LPS.STATE.NJ.US**

☐ Plaintiff ☐ Defendant ☒ Other (Specify) **STATE AGENCY**

|                                                  |                                           |                    |                          |                                         |
|--------------------------------------------------|-------------------------------------------|--------------------|--------------------------|-----------------------------------------|
| Name<br><b>SOOKIE BAE-PARK, Esq.</b>             | Client<br><b>ENVIRONMENTAL PROTECTION</b> |                    |                          |                                         |
| Street Address<br><b>25 MARKET ST PO BOX 112</b> | City<br><b>TRENTON</b>                    | State<br><b>NJ</b> | Zip<br><b>08625-0112</b> | Telephone Number<br><b>609-984-3900</b> |

Give Date and Summary of Judgment, Order, or Decision Being Appealed and Attach a Copy:  
**The decision on appeal is memorialized by the minutes of the TRC's meeting on 05/06/26 (approved on 06/12/26). The decision grants a tidelands license for the construction of a natural gas pipeline that would run for over 2 miles through Raritan Bay before entering NY waters and terminating on Long Island. Raritan Bay is a crucial estuary that supports a mix of freshwater and marine species (including striped bass, flounder and endangered whales and sturgeon) as well as recreational boating and fishing and commercial shipping. Per the applicant, over 80 acres of Raritan Bay floor will be directly affected by the construction. The pipeline is to service customers in New York exclusively.**

Have all the issues as to all the parties in this action, before the trial court or agency, been disposed? (These claims may include counterclaims, cross-claims, third-party claims, and applications for counsel fees.) ☒ Yes ☐ No

If outstanding claims remain open, has the order been properly certified as final pursuant to R. 4:42-2? ☐ Yes ☐ No ☒ N/A

A) If the order has been properly certified, attach copies of the order and the complaint and any other relevant pleadings to the order being appealed. Attach a brief explanation as to why the order qualified for certification pursuant to R. 4:42-2.

B) If the order has not been certified or has been improperly certified, leave to appeal must be sought. (See R. 2:2-4; 2:5-6.) Please note that an improperly certified order is not binding on the Appellate Division.

If claims remain open and/or the order has not been properly certified, you may want to consider filing a motion for leave to appeal or submitting an explanation as to why you believe the matter

(\*) truncated due to space limit. Please find full information in the additional pages of the form.

is final and appealable as of right.

Were any claims dismissed without prejudice?

☐ Yes ☒ No

If so, explain and indicate any agreement between the parties concerning future disposition of those claims.

Is the validity of a statute, regulation, executive order, franchise or constitutional provision of this State being questioned? (R. 2:5-1(b)(4)) ☐ Yes ☒ No

Give a Brief Statement of the Facts and Procedural History:

**The Tidelands Resource Council approved a tidelands utility license to Transcontinental for a submerged natural gas pipeline through Raritan Bay and to Long Island, without making a finding of public interest or with respect to future use and without the authority to grant a license for offshore developments for fossil fuel, both in contravention of statutory law. The TRC voted to approve the application at its meeting on 05/03/26, notwithstanding presentations by 43 objectors (against only 2 proponents). Minutes of the meeting were approved by the NJDEP designee on 06/12/26 and serve as the decision being appeal. Upon information and belief, the NJAG's office has also approved the decision, per statutory process.**

To the extent possible, list the proposed issues to be raised on the appeal as they will be described in appropriate point headings pursuant to R. 2:6-2(a)(6). (Appellant or cross-appellant only.):

**1. THE TIDELANDS RESOURCE COUNCIL FAILED TO MAKE A FINDING OF PUBLIC INTEREST, AS REQUIRED BY N.J.S.A. 12:3-12.1.**

**2. ALL HARM, NO BENEFIT: AS THE PROPOSED PROJECT WOULD SERVE ONLY NEW YORK CUSTOMERS, THE SUBJECT LICENSE WOULD DAMAGE NEW JERSEY TIDELANDS AND SERVE NO PUBLIC INTEREST OF THE RESIDENTS OF NEW JERSEY.**

**3. THE TIDELANDS RESOURCE COUNCIL FAILED TO MAKE A DETERMINATION AS TO WHETHER THE STATE MAY HAVE A FUTURE USE OF THE SUBJECT TIDELANDS, AS REQUIRED BY N.J.S.A. 12:3-12.1.**

**4. UNDER THE NJ STOP OFFSHORE OIL AND GAS ACT, N.J.S.A. 13:19-47 ET SEQ., THE TIDELANDS RESOURCE COUNCIL LACKS THE AUTHORITY TO ISSUE A TIDELANDS LICENSE FOR A FOSSIL FUEL PIPELINE IN STATE WATERS**

If you are appealing from a judgment entered by a trial judge sitting without a jury or from an order of the trial court, complete the following:

1. Did the trial judge issue oral findings or an opinion? If so, on what date? ☐ Yes ☒ No

2. Did the trial judge issue written findings or an opinion? If so, on what date? 06/12/2026 ☒ Yes ☐ No

3. Will the trial judge be filing a statement or an opinion pursuant to R. 2:5-1(d)? ☐ Yes ☒ No ☐ Unknown

**Caution:** Before you indicate that there was neither findings nor an opinion, you should inquire of the trial judge to determine whether findings or an opinion was placed on the record out of counsel's presence or whether the judge will be filing a statement or opinion pursuant to R. 2:5-1(d).

Date of Your Inquiry:

1. Is there any appeal now pending or about to be brought before this court which:

(A) Arises from substantially the same case or controversy as this appeal? ☐ Yes ☒ No

(B) Involves an issue that is substantially the same, similar or related to an issue in this appeal? ☐ Yes ☒ No

If the answer to the question above is Yes, state:

Case Title

Trial Court Docket#

Party Name

2. Was there any prior appeal involving this case or controversy?

☐ Yes ☒ No

If the answer to question above is Yes, state:

Case Name and Type (direct, 1st PCR, other, etc.)

Appellate Division Docket Number

Civil appeals are screened for submission to the Civil Appeals Settlement Program (CASP) to determine their potential for settlement or, in the alternative, a simplification of the issues and any other matters that may aid in the disposition or handling of the appeal. Please consider these when responding to the following question. A negative response will not necessarily rule out the scheduling of a preargument conference.

State whether you think this case may benefit from a CASP conference.

☐ Yes ☒ No

Explain your answer:

**This appeal involves the abdication of the Tidelands Resource Council's duties owed to the New Jersey residents and the violation of its authority. There can be no compromise to excuse this behavior and allow State tidelands to be used and destroyed without any public benefit notwithstanding the statutes intended to avoid this result.**

Whether or not an opinion is approved for publication in the official court report books, the Judiciary posts all Appellate Division opinions on the Internet.

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

**CLEAN OCEAN ACTION, INC.**

Name of Appellant or Respondent

**ANDREW J PROVENCE, Esq.**

Name of Counsel of Record  
(or your name if not represented by counsel)

**07/20/2026**

Date

**s/ ANDREW J PROVENCE, Esq.**

Signature of Counsel of Record  
(or your signature if not represented by counsel)

**042401998**

Bar #

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New Jersey Judiciary  
Superior Court - Appellate Division  
CIVIL Case Information Statement

Additional appellants continued below

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☐ Plaintiff ☐ Defendant ☒ Other (Specify) **STATE AGENCY**

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