

**TOWAMENSING TOWNSHIP
CARBON COUNTY, PENNSYLVANIA
RESOLUTION 2015- 1**

**RESOLUTION OPPOSING POTENTIALLY HARMFUL EFFECTS OF THE
PENNEAST PIPELINE ON RESIDENTS AND THE ENVIRONMENT WITHIN THE
TOWNSHIP OF TOWAMENSING, PENNSYLVANIA**

WHEREAS, PennEast Pipeline Company, LLC (PennEast) plans to construct a 108.8, 36-inch-diameter pipeline, originating near Dallas, Luzerne County, Pennsylvania, and terminating near Pennington, New Jersey, with a projected in-service date of October 1, 2017; and

WHEREAS, the pipeline is planned to transport approximately 1.0 billion cubic feet of natural gas per day produced in the Marcellus Shale region in eastern Pennsylvania; and

WHEREAS, PennEast is still in the planning phase of the Project and workspace requirements have not been finalized; 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, on October 10, 2014, the Director of the Office of Energy Projects for FERC approved the company use of the pre-filing review process; and

WHEREAS, FERC has selected Tectra Tech as the third-party contractor to prepare the NEPA documentation; and

WHEREAS, PennEast intends to file a formal application with FERC on or before July 2015; and

WHEREAS, the pre-filing process and the formal application process both provide opportunities for public input and intervention; and,

WHEREAS, on November 18, 2014, PennEast representatives held an "open house," at the Aquashicola Fire Company, 290 Little Gap Road, Palmerton, Pennsylvania, to show residents and property owners where the pipeline route will be located with regards to their particular properties, but PennEast has held no public meetings in Carbon County on the project and has cancelled two planned meetings; and

WHEREAS, the project requires a survey (study) corridor 400 feet-wide with the final right-of-way 50-feet wide. A minimum of 100-foot clear-cut construction right-of-way will enter the boundaries of Towamensing Township, cutting through the Wild Creek watershed, a source of water for the City of Bethlehem, and potentially impacting the conduit that transports water from the Wild Creek Reservoir to Bethlehem; and

WHEREAS, the 100-foot-clear-cut construction right-of-way will traverse Beltzville State Park, crossing both the section of the lake known as Wild Creek Cove and the Pohopoco Creek portion of the lake, potentially jeopardizing the lake as a result of erosion, siltation, sedimentation, and habitat alteration; and potentially affecting other municipalities downstream in the Delaware River Basin, and

WHEREAS, the path of the proposed pipeline will pass through or adjacent to seven properties with structures or artifacts officially recognized by Towamensing Township as part of the Township's historical heritage, those properties being the farmhouse at 1665 Station Street (parcel #26-56-A22), the "Sears home" at 2055 Station Street (Parcel #15-56-A19), the Kibler One-Room School at 6495 Pohopoco Drive (Parcel #15.56 A18, 18.02), the Sei Pike bank barn at 232 Sei Pike Lane (Parcel #16D-56-A27), the farmhouse and bank barn at 1200 Spruce Hollow Road (Parcel #16.56-A72.07), the farmhouse and bank barn at 460 Beers Lane (Parcel 15-56-A11.01A), and the farmhouse, cool cellar and bank barn at 465 East Stagecoach Road (Parcel # 16-56-A74); and

WHEREAS, Towamensing Township has sought to preserve agricultural lands within the Township and such an intrusion onto agriculture uses is contrary to the Township Zoning Ordinance; and

WHEREAS, the path of the proposed pipeline will pass through two Towamensing farms, the Christman farm (Parcel #15-56-A18, 15-56-A18.02) and the Anthony farm (Parcel # 16-56-A74), recognized as preserved farms by the Pennsylvania Farmland Preservation program, and as such, are reserved exclusively for agricultural purposes; and

