

TOWNSHIP OF CHESTERFIELD

RESOLUTION NO. 2015-4-2

RESOLUTION OPPOSING THE INSTALLATION OF THE “SOUTHERN RELIABILITY LINK” NATURAL GAS PIPELINE ALONG COUNTY ROUTE 528 THROUGH CHESTERFIELD TOWNSHIP

WHEREAS, New Jersey Natural Gas (“NJNG”) is planning to construct an entirely new natural gas transmission pipeline, called the “Southern Reliability Link,” to feed the southern portion of the utility’s service territory in Ocean, Monmouth, and a small portion of Burlington counties; and

WHEREAS, the proposed route for the 28-mile, 30 inch-diameter, high-pressure transmission pipeline would begin in Chesterfield Township and traverse North Hanover Township in Burlington County, Upper Freehold Township in Monmouth County, Plumsted Township in Ocean County, and Joint Base McGuire-Dix-Lakehurst before connecting with the utility’s transmission system in Manchester Township, Ocean County; and

WHEREAS, the Southern Reliability Link is a transmission pipeline only and, therefore, will not provide natural gas service to Chesterfield Township or any of the municipalities along the proposed route; and

WHEREAS, residents, businesses, municipal services, and first responder companies would be negatively impacted by the pipeline’s installation because County Route 528 is a main thoroughfare through Chesterfield Township and long-term construction would interfere with school bus routes and access to local roads, residences, businesses, and municipal services;

WHEREAS, should the pipeline be approved to follow County Route 528, it will likely be installed as close as fifty (50) feet to residences, businesses, municipal buildings,

and nationally registered historic properties within Chesterfield Township, creating a potentially devastating situation in the event of a ruptured pipeline much like the tragedies that occurred recently in: (1) Stafford Township, Ocean County, New Jersey, when a gas leak in a two-inch diameter, steel-protected New Jersey Natural Gas pipeline caused an explosion that was felt up to a mile away, completely disintegrated an entire home, damaged several nearby homes, seriously injured gas workers and local first responders, and required an emergency shutoff of gas and electricity to nearly 300 homes; and (2):Point Pleasant Beach, Ocean County, New Jersey, where a resident switched on the bathroom light in the early morning hours which triggered an explosion felt by neighboring residents. The explosion was strong enough to throw the resident into his neighbor's front yard and reportedly caused burns to cover 40 to 50 percent of his body; and

WHEREAS, alternate routes exist that would keep the pipeline away from residential areas and mitigate the negative impact of the pipeline on Chesterfield's schools, residents, businesses, municipal services, and environment, such as the Jersey Central Power and Light Company's existing right-of-way; and

WHEREAS, New Jersey is presently facing an onslaught of proposed energy infrastructure without comprehensive planning and sufficient oversight by Federal and State authorities; because utility expansion petitions such as this Southern Reliability Link are processed in an unnecessarily hasty fashion with New Jersey Natural Gas intentionally bypassing local participation and input; and

WHEREAS, for example, New Jersey Natural Gas filed two Petitions with the Board of Public Utilities on Thursday, April 2, 2015, on the eve of a three-day Religious holiday weekend, totaling over 500 pages which outlined the plans and specifications of this specific

pipeline construction. Pursuant to N.J.S.A. 48:10-10, Chesterfield Township only has 10 (ten) days to review the Petitions and “notify the natural gas pipeline utility...of its objections and file a copy thereof with the Board of Public Utility Commissioners;” and of those ten-days, only five are days upon which public business is conducted; and

WHEREAS, despite these limitations, the Township Committee of the Township of Chesterfield is able to, and does make the following factual findings:

1. The currently proposed route for New Jersey Natural Gas’ “Southern Reliability Link,” which involves installation of the natural gas transmission pipeline along County Route 528, will impact 55 local homes and businesses, as well as the Township’s current municipal complex, proposed municipal complex, police station, firehouse, and emergency squad headquarters. This present a far greater impact than that suggested in New Jersey Natural Gas’ Petitions.
2. The currently proposed route would be installed as close as 50 to 75 feet from the nearest Township residence, downtown business, and just over 100 feet from the nearest municipal services building.
 - a. Although the New Jersey Natural Gas Petition accurately reflects that the current municipal building is more than 100 feet from County Route 528, the route proposed by New Jersey Natural Gas is well within 100 feet on either or both side(s) of the proposed new Municipal Complex, which will be situated across the street from the current Municipal Complex, at 295 Bordentown-Chesterfield Road, a/k/a County Route 528, (Chesterfield Tax Map, Block 500, Lot 8) at the site of the former elementary school. Thus, the new Municipal Complex will face both County Route 528 and Chesterfield-

Crosswicks Road (County Route 677). No consideration has been given to the close proximity of the proposed route to the new Municipal Complex, which will also house the police department.

