

BEFORE THE UNITED STATES
FEDERAL ENERGY REGULATORY COMMISSION

PennEast Pipeline Company, LLC

Docket No. CP15-558-00

MOTION TO INTERVENE

Pursuant to Rules 212 and 214 of the Federal Energy Regulatory Commission's ("Commission") Rules of Practice and Procedure, 18 C.F.R. § 385.212 and 385.214 (2007), Hopewell Township Citizens Against the PennEast Pipeline Inc. file this Motion to Intervene in this proceeding.

On, September 24, 2015, the PennEast Pipeline Company LLC ("PennEast") filed its application under § 7 of the Natural Gas Act, 15 U.S.C. § 717f, and § 157 of FERC's regulations, 18 C.F.R. § 157.1 *et seq.*, for the proposed PennEast Project ("Project"), FERC Docket No. CP15-558-000.

I. Communications and Service

All communications, pleadings, and orders with respect to this proceeding should be sent to the following individual:

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We request to be included on the service list for this proceeding.

II. Interest of Petitioner

Movant is Hopewell Township Citizens Against the PennEast Pipeline (HTCAPP); a non-profit group incorporated in the State Of New Jersey. Our over 600 members are comprised of directly impacted landowners, businesses, and residents of Hopewell Township NJ and the local environs who are concerned about the impacts the PennEast pipeline would have on our natural resources, environment, and safety. The proposed PennEast Pipeline would traverse 9.62 linear miles of Hopewell Township and would terminate in Hopewell Township at PennEast's proposed connection with the Transco Pipeline. HTCAPP has standing to intervene because it's members are directly affected by the proposed pipeline.

HTCAPP further has standing as an intervenor because the pipeline would adversely affect crucial natural resources relied upon by Township residents. Hopewell Township has limited water resources. As recognized by the United States Environmental Protection agency and the New Jersey Department of Environmental Protection, Hopewell Township is underlain by "sole source aquifers," such that groundwater provides the primary source of drinking water for residents of the Township. Impacts to groundwater harm those water resources. This limitation has served as the basis for the Land Use Element of the Hopewell Township's Master Plan and for its zoning, which was upheld by the New Jersey Superior Court, Appellate Division in the litigation captioned *Greenwood v. Mayor & Twp. Comm. of Hopewell*, 2008 N.J. Super. Unpub. LEXIS 275 (App.Div. Aug. 14, 2008). Those limited groundwater resources are declining and require protection. Near all of the residents of Hopewell Township have private wells and private septic systems that rely on our water resources. HTCAPP is very

concerned that PennEast plans to HDD under some waterways, but not all of our C1 streams. Our water table is already precarious and cannot tolerate anything less than HDD under all waterbodies.

Additionally, HTCAPP is asking FERC to not issue a blanket certificate to PennEast. The environmental impacts to our many waterways is far too complex for a 'one size fits all solution'.

HTCAPP petitioned The Hopewell Township Board of Health for a public hearing and the Board of Health was sufficiently concerned about the potential adverse effects of the pipeline on water resources and on the general health of local residents that it held the hearing, on the record, on July 28, 2015. HTCAPP provided Nine experts, and five individuals testified under oath. Experts who testified included:

- Matthew Mulhall, professional geologist, who testified about the Township's limited and strained water resources. He testified that the pipeline would cross the Hopewell Fault, an important regional water resource, and that it would introduce contaminants to the groundwater and serve as a conduit for groundwater to migrate out of the watershed.
- Michael Pisauro, J.D., who testified that the pipeline would cut through multiple Category 1 streams and waterways in Hopewell Township, compromising the regulatory scheme that is designed to protect the Township's groundwater and surface water from contamination, thereby adversely affecting the Township's drinking water.
- Dr. Tullis Onstott, Ph.D., who testified that construction and operation of the pipeline will cause arsenic contamination in the groundwater, adversely impacting the wells of many Hopewell Township residents, some of which are within 50 feet of the proposed route.

- Dr. Michael Trachtenberg, Ph.D., who testified that chemical releases from the pipeline will adversely affect the physical health of residents of Hopewell Township.

- Dr. Michael Brogan, Ph.D., who testified that the pipeline posed a significant risk to the residents of Hopewell Township resulting from any unintentional release of gas. Furthermore, he testified that 1 out of 7 residents in Hopewell Township live within the PIR for the pipeline and that it constituted an unacceptable burden shift on residents.

- Dr. Scott Donofrio, M.D., who testified that Hopewell Township residents would be exposed to an increased risk of mental illness as a result of the pipeline operations in the Township and that that unalleviated stress could cause many physical illnesses well documented to be attributable to increased stress including migraines, heart disease, and gastrointestinal disorders. He testified that he is already seeing patients present with anxiety symptoms from the proposed project.

- Dr. Lisa Dobruskin, M.D., who testified that chemical releases from the pipeline and the nearby Transco Compressor station #205, which is part of the cumulative impacts that need to be considered by FERC, would adversely affect the physical health of residents of Hopewell Township.

- Katherine Dresdner, J.D., who testified that PennEast had an inadequate safety record to justify construction and operation of the pipeline.

- Paul Pogorzelski, P.E., who offered a report prepared by Frank Chippetta, of Blasting Analysis International, describing blasting safety measures that PennEast would have to comply with to minimize risk to residents from PennEast's blasting operations.

PennEast chose not to send any representative to the hearing. Following presentation of the testimony, the Board of Health adopted a Resolution declaring, among other things, that:

The proposed PennEast natural gas pipeline will pose an unreasonable and significant risk to the health and safety of the citizens

of Hopewell Township, as a result of, among other things, potential groundwater and surface water contamination, air quality degradation, blasting risk, increased risk of mental health illness, and increased risk of physical illness. [Hopewell Township Board of Health Resolution 2015-2]

HTCAPP is also worthy of standing based on the economic concerns of our members. Landowners on and near the route will suffer decreased property values and directly impacted landowners property rights will be impinged upon through the burden of an unwanted easement. A depressed and devalued real estate market would have a negative impact on our tax base as well as individual property owners. The proposed pipeline would also permanently compromise tax payer purchased preserved lands in Hopewell such as the Ted Stiles Preserve at Baldpate Mountain, and 3 tracks of municipal lands that consist of parks, a future fire station site, and the Zaitz Track land that is integral to Hopewell Township's Affordable Housing Plan. Finally, but without limitation, HTCAPP has an interest in protecting local ordinances that we have, as citizens, supported. These ordinances are designed to protect our water supply and natural resources. These ordinances include, but are not limited to,

- Steep slope protection ordinance: PennEast pipeline activities will modify the natural slope system in a variety of ways and will promote instability by loading the slope, removing vital support, and increasing pore-water pressures.
- Forestry management and tree removal ordinances: PennEast pipeline construction will result in the removal of significant forestland and mature trees that will require mitigation pursuant to the Township's tree removal ordinance.

Our intervention in the post-certificate phase is critical to allow us to help protect the interests of our community. The certificate imposes certain obligations on PennEast

Pipeline Company, LLC to produce site specific plans for review and to consult with landowners and the community on a variety of matters.

Our intervention serves the public interest by allowing members of the local community to have a voice in the process and to ensure that the safety and well being of our community and surrounding environment are considered in this process. As such, we are entitled to be granted intervenor status.

III. Conclusion

Hopewell Township Citizens Against the PennEast Pipeline Inc. respectfully requests that the Commission grant this Motion to Intervene as a party with full rights to participate in all further proceedings. We certify that this motion was served by emailing it to the Federal Energy Regulatory Commission on October 24, 2015

Respectfully submitted,

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