

JOSEPH R. PITTS
16TH DISTRICT, PENNSYLVANIA

**ASSOCIATED
PUBLIC FILE**

PF14-8
COMMITTEE ON
ENERGY AND COMMERCE
SUBCOMMITTEE ON HEALTH
CHAIRMAN
SUBCOMMITTEE ON
ENVIRONMENT AND ECONOMY
COMMISSION ON SECURITY AND
COOPERATION IN EUROPE
TOM LANTOS HUMAN RIGHTS
COMMISSION

GABE NEVILLE—WASHINGTON CHIEF OF STAFF
TOM TILLET—DISTRICT CHIEF OF STAFF

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www.house.gov/pitts

Congress of the United States
House of Representatives
Washington, DC 20515-3816

January 14, 2015

Mr. Jehmal Hudson
Congressional Affairs Specialist
Federal Energy Regulatory Commission
888 1st Street Northeast, Room 11H
Washington, DC 20426

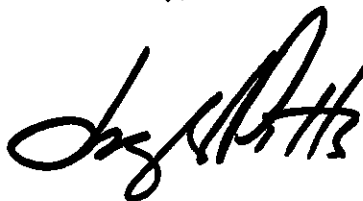
OFFICE OF
EXTERNAL AFFAIRS
2015 JAN 14 P 5:25
FEDERAL ENERGY
REGULATORY COMMISSION

Dear Mr. Hudson:

I have recently received this Pipeline Resolution from Conestoga Township. They have requested that I forward it to you from my office.

Thank you for your help in this matter.

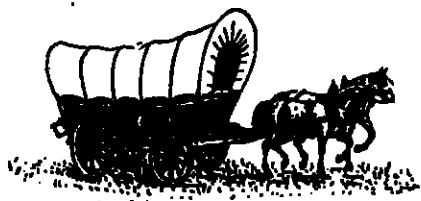
Cordially,



Joseph R. Pitts
Member of Congress

JRP/nc
Enclosure

2015-00004



CONESTOGA TOWNSHIP

P.O. Box 98 • 3959 Main Street • Conestoga, PA 17516
Phone 717-872-4301 • Fax 717-872-5327 • conestogatwp@comcast.net
www.co.lancaster.pa.us/conestogatwp

JANUARY 5, 2015
Congressman Joe Pitts
Lancaster County Office
150 N. Queen Street
Suite 716
Lancaster, PA 17603
717-393-0667

Re: CONESTOGA TOWNSHIP PIPELINE RESOLUTION

DEAR CONGRESSMAN PITTS,

At our January Supervisors Meeting we unanimously passed the attached Resolution. We are requesting that you forward this from your office to FERC on our behalf. We are responding to our residents' concerns and have acted on their behalf in approving this resolution. It is our desire with your help that this will become part of the preliminary report concerning the proposed pipeline.

Sincerely,
Conestoga Township Supervisors

A handwritten signature in black ink, appearing to read "Craig C. Eshleman". The signature is written in a cursive style and is positioned above a horizontal line.

Craig C. Eshleman, Chairman

A handwritten signature in black ink, appearing to read "John F. Berry". The signature is written in a cursive style and is positioned above a horizontal line.

John F. Berry, Vice Chairman

A handwritten signature in black ink, appearing to read "Rebecca R. Miles". The signature is written in a cursive style and is positioned above a horizontal line.

Rebecca R. Miles, Supervisor

**TOWNSHIP OF CONESTOGA
LANCASTER COUNTY, PENNSYLVANIA**

RESOLUTION NO. 05-2015

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF
CONESTOGA, LANCASTER COUNTY, PENNSYLVANIA, OPPOSING THE
ATLANTIC SUNRISE NATURAL GAS PIPELINE EXPANSION PROJECT AND
REQUESTING THAT THE FEDERAL ENERGY REGULATORY COMMISSION
DISAPPROVE THE LOCATION OF ANY PORTION OF THE PIPELINE
WITHIN THE TOWNSHIP**

WHEREAS, Article 1, Section 27 of the Constitution of the Commonwealth of Pennsylvania provides that:

"The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people."; and

WHEREAS, the constitutional command embodied in Article 1, Section 27 applies to all existing branches and levels of government; *Robinson Township, Washington County, PA v. Commonwealth of Pennsylvania Public Utility Commission, et al.*, 83 A.3d 901, 977 (Pa. 2013); and

