

A Letter to the Pinelands Commission in Support of the Cape Atlantic Reliability Project

Submitted February 8, 2017 by Former Pinelands Commissioner Francis Witt

Subject: South Jersey Gas Company Pipeline: Application No. 2012-0056-001

As a former Pinelands Commissioner from 2004-2015, I have considerable knowledge and understanding of the Comprehensive Management Plan (CMP) and the above-referenced application by South Jersey Gas. As you recall, I supported the project since it was first proposed in 2012 and now feel it is important to clarify many of the issues raised recently. There is no question in my mind that the proposed gas line to resupply the B.L. England power station in Upper Township, a Pinelands municipality in the Pinelands National Reserve, is consistent with the CMP and should be approved by this Commission.

I feel it is important to restate several basic facts that seem to have been lost in this debate. First, the Pinelands Protection Act is **not** an anti-development law. Rather, it reflects a considered attempt to balance economic and environmental interests, particularly in the so-called "Protection Area"- the area outside of the 760-square-mile Preservation Area known as the "Heart of the Pines." The proposed gas line is located in the Protection Area not the Preservation Area. Section 7 of the Act requires the CMP to "recognize existing economic activities within the area." Section 8 directs that in the Protection Area, the CMP should "encourage appropriate patterns of compatible residential, commercial and industrial development in or adjacent to areas already utilized for such purposes, in order to accommodate regional growth influences in an orderly way while protecting the pinelands environment from the individual and cumulative adverse impacts thereof."

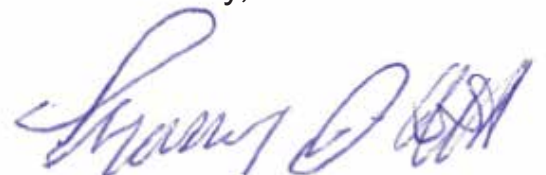
With the statute as a guide, the Protection Area is not an isolated island but is part of a larger regional fabric. Gas and electric lines **do not** stop at the border of the Pinelands. They serve the entire region as part of an interconnected network. The CMP allows gas lines in the Forest Area" intended to primarily serve the Pinelands," which the CMP defines as both the state and federal areas. The project clearly is intended to primarily serve the Pinelands by protecting existing economic activities in the Pinelands and accommodating "regional growth influences" both inside and outside the Pinelands. It will enable an electric plant in the Pinelands to continue operating by converting from coal to natural gas. If the power station can't convert to natural gas, it will have to close, causing dozens of people working at the plant to lose their jobs and Upper Township to lose tax revenue. The project enables the plant to continue supplying electricity to the entire region, including to the Pinelands. After Oyster Creek shuts down in two years, the repowered plant is expected to supply the vast majority of its output to people in the Pinelands. The plant originally was built by Atlantic City Electric, the electric supplier to 39 of the 55 Pinelands municipalities. These Pinelands communities are served by the power plant through existing electric transmission and distribution lines that radiate out from the plant and through the Pinelands. Both the PJM and the BPU say that if the power plant can't repower, Atlantic City Electric will have to undertake major upgrades to these existing Pinelands electric lines. This will have significant environmental and economic impacts to people living in the Pinelands. The pipeline also protects 142,000 customers against a gas outage, including 28,000 Pinelands customers. The gas line to the power plant passes directly over the existing Route 50 pipeline located in the Pinelands that currently serves the 95,000 people of Cape May County. The crossing of two pipelines provides a unique opportunity to reinforce the sole supply line into Cape May County of which the entire county and most of Atlantic County depends. If this existing single supply line ever were damaged, as occurred on the barrier islands in the wake of Hurricane Sandy, the entire population of Cape May County and a big portion of Atlantic County, including 28,000 Pinelands customers, would have no natural gas service for heating, bathing and cooking. Finally, conversion of the plant to cleaner natural gas will provide direct environmental benefits to the Pinelands. The DEP has said it will cut down on the pollution emitted into the Pinelands by the plant and by upwind coal power plants in Pennsylvania that spew their pollution into the Pinelands.

Therefore, it seems clear that the gas line will benefit economic and environmental needs of people living and working in the Pinelands region. I think it is equally clear that the gas line will not cause individual or cumulative adverse impacts. It will be beneath state highways (Routes 49 and 50) and an existing powerline. No wetlands are being touched and both state and federal standards find that gas lines do not threaten groundwater. The BPU has barred the gas company from connecting any new users to the gas line in the Forest Area.

Finally, please remember that gas pipelines **always** have been a permitted use under the CMP. The original CMP was written with support from the DEP, which recommended to Governor Byrne that in the proposed Preservation Area "exclusively, gas lines should be the only utility line permitted along existing roads and rights-of-way...These lines are no threat to water quality, and they can be allowed to revegetate." During the preparation of the Plan, it was well-known that DEP's Coastal Zone Management regulations already allowed natural gas pipelines to carry gas across the Protection Area. These DEP regulations still apply. The final CMP in 1980 clearly stated on page 279 that gas lines would be permitted uses in the Protection Area.

In sum, the project to resupply the Pinelands power station and to protect 142,000 people in Cape May and Atlantic Counties against a loss of service is" intended to primarily serve the needs of the Pinelands" and conforms to the CMP. It is my sincere hope that the Commission will use its common sense to faithfully apply the CMP and will not forget its obligation to protect the safety and economic well-being of the people living and working in the Pinelands and the region.

Sincerely,



Francis Witt