

DELAWARE TOWNSHIP
RESOLUTION #2014-59

WHEREAS, PennEast Pipeline Company, LLC, a joint project of AGL Resources, NJR Pipeline Company, a subsidiary of New Jersey Resources, South Jersey Industries, and UGI Energy Services, a subsidiary of UGI Corporation, proposed the construction of a new pipeline for the transfer and deliver of natural gas generated by deep well “fracking” in areas of Marcellus Shale in Pennsylvania; and

WHEREAS, the proposed pipeline is approximately one hundred (100) miles long of thirty inch (30”) buried 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 cuts through Delaware Township, Hunterdon County, causing or contributing to the following:

1. The proposed route of the buried pipeline route crosses at least seventeen C-1 streams, namely, the Wickecheoke Creek and nine of its tributaries, the Alexauken Creek and five of its tributaries, and one tributary and headwater area of the Lockatong Creek; and
2. The proposed route impacts pristine woods and forests causing damage to wildlife and plant life; and
3. Said removal of trees and vegetation along creeks, streams and waterways will result in the loss of sediment filtration, thereby causing sediment buildup in these waterways and the waterways that flow into the Delaware and Raritan Canal, a source of drinking water for millions of New Jersey residents; and
4. The proposed route crosses properties that were purchased with New Jersey Department of Environmental Protection Green Acres Funds, New Jersey Department of Agriculture Funds, Hunterdon County Open Space Funds, Delaware Township Open Space Funds, Federal Farm and Ranch Protection Program Funds, New Jersey Water Supply Authority Funds, as well as other properties that are subject to conservation easements and/or deed restricted against development; and

5. The proposed route crosses or affects properties that were purchased by non-profit land conservation and protection organizations including the New Jersey Conservation Foundation, the D&R Greenway, and the Hunterdon Land Trust; and
6. The taxpayers of the State of New Jersey, Hunterdon County, Delaware Township as well as foundations and individual donors and farmers and landowners have invested \$7,375,601 to permanently preserve these properties in perpetuity; and
7. The proposed route crosses the Rosemont Ridge Agricultural District that received New Jersey and Federal Historic Designation in 2010, said district covering 20,360 acres, 169 buildings, and historic viewsheds as well as historic agricultural land use patterns and landscapes; and
8. The proposed route will impact Township owned open space, privately held open space, and scenic vistas; and
9. The proposed route and the construction of pump stations along the way will impact ground water that Delaware Township residents depend on for domestic consumption, wetlands, springs, vernal ponds, and C-1 designated streams, all of which are highly valued by residents and visitors, are necessary for Delaware Township's way of life, and are irreplaceable; and
10. The proposed route of the pipeline may invade habitats of species protected by the Endangered Species Act, such as eagles, the wood turtle, the long tailed salamander, and various plants and other animals protected by federal and state law; and
11. WHEREAS, the proposed pipeline causes damage to Delaware Township residents by lowering property values, raising health concerns, raising safety concerns, impacting farms and residences, and generally degrading their quality of life and the historic, environmental and cultural resources they have dedicated themselves to protecting.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delaware, Hunterdon County, New Jersey as follows:

1. The Delaware Township Committee does hereby object to the design and construction of a 30 inch pipeline passing through and under Delaware Township, Hunterdon County. The construction and operation of the pipeline will significantly damage C-1 protected streams, wildlife habitat, existing farm operations, and the quality of life in Delaware Township.
2. The Delaware Township Committee calls for a moratorium on any and all planning for the PennEast Pipeline and requests that any such project, if approved, be removed from

the pristine reaches of Hunterdon and Mercer Counties in New Jersey and Luzerne, Carbon, Northampton and Bucks Counties in Pennsylvania

3. The Delaware Township Committee seeks the cooperation of other similarly located and affected municipalities, asking that all nearby affected municipalities adopt a similar resolution.
4. The Delaware Township Committee adopts, and calls upon similarly situated municipalities to adopt a resolution authorizing each municipality to join together to enter their appearance in any proceeding before the Federal Energy Regulatory Commission the Delaware River Basin Commission, the New Jersey Public Utility Commission, and any other regulatory authority, 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 project the environment envisioned by the State of New Jersey.
5. The Delaware Township Committee will appoint a Delaware Township subcommittee to help the governing body in its efforts as an intervenor in the FERC process and provide guidance in submitting written objections to FERC in opposition to the pipeline.
6. The Delaware Township Committee will act as an Intervener and/or Objector to the proposed PennEast Pipeline.
7. Working with its non-profit partners, local groups, and other municipalities, the Delaware Township Committee will exercise careful fiscal oversight in this opposition process.
8. The Delaware Township Committee recognizes that the pipeline could be beneficial to society through potentially lower natural gas prices in the national economy, though Delaware Township will not currently benefit from any of the natural gas being transported through this pipeline. The Delaware Township Committee determines that the damage to the Township outweighs any benefit the Township will gain.

ATTEST:

Judith A. Allen, RMC
Township Clerk
September 29, 2014

Kenneth J. Novak, Mayor