

BOARD of CHOSEN FREEHOLDERS

COUNTY of CAPE MAY

4 Moore Road

Cape May Court House, N.J. 08210-1654

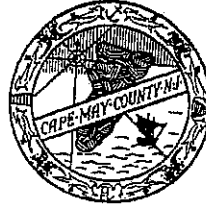
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Revenue & Finance,
Emergency Management*

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*Health and
Human Services*

Elizabeth Bozzelli
Clerk of the Board

March 12, 2014

Governor Chris Christie
State House
125 West State Street
P.O. Box 001
Trenton, NJ 08625

Dear Governor Christie:

Enclosed please find a copy of Resolution No. 193-14 opposing the decision rendered by the New Jersey Pinelands Commission rejecting a proposal to allow construction of a natural gas pipeline and defeating a memorandum of agreement which as been supported by the Staff of the Pinelands Commission, the Staff of the New Jersey Board of Public Utilities and the Staff of the New Jersey Department of Environmental Protection.

Very truly yours,

Elizabeth Bozzelli
Clerk of the Board

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Enclosure

copy: Lieutenant Governor Kim Guadagno
Congressman Frank LiBiondo
Senator Raymond J. Lesniak
Senator Joseph M. Kyrillos
Senator Bob Smith
Senator Jim Whalen
Senator Stephen M. Sweeney, President of NJ State Senate
Senator Republican Leader Thomas J. Kean, Jr.
Senator Jeff Van Drew
Vincent Prieto, Speaker of the General Assembly
Assemblyman Bob Andrzejczak
Assemblyman Samuel L. Fiocchi
Assemblyman Chris Brown
Assemblyman Vincent Mazzeo

Paul Flanagan, Executive Director, NJ Board of Public Utilities
Kristi Izzo, Secretary, NJ Board of Public Utilities
Nancy Wittenburg, Executive Director, NJ Pinelands Commission
Frank D. Formica, Chairman, Atlantic County Board of Chosen
Freeholders
Sonya G. Harris, Clerk to the Atlantic County Board of Chosen
Freeholders
Dennis Levinson, County Executive, Atlantic County
Richard Palombo, Mayor, Upper Township
Barbara L. Young, RMC, Upper Township Municipal Clerk
Mayor Don Guardian, City of Atlantic City
Gary B. Biberson, Mayor, City of Port Republic
Kimberly A. Campellone, RMC, City of Port Republic
John Stanziola, South Jersey Gas Company
Vincent Malone, President, Atlantic City Electric Region of Pepco
Holdings, Inc.
Joseph M. Rigby, Chairman of the Board, President and Chief Executive
Officer, Pepco Holdings, Inc.
Terry Boston, President and CEO PJM Interconnection
Bob Marshall, Executive Director, New Jersey Energy Coalition
Bill Dressel, Executive Director, New Jersey League of Municipalities
Carol Raph, Secretary, Atlantic County League of Municipalities
The Cape May County League of Municipalities

**BOARD OF CHOSEN FREEHOLDERS
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION**

No. 193-14

RESOLUTION IN OPPOSITION TO THE DECISION RENDERED BY THE NEW JERSEY PINELANDS COMMISSION REJECTING A PROPOSAL TO ALLOW CONSTRUCTION OF A NATURAL GAS PIPELINE AND DEFEATING A MEMORANDUM OF AGREEMENT WHICH HAS BEEN SUPPORTED BY THE STAFF OF THE PINELANDS COMMISSION, THE STAFF OF THE NEW JERSEY BOARD OF PUBLIC UTILITIES AND THE STAFF OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the New Jersey Pinelands Commission voted down a resolution to allow construction of a 22 mile long natural gas pipeline needed to bring natural gas to the B.L. England Electric Generating Station in order to continue to reliably serve the demand for electricity and gas in southern New Jersey, particularly to those customers in Cape May and Atlantic Counties, thus defeating a proposed "Memorandum of Agreement" which had been supported by the Staff of the New Jersey Board of Public Utilities; and