3. The Township of Chesterfield has but one “business district,” and the proposed route would install the pipeline directly through the center of one of the Township’s busiest intersections.
4. The currently proposed route potentially impacts the center of Chesterfield Village, a designated historic district within the Township.
5. The Office of Pipeline Safety, a division of the United States Department of Transportation, has developed an equation that estimates the distance from a potential explosion at which death, injury, or significant property damage could occur, and is based on a pipeline’s diameter and the maximum operating pressure (psi). This distance is known as the “potential impact radius” and is used to depict potential explosion impact circles.
6. Because of the pipeline’s proposed proximity to the Township of Chesterfield’s residences, businesses, municipal services, and historic properties, the Committee believes that the portions of Chesterfield Township along County Route 528 are considered a “High Consequence Area” where a pipeline rupture or leak could have the most significant adverse consequences. Indeed, New Jersey Natural Gas has concluded in its recently filed Petitions that the entire pipeline is to be considered a high consequence area, thereby exposing Chesterfield Township to a high risk of potentially dangerous adverse impacts.
7. Natural gas pipelines, including those installed and operated by New Jersey Natural

Gas, have the potential to cause devastating damage to surrounding areas and have, in fact, previously caused serious injuries, devastating property damage, and deaths in New Jersey and across the United States.

8. Between May 16, 2014, and February 12, 2015, a period of just nine (9) months, New Jersey Natural Gas was cited by the New Jersey Board of Public Utilities with seventy-eight (78) separate violations, and made “settlement payments” to the Board of Public Utilities on what appear to be all of the alleged violations, leading to the conclusion that New Jersey Natural Gas did, indeed, commit the offenses cited. New Jersey Natural Gas’ disinterest in complying with State regulations, and its cavalier attitude towards protecting the public health, safety and welfare, are cause for an enhanced concern, as evidenced by the extraordinary number of violations in such a short period of time.
9. The fears set forth above are further underscored by the fact that the proposed diameter of this pipeline is larger than most, if not all, of New Jersey Natural Gas pipelines (30" proposed), and also proposes a maximum operating pressure of 722 psi. The Township of Chesterfield is unaware of any other pipeline constructed and/or maintained by New Jersey Natural Gas with this large a diameter and such an extraordinarily high psi. There is no experience, therefore, to show that New Jersey Natural Gas is qualified to construct and maintain such a significant and impactful natural gas pipeline. The Township respectfully suggests that if New Jersey Natural Gas treats much smaller pipes, with significantly less pressure per square inch, in such a cavalier way as reflected in paragraph 8 above, then the threat to the public health, safety and welfare proposed by the pipeline described in these Petitions is of

monumentally greater concern.

10. New Jersey Natural Gas officials have ignored the impacts to the Township's local roads, which will be heavily impacted by the increased traffic directed to those local roads by the detours from County Route 528 during the proposed construction of this pipeline. The Township of Chesterfield recently suffered extensive roadway damage as the result of the New Jersey Turnpike's widening of the Exit 6-9 Project, due to the vehicular and truck traffic redirected onto local roads. It is inevitable that this project will redirect vehicular and truck traffic to local roads in Chesterfield Township which have not been built and/or maintained in a fashion to accommodate such heavy traffic. New Jersey Natural Gas has completely failed to even discuss this issue with local officials. The Board of Public Utilities should not allow this pipeline to proceed along any route until issues of local concern, such as this, are fully addressed to the satisfaction of the municipality.
11. With regard to the specific proposed route set forth in New Jersey Natural Gas' Petitions, again, New Jersey Natural Gas has been evasive in its discussions with Chesterfield Township officials as to the route it intended to take. However, recently, one of its gas line contractors is reported to have informed a local resident that New Jersey Natural Gas intended to run this line "down the middle of County Route 528." Such a representation contradicts the recently filed plans, but was probably intended to lead the resident to believe that the pipeline would be further from her front "front door" than if the pipeline was constructed on the edge of the cartway. Again, however, given the lack of candor exhibited by New Jersey Natural Gas over the past couple of months, such (mis)representations are not surprising, and the BPU is urged

to vet New Jersey Natural Gas' submissions carefully.

