

II. INTEREST OF PETITIONER

The citizens of Hunterdon County have repeatedly and overwhelmingly approved referenda supporting open space and farmland preservation, largely for the purpose of farmland, open space and environmental protection. Bolstered by that support, and the accompanying funding provided through the County's open space tax, the County, together with the municipalities within the County's borders, have made great strides in the acquisition and preservation of open space, woodlands and farmland, thereby ensuring future generations will have the opportunity to enjoy these resources.

Among the properties lying in the proposed pipeline's path are 23 farms constituting 2,007 acres of County-preserved open space. If approved, the Penn East pipeline would necessarily extinguish the County's conservation easements on those farms and trump a County open space policy mandated by three successive voter referenda. This issue alone warrants County opposition.

The County's objections are based upon (1) the disregard of potential alternate paths using existing easements that may result in the abuse of eminent domain to destroy conservation easements and pre-empt County open space policy; (2) the insufficiency of proposed compensation to affected landowners; (3) the threat of construction-generated water contamination in specific neighborhoods serviced by private wells; and (4) the absence of a lasting public benefit outweighing the burdens upon homeowners in the project's path.

Penn East also proposes inadequate—and therefore unjust—compensation to Hunterdon taxpayers in the project's path. The utility conglomerate merely proposes to pay owners the one-time loss of value attributed to the new encumbrance on property. Pipelines earn continuous

profits potentially to include additional revenue from other public utilities. The benefits Penn East would reap from any targeted property are analogous to those received by wireless providers from cell towers. Wireless companies place cell towers on another's property with an agreement to provide the owner with a stream of income, much like a lease. When the company leases those towers to other wireless providers, the land owner receives additional income due to the third party's, commercial use of the owner's land. Property owners in the pipeline's path should be treated no differently. Thus, if Penn East is going to earn continuous profits from the exploitation of the land of another, it should make that owner a partner.

Construction disturbance near a local drinking water supply raises contamination concerns. The proposed project slices through 53 acres of Tier 1 well protection areas—neighborhoods with residents overwhelmingly dependent on the consumption of well water. Prior local experience with drinking water contamination caused by poorly supervised construction near an existing transfer station proves that a potential threat to the well protection area is a well-founded misgiving. In fact, we would prefer that any pipeline be routed around this area entirely.

The PennEast Project presents a threat to these preserved natural, cultural and historic resources. In addition, environmentally sensitive ecosystems found in lands included in and adjacent to County property are potentially located within the Project's pathway. It follows that the interests of the County's residents are best served through the participation of the public entity in the present matter, so as to ensure that the achievements obtained through the County's preservation efforts are neither compromised nor diminished by the Project.

It is in the public interest that the County takes part in this proceeding.

III. CONCLUSION

Wherefore, the County of Hunterdon respectfully requests that the Commission grant its Motion to Intervene as a party with full rights to participate in all further proceedings.

Respectfully submitted,

Dated: October 20, 2015

/s/ Shana L. Taylor
Shana L. Taylor, County Counsel
County of Hunterdon
71 Main Street, Building #1
PO Box 2900
Flemington, NJ 08822
Telephone: 908-788-1546
Fax: 908-788-1548
staylor@co.hunterdon.nj.us