

Resolution in Support of Clean Water Supplies in Opposition to

## **Proposed Pipeline through the New Jersey Pinelands Forest**

Whereas, the Municipality of (INSERT NAME) acknowledges that water is a necessary and fundamental building block of all life and clean drinking water is a fundamental right of New Jersey citizens; and

Whereas, the "Pinelands" is an area of 1.1 million acres within the Pine Barrens ecosystem that is designated by law for special growth management rules. It is one of America's foremost efforts to control growth so that people and the rest of nature can live compatibly; preserving vast stretches of forest, rare species of plants and wildlife, and vulnerable aquifers; and

Whereas, in 1978 Section 502 of the *National Parks and Recreation Act* established the Pinelands National Reserve and the *New Jersey Pinelands Protection Act* in 1979 established to protect the ecology and water resources of the Pinelands; and

Whereas, the Pinelands Comprehensive Management Plan, pursuant to the laws established to protect the Pines, guides land use, development and natural resource protection programs in the state Pinelands Area; and

Whereas, the Pinelands forest is critically important to protecting the ecology and water resources of the Pinelands National Reserve; and

Whereas, the New Jersey Pinelands Commission is an independent state agency whose mission is to "preserve, protect, and enhance the natural and cultural resources of the Pinelands National Reserve, and to encourage compatible economic and other human activities consistent with that purpose;" and

Whereas, in 2014 the Pinelands Commission found that New Jersey Natural Gas Company's proposal to construct 15 miles of a natural gas pipeline within the state Pinelands designated area was inconsistent with the Pinelands Comprehensive Management Plan and therefore denied approval of the proposed pipeline; and

Whereas, in April 2015, South Jersey Gas resubmitted to the Pinelands Commission a proposal to construct a natural gas pipeline through the State pinelands designated area, a proposal virtually identical to the one that was denied approval by the Commission previously; and

Whereas, the Pinelands Commission staff reviewed South Jersey Gas' pipeline proposal and issued a certificate of filing finding the proposal consistent with the Pinelands Comprehensive Management Plan; and

Whereas, in November 2016, the Appellate Division found that the Commission staff were not empowered to usurp the Commission itself in a consistency determination with the Comprehensive Management Plan, and remanded the proposal back to the Pinelands Commission; and

Whereas, in December 2016, the Pinelands Commission introduced resolution PC4-16-42 "Setting Forth the Process By Which the Pinelands Commission Will Review the Recommendation of Its Executive Director Finding that the Portion of the 22-Mile, 24-Inch Natural Gas Pipeline Proposed by South Jersey Gas Company (Pinelands Application No 2012-0056.001) in the State Designated Pinelands Area Is Consistent with the Standards of the Pinelands Comprehensive Management Plan;" and

Whereas, Resolution PC4-16-42 states the Pinelands Commission's intent to amend the Pinelands Comprehensive Management Plan to accommodate review of utility projects; and

Whereas the Pinelands Comprehensive Management Plan amendment process as established in N.J.A.C. 7:50-7, requires notice, public hearings, and may not be amended by resolution; and

Whereas, the Pinelands Commission has not held public hearings on the resolution expressing intent to amend the Comprehensive Management Plan; and

Whereas, at the January 23, 2017, informal public meeting of the Pinelands Commission, hundreds of people attended to testify and more than 200 were locked out of the hearing and many more turned away because the facility could not accommodate the public; and

Whereas; New Jersey's ecosystems and wildlife rely on an adequate supply of clean water in creeks, streams, rivers, ponds, and wetlands; and

Whereas, the municipality of (INSERT NAME HERE) recognizes that the Pinelands Comprehensive Management Plan was established to protect an adequate supply of clean water in creeks, streams, rivers, ponds, and wetlands;

NOW, THEREFORE BE IT RESOLVED, in support of the intent and requirements of the 1978 Section 502 of the *National Parks and Recreation Act* establishing the Pinelands National Reserve and the *New Jersey Pinelands Protection Act* of 1979, and the Pinelands Comprehensive Management Plan, the municipality of (INSERT NAME HERE):

1. Objects to the Pinelands Commission's attempt to amend the Pinelands Comprehensive Management Plan by resolution;
2. Objects to the Pinelands Commission's lack of a public hearing on proposed amendments to the Pinelands Comprehensive Management Plan;
3. Supports the Pinelands Commission's (2014) decision finding the South Jersey Gas pipeline proposal inconsistent with the Pinelands Comprehensive Management Plan;
4. Requests the Pinelands Commission reject the proposal set forth in PC4-16-42 to amend the Pinelands Comprehensive Management Plan; and
5. As a municipality in (INSERT NAME OF COUNTY) we request that the Freeholder representing our county vote to find the South Jersey Gas pipeline proposal remains inconsistent with the Pinelands Comprehensive Management Plan.

And be it further resolved that (INSERT NAME OF MUNICIPALITY) will send a copy of this resolution to the Freeholder Board and Pinelands Commission alerting them to our concerns about the South Jersey Gas Pipeline;

PASSED, APPROVED, AND EFFECTIVE on this \_\_\_\_ day of \_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_

\_\_\_\_\_

Mayor

\_\_\_\_\_

\_\_\_\_\_

Council President

**PLEASE SEND A COPY OF THIS SIGNED RESOLUTION TO:**

- *County Freeholder Board*
- *Pinelands Commission, 15 Springfield Rd # C, Pemberton, NJ 08068*
- *ANJEC, PO Box 157, Mendham, NJ 07945*
- *Pinelands Preservation Alliance, 17 Pemberton Rd, Southampton Township, NJ 08088*