WHEREAS, protection of environmental values is a quintessential local issue; and

WHEREAS, the Township, through a "Built Environmental Preferences" survey showed the preference to retain the Township's agricultural, rural value (1992 Survey in Conjunction with Development of Comprehensive Plan); and

WHEREAS, the Board of Supervisors of the Township adopted a Comprehensive Plan in accordance with the provisions of the Pennsylvania Municipalities Planning Code which incorporated the Built Environmental Preferences Study and includes an analysis of the Township's physical features and natural resources; and

WHEREAS, the Township Zoning Ordinance and Official Zoning Map are consistent with the Comprehensive Plan; and

WHEREAS, the safety of the Township's residents and the protection of their property rights are of the utmost importance; and

WHEREAS, the Township's existing Comprehensive Plan, Official Zoning Map, and Zoning Ordinance have created reasonable expectations that future development of the Township would be consistent with those documents; and

WHEREAS, the Atlantic Sunrise Natural Gas Pipeline Project will alter existing expectations of the Township and property owners because of its inconsistency with the Township's Comprehensive Plan, Zoning Ordinance and Official Zoning Map; and

WHEREAS, such an alteration of the existing expectations will substantially diminish natural and esthetic values of the local environment which contributes significantly to a quality of environmental life that deserves protection and will jeopardize the Township's priceless resources;

NOW, THEREFORE, be and it is hereby resolved by the Board of Supervisors of the Township of Conestoga, Lancaster County, Pennsylvania, as follows:

Section 1. The foregoing recitals are incorporated into this resolution by reference and made a part hereof.

Section 2. The Board of Supervisors urges the Federal Energy Regulatory Commission (FERC) to adopt Article 1, Section 27 of the Pennsylvania Constitution, the Township Zoning Ordinance and Official Zoning Map, and the Township Comprehensive Plan as part of the standards by which any gas pipeline proposed to be located within the Township is permitted by FERC.

Section 3. The Board of Supervisors urges the Federal Energy Regulatory Commission to disapprove the siting of any interstate gas pipeline within Conestoga Township.

Section 4. If any portion of the Atlantic Sunrise National Gas Pipeline is permitted by FERC to be located within the Township:

a. The pipeline should be located within existing utility right of ways or public rights of ways or easements.

b. The pipeline should not be located within or adjacent to any residential development which has only one means of ingress and egress.

c. FERC shall require any approved applicant for any interstate gas pipeline located within the Township to continuously:

i. Protect natural resources, private property and all existing Township roads and infrastructure;

ii. Use only best practices for construction methods and materials; voluntarily offer just compensation for any property interest affected by their actions; limit any

permission to any current or pending application and not permit future expansion or replacement of any pipeline or supporting structure;

iii. Provide training to volunteer firefighters and first responders concerning possible hazards and disasters which may arise from the siting, construction, operation, maintenance, repair or replacement of the gas pipeline; and

iv. Comply with all stormwater management laws, rules, regulations and prevent any adverse impact upon the Township's watercourses and the Chesapeake Water Shed.

Section 5. The Township Secretary is directed to provide its elected officials, including governor-elect Thomas Wolf, State Senator Lloyd K. Smucker and State Representative elect Brett R. Miller, U.S. Senators Robert P. Casey, Jr. and Patrick J. Toomey, and U.S. Congressman Joseph R. Pitts, with a certified copy of this Resolution with the request that they intervene, as appropriate, or comment in any application made to FERC for a gas line project in the Township.

Section 6. If any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Resolution, it being the intent of the Board of Supervisors that the remainder of the Resolution shall be and shall remain in full force and effect.

Section 7. This Resolution shall take effect and be in force immediately.

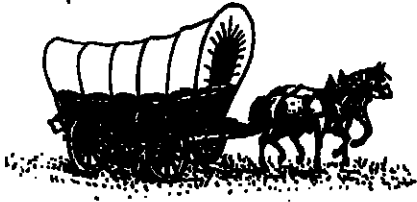
DULY ADOPTED this 5 day of January, 2015, by the Board of Supervisors of the Township of Conestoga, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF CONESTOGA,
LANCASTER COUNTY, PENNSYLVANIA

By: [Signature]
Chair, Board of Supervisors

ATTEST:

[Signature]



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Rebecca R. Miles, Supervisor

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By: [Signature]
Chair, Board of Supervisors

ATTEST:

[Signature]

Document Content(s)

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