

Pinelands pipeline fight heads to court

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Amid mounting political pressure on the state Pinelands Commission, the parent of South Jersey Gas told investors it expects to win a reversal of the commission's refusal to permit a 22-mile natural gas line that would repower the BL England coal power station in upper Cape May County.

As Pinelands commissioners got their first briefing Friday on a court action by South Jersey Gas, the chairman of parent company South Jersey Industries, Edward J. Graham, said in a conference call for investors that he's "incredibly optimistic" the gas line will proceed, with support from Gov. Chris Christie's administration and Democratic allies in the Legislature.

"We're seeing an enormous groundswell starting at the governor's office, including the head of the state Senate Senator (Steve) Sweeney, and actually quite frankly, the biggest and most vocal leader has been Sen. (Jeff) Van Drew, whose area was most impacted. And Sen. Van Drew is looking at it from a number of advantage points," Graham told investment firm experts on the call, according to [a transcript posted by SeekingAlpha.com](#), a financial news website.

The Pinelands Commission deadlocked, 7-7, in a Jan. 10 vote that stalled the project, which has strong backing from the Christie administration and the state Board of Public Utilities. The utility regulators took the lead in asking the commission to make an exception to its longstanding ban on transmission pipelines in the forest area zone. Despite sidelining one skeptical commissioner environmental law professor Edward Lloyd the administration still lost that vote.

The 15-member regional land-use board has seven representatives from Pinelands counties. In late April, Cumberland County officials replaced their representative of 18 years, Leslie Ficcaglia, who had voted against the pipeline. Ficcaglia said she had no warning that county freeholders were planning to replace her with Jane Jannarone, a former Democratic freeholder and Vineland real estate agent.

Ficcaglia said she suspects political pressure was brought to bear South Jersey Industries is one of the largest employers in Cumberland County.

If a state Appellate Court sends the pipeline application back to the commission for another vote, changes to the board could tip the balance. Several gubernatorial appointees to the commission are serving on expired terms and could be replaced by Christie if the state Senate goes along.

"They're trying to reverse the decision of the commission on Jan. 10," said Georgina Shanley, an Ocean City activist opposing the pipeline. "Why is South Jersey Gas doing this, if the BPU was

the applicant? Do they have (legal) standing? ... It appears the veil has been lifted.”

In their conference call, company officials were enthusiastic about the natural gas boom’s potential to be an economic engine for their company and the region. South Jersey Gas president Jeffrey DuBois has served as chairman of the Cumberland County Economic Development Board and recently was appointed to a two-year term on the board’s steering committee.

County officials deny political or economic motives were behind the decision to appoint Jannarone. She told The Daily Journal that she would keep an open mind if it came to her voting on a renewed pipeline proposal.

Sweeney and Van Drew, both Democrats, have been pushing for reconsideration of the pipeline, which has strong support in their business and labor constituencies, particularly among building trades and utility workers’ unions. Power plant owners Rockland Capital of Houston hired the law firm of Christie ally David Samson, who recently resigned as chairman of the Port Authority of New York and New Jersey, to push the project.

Graham did not speak to the gas company’s court challenge in the call with investors, but indicated he thinks the gas line project could be back before the Pinelands Commission and begin construction next year.

“So we’re going to be responsive to some of the suggestions that those that voted against this site, and we’ll look at coming back with some modifications to our filing that address issues they raised,” Graham said, according to the transcript. “And I we are incredibly optimistic about the outcome, and in fact, I think, it’s realistic in our minds that to think that we’re going to start to spend money on this project of this magnitude during 2015 ... and I would very much hope before 2016 end that would be in service. So very optimistic about that.”

The pipeline would run through Maurice River, Estell Manor and Upper Township.

In the call with investors, company President Michael Renna said the firm was “bolstered by the bipartisan support of elected officials and by feedback from many local residents” and intends “to continue working diligently to see that project move forward.”