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PLEASE REPLY TO  
JIM THORPE

February 20, 2015

**VIA EMAIL: johnwiz@ptd.net**  
Mr. John J. Wiczorek

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**VIA EMAIL: ruchfam@ptd.net**  
Mr. Franklin Ruch

**VIA EMAIL: haggerty@ptd.net**  
Mr. Shawn Haggerty

**RE: Mahoning Township / Penn East Pipeline  
Our File No. 14532.B**

Dear Supervisors:

Attached is the proposed Resolution you asked me to draft. Because I do not know what the effects of this proposed pipeline will be, the Resolution is intentionally nonspecific and vague.

I am also not exactly sure what the purpose is for our adopting this Resolution. I understand that we are sympathetic toward the plight of the adjoining municipalities. However, success for them would be to have the pipeline located elsewhere (perhaps in Mahoning Township). Therefore, I am not so sure why it is advantageous for Mahoning Township to argue all the bad effects that this pipeline will have in the other townships.

With that in mind, please review the proposed Resolution and let me know your thoughts. I look forward to hearing from you.

Very truly yours,

  
Thomas S. Nanovic

TSN:vjs  
Attachment

**MAHONING TOWNSHIP, CARBON COUNTY,  
PENNSYLVANIA, RESOLUTION NO. 2015 – \_\_\_\_**

**RESOLUTION OPPOSING POTENTIALLY HARMFUL  
EFFECTS OF THE PENN EAST PIPELINE ON RESIDENTS  
AND THE ENVIRONMENT WITHIN MAHONING  
TOWNSHIP AND OTHER MUNICIPALITIES.**

**WHEREAS**, Penn East Pipeline Company, LLC plans to construct an approximately 108 mile long, 36-inch diameter pipeline originating near Dallas, Luzerne County, Pennsylvania and terminating near Pennington, Mercer County, New Jersey; and

**WHEREAS**, the pipeline is planned to transport approximately one billion cubic feet of natural gas per day at a pressure of 1,500 psi; and

**WHEREAS**, the pipeline is planned to be operational on or about November 1, 2017; and

**WHEREAS**, Penn East is in the process of finalizing negotiations with potential customers, and therefore the final capacity and resulting pipe size and compression is subject to change; and

**WHEREAS**, on October 7, 2014, Penn East requested that the Federal Energy Regulatory Commission (“FERC”) initiate an environmental review under the National Environmental Policy Act (“NEPA”) pre-filing process; and

**WHEREAS**, on October 10, 2014, the Director of the Office of Energy Projects for FERC approved the company’s use of the pre-filing review process; and

**WHEREAS**, Penn East intends to file a formal application with FERC on or before July, 2015; and

**WHEREAS**, the pre-filing process and the formal application process both provide opportunities for public input and intervention; and

**WHEREAS**, the proposed pipeline will pass through the Carbon County Townships of Kidder, Penn Forest, Towamensing, and Lower Towamensing; and

**WHEREAS**, the pipeline will require a 100 foot wide temporary construction right-of-way and a 50 foot wide clear-cut permanent right-of-way; and

**WHEREAS**, the proposed pipeline will cross the Lehigh River, several streams and watersheds, state parks, state game lands, state forests, housing developments and land reserved for agricultural use; and

**WHEREAS**, the pipeline is planned to cross lands in Carbon County that are environmentally sensitive, lands that are preserved by the expenditure of public funds for the exclusive use of agriculture, and lands that are preserved by the expenditure of public funds for the use, enjoyment and permanent protection of the people; and

**WHEREAS**, pursuant to Article 1, Section 27 of the Constitution of the Commonwealth of Pennsylvania, “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.”; and

**WHEREAS**, the Board of Supervisors is concerned that the emergency responders, who are mostly volunteers, will not be prepared with the equipment or training to handle pipeline leakage or rupture of the kind that would be possible with this pipeline and does not have the capacity to provide that equipment or training; and

**WHEREAS**, the Board of Supervisors of Mahoning Township is concerned about the use of eminent domain to take property from private persons for this project; and

**WHEREAS**, the Board of Supervisors of Mahoning Township is concerned that the pipeline will have a negative effect on property values, the environment, and the public health, safety and welfare of the residents of the effected municipalities.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Mahoning Township as follows:

1. Mahoning Township objects to the construction and current proposed path of the proposed Penn East Pipeline. It also objects to the use of eminent domain to secure the rights-of-way for this project.

2. Mahoning Township will act as an “intervenor” through the FERC regulatory process to preserve its ability to effectively represent the interests of the residents of this Township. We will exercise careful fiscal oversight in this role.

3. Mahoning Township will appoint a committee to help the Board of Supervisors in its efforts as an intervenor in the FERC process and to provide guidance in submitting written objections to FERC regarding the proposed location of the pipeline.

**RESOLVED** this            day of            , 2015 by the Board of Supervisors of Mahoning Township in lawful session duly assembled.

**MAHONING TOWNSHIP  
BOARD OF SUPERVISORS**

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**ATTEST:**

\_\_\_\_\_  
**Secretary**