

LOWER SAUCON TOWNSHIP

RESOLUTION #32-2015

A RESOLUTION OPPOSING THE CONSTRUCTION OF THE PROPOSED PENNEAST PIPELINE THROUGH LOWER SAUCON TOWNSHIP

WHEREAS, PennEast Pipeline Company, LLC (“PennEast”), a limited liability company composed of interests from Red Oak Enterprise Holdings, Inc. (a subsidiary of AGL Resources, Inc.), New Jersey Resources Pipeline Company, Public Service Electric and Gas Power LLC, South Jersey Industries, Spectra Energy Partners and UGI Energy Services, proposes the construction of a new pipeline and related facilities for the transmission and delivery of natural gas generated by deep well hydraulic fracturing (so-called “fracking”) in areas of Marcellus Shale in Pennsylvania; and

WHEREAS, the proposed pipeline is approximately one hundred and eight (108) miles in length, and consists of a thirty-six inch (36”) diameter pipe crossing parts of Luzerne, Carbon, Northampton, and Bucks Counties in Pennsylvania, and Hunterdon and Mercer Counties in New Jersey; and

WHEREAS, as currently proposed, the pipeline crosses one and one-half (1½) miles of Lower Saucon Township, Northampton County; and

WHEREAS, on October 7, 2014, PennEast requested that the Federal Energy Regulatory Commission (“FERC”) initiate an environmental review under the National Environmental Policy Act (“NEPA”) pre-filing process; and

WHEREAS, PennEast intends to file a formal application with FERC for a Certificate of Public Convenience and Necessity on or before July of 2015; and

WHEREAS, PennEast representatives have made various public presentations regarding the nature of the proposed pipeline and the tentative proposed location and route of the same; and

WHEREAS, PennEast has also indicated that the proposed pipeline project will contain the “Hellertown Lateral” which is approximately a 2.1-mile, 24-inch (24”) diameter new pipeline and the associated TCO Interconnect and UGI Lehigh Interconnect and Launcher/Receiver Site in Northampton County, Pennsylvania; with a potential compressor and metering stations; and

WHEREAS, the proposed route of the pipeline may cross properties or conservation easements purchased by the Township pursuant to the Township’s Open Space Plan, which properties contain natural and environmental elements deserving of protection; and

WHEREAS, the construction of the pipeline along its currently-proposed route may negatively impact unique historic properties, areas of floodplain and sinkhole concerns, habitats for certain wildlife species, and areas of agricultural production located in Lower Saucon Township; and

WHEREAS, the proposed pipeline may negatively impact the residents of Lower Saucon Township by lowering property values, and disrupting residential, farming, and commercial activities; and

WHEREAS, the proposed pipeline may also negatively affect the health, safety, welfare, and quality of life of the residents of Lower Saucon Township; and

WHEREAS, on January 13, 2015, FERC issued a “Notice of Intent to Prepare an Environmental Impact Statement” (“NOI”) that also contains a schedule for public scoping meetings for the purpose of gathering public input on the scope of the issues to be addressed in the Environmental Impact Statement.

NOW, THEREFORE, BE IT RESOLVED, by the Council of Lower Saucon Township, Northampton County, Pennsylvania, as follows:

1. For the reasons set forth in the Whereas clauses above, which are incorporated herein by reference, the Council of Lower Saucon Township (“Council”) opposes and objects to the design, route, and construction of the proposed PennEast pipeline and Hellertown Lateral. The construction and operation of the proposed pipeline/lateral threatens to significantly damage streams, wildlife habitat, existing farm operations, and the quality of life in Lower Saucon Township.
2. The Council hereby authorizes participation in the Scoping Meeting process, and further indicates its intent to intervene in the FERC process at the appropriate time.
3. The Council authorizes the Township Manager to utilize the services of the Township’s Environmental Solicitor to assist in the preparation of documents and filings relative to both processes identified in Sections 1 & 2 above.
4. The Council seeks the cooperation of other similarly located and affected municipalities, asking that all nearby affected municipalities adopt a similar resolution.
5. The Council calls upon similarly situated municipalities to adopt a resolution authorizing each municipality to join together to enter their appearances in any proceeding before the Federal Energy Regulatory Commission and any other regulatory authority with jurisdiction over the PennEast pipeline project, so that by the strength of numbers they may successfully oppose the PennEast Pipeline project and have the ability to cause the relocation or termination of the project so as to prevent environmental degradation and to protect the environment and quality of life of their residents.
6. The Council reserves the right to adopt additional Resolutions, and take other actions it deems necessary, in the future relative to the proposed PennEast pipeline.

RESOLVED and **ADOPTED** this 21st day of January, 2015.

Attest:

Lower Saucon Township:

Jack Cahalan
Secretary

Ronald Horiszny
Council President