WHEREAS, in order to comply with current emission standards, within the next several years local generating capacity situated with southern New Jersey will be significantly reduced as a result of closing of the Oyster Creek Nuclear Generating Station, a number of "peaking" generating units (the purpose of which is to provide added generating capacity during peak load periods) and, without the ability to construct the proposed gas pipeline, the closing of the B.L. England Generating Station; and

WHEREAS, the combined impact will mean a loss in excess of 1055 mw of locally produced base load energy plus the loss of peak load energy production; and

WHEREAS, in rendering its decision the Pinelands Commissioners not only rejected the support for the Memorandum of Agreement from the Staff of the New Jersey Board of Public Utilities which oversees all gas and electric utilities within the State of New Jersey and is responsible to ensure that those utilities satisfy their statutory obligation to provide safe, economic and reliable energy to their customers, but the Pinelands Commission also rejected the creditable testimony received from representatives of the New Jersey Department of Environmental Protection and, even more disturbingly, rejected the reports prepared by the Pinelands Commission's own expert staff with recommended approval of the Memorandum of Agreement; and

WHEREAS, the southern counties of New Jersey are at the very end of the transmission grid and rely exclusively on a combination of local generation and transmissions of imported energy from other generating facilities through west to east and north to south transmissions; and

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WHEREAS, with the closure of B.L. England, Oyster Creek and various peaking generating units there is very real concern that existing transmission lines will be inadequate to carry the load from available generation sources to serve the southern New Jersey area; and

WHEREAS, the lead time for the siting, approval and construction of added transmission facilities historically spans a number of years; and

WHEREAS, added transmission lines may be required to be constructed not only from west to east but also from north to south, including the probable need to construct such transmission lines within and through areas which are under the jurisdiction of the New Jersey Pinelands Commission; and

WHEREAS, transmission lines which carry energy at 230 Kv and above are not capable of being constructed within public rights of way and generally require the acquisition of private rights of way, often through the exercise of eminent domain; and

WHEREAS, the approximately 15 miles of the proposed natural gas pipeline would have been constructed almost entirely within already impacted right of way, would have been provided not only the natural gas necessary to allow the B.L. England Generating Station to continue to operate not as a fossil fueled coal or oil plant but as a more efficient, reliable, affordable and environmentally clean facility, and would have had significantly less effect upon the Pinelands areas than the construction of an overhead transmission line on lines, and alternate gas pipelines which may have to be sited within the Pinelands Area; and

WHEREAS, the proposed pipeline could have been constructed in a timely manner without subjecting the energy users of southern New Jersey, particularly in Atlantic and Cape May Counties, to brown-outs, black-outs, and curtailment of usage while new transmission lines are being planned, sited, approved and constructed, if they will be permitted at all; and

WHEREAS, the proposed natural gas pipeline would not only have provided gas to power the replacement B.L. England generating station but would also have provided a redundant line to server the needs of all Cape May and Atlantic County South Jersey Gas customers, thus ensuring continued safe, adequate and reliable service to those customers; and

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NOW, THEREFORE, BE IT RESOLVED, by the Board of Chosen Freeholders of the County of Cape May strongly opposes the decision rendered by the New Jersey Pinelands Commission as being arbitrary, capricious, and against the weight of credible evidence, falling to properly balance the impacts, if any, upon the protected/preservation areas against the overall public good.

STATEMENT

This Resolution opposes the decision rendered by the New Jersey Pinelands Commission rejecting a Proposal to Allow Construction of a Natural Gas Pipeline and defeating a Memorandum of Agreement which had been supported by the Staff of the Pinelands Commission, the Staff of the New Jersey Board of Public Utilities and the Staff of the New Jersey Department of Environmental Protection.

cc: See attached list
All Cape May County Municipalities
File: Misc.