

# Pinelands panel hears pipeline arguments

By SARAH WATSON Staff Writer | Posted: Wednesday, August 28, 2013 7:24 pm

NEW LISBON — The outcry over a proposed 21-mile gas pipeline from Maurice River Township to the B.L. England power plant in Beesleys Point, Upper Township, continues to grow as about 80 people both for and against the project packed a Pinelands Commission committee meeting Wednesday.

Proponents of the project told the Policy and Implementation Committee that allowing the pipeline would let the power plant switch from coal to natural gas as well as provide construction jobs.

“We always heard so much about cleaning up the plant and reducing emissions,” said Ralph Clayton, of the Beesleys Point section of Upper Township. “Approve it and give us some cleaner emissions out of those stacks.”

Opponents warned that the commission would break its own rules to allow a politically popular project to progress with little regard for environmental effects.

“Today we heard money and power speak, and they’re saying ‘jobs’ and ‘this is going to be cleaner and better,’” said Jack Miller, of Upper Township. “Your job is so simple. Protect and preserve the Pinelands. And this (project) doesn’t qualify.”

The plant has been ordered by the state to convert to burning natural gas because of ongoing violations of the federal and state clean air requirements. Owners of the plant, RC Cape May Holdings, have said the approval of the second pipeline is critical to keeping the plant operational.

Several land use permits from the Department of Environmental Protection would be needed for the project and those permits still have yet to be finalized, said spokesman Larry Ragonese. “From an air perspective, it would be a huge benefit to be able to convert that plant from coal to gas.”

A major concern opponents have is that the pipeline, as proposed, does not meet Pinelands regulations. The pipeline would travel several miles through forest management areas, which have tight restrictions on what type of building can occur. The restrictions include no new infrastructure projects, other than communication lines, that do not directly benefit the residents of that zone.

Because the proposed gas pipeline does not benefit the residents of the forest management areas in Maurice River and Upper townships, Commission Environmental Specialist Branwen Ellis said, the project does not meet Pinelands rules.

However, according to a 2008 Pinelands Commission memo, the rules have a loop hole. A state agency, such as the Board of Public Utilities, can effectively sponsor a private company’s application that does not fully comply with the commission’s guidelines. The memo states that this sort of agreement should be “very rare” and applicants should exhaust all other options first.

One of the only times this sort of agreement was used was in 2004, when the Board of Public Utilities worked with Atlantic City Electric to build high tension power lines along the west side of the Garden

State Parkway between Egg Harbor Township and Lacey Township, said Theresa Lettman, of the Pinelands Preservation Alliance.

Ellis also said three reports on threatened and endangered species found there were no impacts and that the area disturbed by the project would only be between 8 and 10 feet wide and on, or near, existing road right of ways.

At least one commissioner, along with many members of the public, expressed surprise at the lack of impact to threatened and endangered species. Commissioner Leslie Ficcaglia also said that the pipeline's path is very close to the largest stand of a state endangered plant species, the sensitive joint-vetch.

South Jersey Gas, which would own and operate the pipeline, has proposed and rejected two other routes. One route, which does not go through the pinelands area at all, was rejected because it would require that workers effectively bore under the Great Egg Harbor River for 7,000 feet, with an elevated risk that the drilling fluid could leak into the environment, Ellis said. Another route, which would be 28 miles and go around much of the most protected areas, was rejected because it had substantial environmental impacts, Ellis said.

However, some opponents said South Jersey Gas is responsible for finding a route that does not violate existing rules and regulations. "It's not your obligation to help them create a new route," said Andrew Bulakowski. "If you turn down this application, you're not dooming this project."

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