

**TOWNSHIP OF HOPEWELL
MERCER COUNTY, NEW JERSEY**

RESOLUTION #14-337

**A RESOLUTION REQUESTING THE FEDERAL ENERGY REGULATORY
COMMISSION (FERC) TO CONDUCT A FORMAL SCOPING MEETING IN LIEU
OF AN OPEN HOUSE FORMAT**

WHEREAS, the natural gas pipeline proposed by PennEast Pipeline Company LLC is presently the only proposed pipeline route in the State of New Jersey that is not in compliance with New Jersey policy of co-location in an existing Right of Way; and

WHEREAS, the construction of the proposed PennEast pipeline will, therefore, certainly cause irreparable harm to the environment and resources of Hopewell Township; and

WHEREAS, due to PennEast LLC not co-locating the proposed pipeline route, as a result it is absolutely necessary to take steps to assure alternatives including co-location will be fully evaluated and then ordered as is prescribed by the United States National Environmental Policy Act (NEPA); and

WHEREAS, the express Congressional purpose of NEPA is: "To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation;" (National Environmental Policy Act, 42 U.S. Code § 4321); and

WHEREAS, the National Environmental Policy Act requires that:

"(2) all agencies of the Federal Government shall—

...

(C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on—

- (i) the environmental impact of the proposed action,
- (ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,
- (iii) alternatives to the proposed action,
- (iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and
- (v) any irreversible and ir retrievable commitments of resources which would be involved in the proposed action should it be implemented.

...

(E) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;(42 U.S. Code § 4322); and

WHEREAS, to date PennEast LLC scheduled only one (1) Open House meeting for a two (2) hour period for all stakeholders and the public in New Jersey, and as the Open House meetings do not offer a reasonable opportunity for stakeholders and the public to provide

specific information to PennEast LLC for use in preparing the required environmental resource review materials for submission to FERC; and

WHEREAS, given the short timeline of the FERC review process it is critical to provide fair and reasonable opportunities for all stakeholders and the public to identify all relevant issues for this major pipeline project, pursuant to the National Environmental Policy Act; and

WHEREAS, Scoping is the process of defining and refining the scope of an environmental impact statement (EIS) and the alternatives to be investigated pursuant to the FERC rules; and

WHEREAS, in order to assure timely and relevant information is provided to FERC by PennEast LLC, a reasonable and sufficient number of Scoping meetings should be held with at least two weeks advance written notice provided to all stakeholders and to the public within the communities that are or may be impacted by this proposed pipeline; and

WHEREAS, the proposed route is expected to change a number of times between this date and when PennEast may decide to file a formal application with FERC; and

WHEREAS, all route changes will impact and irreparably harm previously unidentified lands, and Scoping meetings may not have addressed the environmental impacts to lands on newly proposed routes; and

NOW THEREFORE BE IT RESOLVED on this 27th day of October, 2014, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the Township Committee shall hereby take all steps necessary to insure that all PennEast Pipeline proposed routes be reviewed in detail and in full compliance with the fundamental public policies and directives for the protection of environmental resources and for the implementation of alternatives when unresolved conflicts arise as set forth in the National Environmental Policy Act, U.S. Code § 4332(E); and

BE IT FURTHER RESOLVED that the Township Committee hereby finds and urges that because of our significant environmental resources - including but not limited to Category 1 surface waters, environmentally sensitive lands, preserved open space, preserved farmlands, organic farmlands, public parklands, and lands protected with conservation easements - that will be irreparably harmed if the PennEast pipeline is constructed as proposed, a complete Environmental Impact Statement (EIS) be conducted in accordance with the National Environmental Policy Act; and

BE IT FURTHER RESOLVED that the Township Committee hereby urges FERC to give due and careful consideration to the overall cumulative impact of building a completely new pipeline through the Township's significant environmental resources and to the State policy of co-location in existing Right of Ways; and

BE IT FURTHER RESOLVED that the Township shall take all necessary steps to ensure that a sufficient and reasonable number of Scoping meetings shall occur with at least two weeks written notice to all stakeholders and the public in all impacted communities regarding any and all proposed routes and route changes with the goal of ensuring that the EIS will include accurate, detailed, and complete documentation and analysis of all environmental resources along all proposed routes including the "final" route at least two weeks in advance of PennEast LLC filing any formal application with FERC; and

BE IT FURTHER RESOLVED that a copy of this Resolution be distributed to Governor Chris Christie, U.S. Senator Robert Menendez, U.S. Senator Cory Booker, Congressman Rush Holt, Congressman Leonard Lance, Senator Shirley K. Turner, Assemblywoman Bonnie Watson Coleman, Assemblyman Reed Gusciora, Senator Christopher Bateman, Assemblyman Jack M. Ciattarelli, Assemblywoman Donna Simon, Senator Michael J. Doherty, Assemblyman Erik C. Peterson, Assemblyman John DiMaio, Mercer County Board of Chosen Freeholders, Hunterdon County Board of Chosen Freeholders, Affected Municipalities in Hunterdon and Mercer Counties in New Jersey, Affected Municipalities in Luzerne, Carbon, Northampton and Bucks Counties in Pennsylvania and the New Jersey State League of Municipalities.

Date Adopted: October 27, 2014

CERTIFICATION

I HEREBY CERTIFY THE FOREGOING TO BE
A TRUE COPY OF A *Resolution* ADOPTED
BY THE HOPEWELL TOWNSHIP COMMITTEE
AT A MEETING HELD

October 27, 2014

DATE

Laurie E. Gompf

LAURIE E. GOMPF, MUNICIPAL CLERK