



12/9/13

Pinelands Commission
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DRN Public Comment: South Jersey Gas Pipeline System MOA Proposal

The Delaware Riverkeeper Network (“DRN”) is actively engaged in the permitting process at the local, state, and federal government levels on numerous gas drilling infrastructure projects to ensure that water resources and the local environment are protected to the greatest extent possible. DRN is also active in order to ensure that the full weight of regulatory and legal enforcement authority are brought to bear on pipeline construction projects, particularly where operators and regulators have failed to comply with their statutory and regulatory responsibilities. DRN requests that the Pinelands Commission vote against the draft Memorandum of Agreement (“MOA”) for the proposed South Jersey Pipeline System (“proposed project), as it is both procedurally and substantively deficient.

The size and scope of the construction activity for the proposed project – specifically, the stream and wetlands crossings associated with the project – will significantly negatively impact the water resources of the Pinelands. DRN has experience engaging regulators and project proponents with regard to pipeline construction activity impacts, and it is DRN’s experience that these impacts are routinely overlooked or underestimated by both the regulators and the project

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proponents to the detriment of the environment. Therefore, it is crucial for thorough environmental reviews to take place before construction starts. In the instant matter, the proper level of environmental review has not yet occurred, and the Commission would be acting outside the scope of its authority by approving a project before such reviews are conducted.

Further, the Commission is responsible for ensuring that the proper regulatory and legal vehicles are used for development projects proposals within the Pinelands. The MOA is not the appropriate vehicle to authorize the proposed project as it directly conflicts with the Pinelands Comprehensive Management Plan.

Lastly, by permitting this privately owned project to cut through the Pinelands, the Commission is setting dangerous precedent not only for the future development of the Pinelands itself, but also it would provide a model for the further proliferation of gas drilling infrastructure development throughout protected natural resource areas across New Jersey and Pennsylvania.

DRN respectfully requests that the Commission consider the lack of adequate environmental review, the improper way in which the project has been proposed, and the precedential effect of the decision and reject the proposed MOA.

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/s/ Aaron Stemplewicz

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