12. The Township of Chesterfield is currently engaged in plans to extend waterlines to various parts of the municipality, which waterlines necessarily will travel along most or all of the same route proposed by New Jersey Natural Gas. If New Jersey Natural Gas is allowed place its pipeline in the County Right-of-Way as proposed, the Township will be unable to bring a potable water system to those residents whose wells are currently negatively impacted by the low water table in the area. The BPU is respectfully urged to disallow any construction until such time as the Township has been able to install waterlines within the roadways proposed by New Jersey Natural Gas, should the BPU even allow this Petition.

13. Prior to submitting its Petition on Thursday, April 2, 2015 (before a 3-day weekend), New Jersey Natural Gas held only two (2) meetings with local officials, and during both of those meetings, they specifically represented that they had not yet determined the route they intended to follow, but insisted that they were looking at various options. New Jersey Natural Gas officials spent no time discussing the impacts of this route as described in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey as follows:

1. The foregoing factual recitations and findings are incorporated herein, and repeated as if set forth at length, for the factual predicate for this Resolution.
2. The Township of Chesterfield strongly opposes the proposed route of the "Southern Reliability Link" and urges New Jersey Natural Gas to reconsider alternate routes that would minimize the pipeline's negative impacts on Chesterfield Township and other

affected communities. The Township of Chesterfield does not, however, oppose a pipeline that will ultimately assist the Joint Base. It respectfully urges, however, that the route proposed by New Jersey Natural Gas is neither the safest, nor the best, route to follow. Alternative routes exist, which New Jersey Natural Gas has simply ignored due to its alleged monetary impact to the utility company.

3. The Township of Chesterfield strongly urges the Burlington County Board of Chosen Freeholders to exercise its discretion pursuant to N.J.S.A. 48:9-25.4, refuse to designate County Route 528 through Chesterfield Township as part of the pipeline's route, and oppose this specific route proposed by New Jersey Natural Gas before the Board of Public Utility Commissioners;
4. The Township of Chesterfield strongly urges the Board of Public Utility Commissioners to reject the recently filed Petitions by New Jersey Natural Gas unless and until New Jersey Natural Gas: (1) meets with the Township of Chesterfield regarding this specific route, (2) makes a presentation to the residents of the Township of Chesterfield; (3) negotiates with the Township of Chesterfield regarding alternate routes, and the impacts to the community that its routes will create; (4) New Jersey Natural Gas offers a comprehensive plan that takes into account all historic, cultural, and natural resources impacted by its proposed pipeline; and (5) addresses to the satisfaction of the Chesterfield Township Committee the concerns and issues identified in this Resolution.
5. The Township of Chesterfield requests that BPU require that it be given any and all notices of public hearings regarding the "Southern Reliability Link" to keep apprised

of all developments in the project and to have the opportunity to continuously voice its opposition to the currently proposed route.

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded by the Municipal Clerk of the Township of Chesterfield to: Christopher J. Christie, Governor of New Jersey; Stephen M. Sweeney, Senate President; Vincent Prieto, Assembly Speaker; 12th Legislative District; 10th Legislative District; James V. Fakult, President of Jersey Central Power and Light Company; Laurence M. Downes, Chairman and CEO of New Jersey Resources (parent company of New Jersey Natural Gas); Kathleen T. Ellis, Executive Vice President and COO of New Jersey Natural Gas; the New Jersey Board of Public Utilities; New Jersey Department of Environmental Protection; Burlington, Monmouth, and Ocean County Boards of Freeholders; the Governing Bodies of Plumsted Township, North Hanover Township, Upper Freehold Township, and Manchester Township; and Colonel James Hodges, Commander, Joint Base McGuire-Dix-Lakehurst.

CHESTERFIELD TOWNSHIP COMMITTEE

I, Caryn M. Hoyer, Clerk of the Township of Chesterfield in the County of Burlington and State of New Jersey do hereby certify the foregoing Resolution to be a true and accurate copy of the Resolution approved by the Township Committee at a duly advertised meeting held on April 9, 2015, at which a quorum was present.

Caryn M. Hoyer, RMC
Township Clerk