WHEREAS, the path of the proposed pipeline will pass through three additional farms, the Stanley Hahn, Jr. farm (Parcel #16-56-A31), the Roger and Renee Hahn farm (Parcel #6-56-A14.02) and the Plevretes farm (Parcel #6-56-A8.01A), which are in Towamensing Township's Agricultural Security Area, a program designed to protect agricultural uses; and

WHEREAS, the 100 foot-wide right-of-way will cut through agricultural land, depleting crop yields during construction and for years to come, and

WHEREAS, the massive removal of vegetation and disturbance of soils within the Township may result to the detriment of underground water supplies and to the detriment of Township residents who rely on pure and abundant well water and have no access to treated municipal water,

WHEREAS, approximately fifty percent of the proposed PennEast pipeline right-of-way is composed of "fresh cuts," disregarding existing clear-cut rights of ways.

WHEREAS, Towamensing Township possesses a multitude of steep forested slopes, large expanses of contiguous forested habitat, steep forested stream corridors, and high quality trout production streams; and

WHEREAS, the tree-clearing required for the pipeline within the steep slopes may severely jeopardize the stability of the steep slopes, and could jeopardize the integrity of

the streams and associated fishery and aquatic resources as a result of siltation and sedimentation; and

WHEREAS, an Information, Planning and Conservation System (IPAC) report generated by the U.S. Fish and Wildlife Service indicates the possible occurrence habitat for Federally Threatened and Endangered Species, including Northeastern Bulrush (*Scirpus ancistrochaetus*), Indiana Bat (*Myotis sodalis*), and Bog Turtle (*Clemmys muhlenbergii*) within the proposed pipeline route through the Township; and

WHEREAS, the tree-clearing required of the pipeline installation through the large expanses of contiguous forested habitat may impact the utilization of this preferred habitat by the Federally Endangered Indiana Bat, and

WHEREAS, the potential disturbance of certain wetland habitats may impact the occurrence and utilization of this critical habitat by the Federally Endangered Northeastern Bulrush and the Federally Threatened Bog Turtle, and

WHEREAS, the proposed pipeline project is expected to cause damage to Towamensing Township residents by lowering property values, raising health concerns, negatively impacting farms and residences and degrading the quality of life and the historic, environmental and culture resources in the Township that has dedicated many years of work and taxpayer dollars to protect; and

WHEREAS, the negative economic, cultural, and environmental impacts experienced by the Township from the construction of the pipeline may be severe and long lasting;

NOW, THEREFORE, BE IT RESOLVED that the Supervisors of the Township of Towamensing, Carbon County, Pennsylvania object to the construction and proposed path of the PennEast pipeline unless PennEast LLC satisfactorily addresses the concerns set forth in this resolution.

We also object to the use of eminent domain to secure the right-of-way for this project. Towamensing residents have historically lost hundreds of acres of privately held land to two large government projects through the process of eminent domain. Once again Towamensing residents are expected to bear negative impacts of this project.

We strongly encourage PennEast to consider the concerns of Towamensing and Carbon County residents and to hold public meetings so that residents may be fully heard.

The Township will make its views known as an "intervenor" through the FERC regulatory process to preserve our ability to represent effectively the interests of the residents of this Township.

BE IT FURTHER RESOLVED that the Supervisors are strongly opposed to the construction of an above ground compressor station within the Township. Compressor stations operate 24 hours a day, emitting chemicals and producing disturbing levels of noise,

BE IT FURTHER RESOLVED that the Supervisors will take those actions they feel are necessary to protect the interests of the Township and its residents, and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to Governor Tom Wolf, U.S. Senators Robert Casey, Jr. and Pat Toomey, Pennsylvania State Senator John Yudichak, Pennsylvania State Representative Doyle Heffley, and the Carbon County Commissioners.

This is to certify that the foregoing is a true copy of a Resolution adopted by the Board of Supervisors of the Township of Towamensing, Carbon County, Pennsylvania at a meeting on

February 5, 2015

Larry L Kleintop, Chairman
Signature and title

James F Newman, Vice Chair

[Signature]



Attest:

Brenda Drew
Secretary