

AMENDED RESOLUTION #2012 – 12P OF 2012

**A RESOLUTION OF WARWICK TOWNSHIP, CHESTER COUNTY,
PENNSYLVANIA,**

OPPOSING THE COMMONWEALTH PIPELINE PROJECT

THIS RESOLUTION is adopted by the Board of Supervisors of Warwick Township, Chester County, Pennsylvania, on the 17th day of January, 2013.

BE IT RESOLVED as follows:

WHEREAS, Commonwealth Pipeline, an entity consisting of Inergy Midstream, L.P., UGI Energy Services, Inc. and WGL Holdings, Inc., proposes the construction of a new pipeline for the transfer and delivery of natural gas generated by deep well “fracking” in areas of Marcellus and Utica Shale in New York and Pennsylvania; and

WHEREAS, the proposed pipeline is approximately 120 miles long of 30-inch buried pipe crossing parts of Lycoming, Columbia, Montour, Northumberland, Schuylkill, Berks and Chester Counties; and

WHEREAS, as currently proposed, the pipeline cuts through Warwick Township, Chester County, causing or contributing to the following:

A. The proposed route of the buried pipeline route crosses at least three Exceptional Value streams, crossing the north branch and the main branch of French Creek and Rock Run Creek, at least three times; and

B. The proposed route impacts the Hopewell Big Woods, causing damage to wildlife and plant life in an area of global significance. Both the Natural Wildlife Fund and the Nature Conservancy have determined that Warwick Township, Chester County, is the most important region of the Hopewell Big Woods conservation area; and

C. The proposed route of the pipeline invades and damages the area known as "Highland Conservation," a region, extending from Connecticut to Virginia, as determined by the federal Highlands Conservation Act, PL 108-421 to be of national and international importance in protecting and preserving large swathes of forest and open space. Of the Highland Conservation area, Hopewell Big Woods is the most important. The Hopewell Big Woods has been recognized by The Nature Conservancy as the largest mature block of forest in the Northern Piedmont sub-ecoregion between Washington DC and New York City. The global biodiversity of the Hopewell Big Woods has been reinforced through its designation by the Pennsylvania Audubon Society as an Important Bird Area used by over 170 bird species who rely on this intact forest and by the Pennsylvania Wildlife Federation as an Important Mammal Area; and

D. The proposed route crosses properties which were purchased with federal land and water conservation funds (Land and Water Conservation Fund Act of 1965, 16 USC §460l-4 *et seq.*), state open space funds, county open space funds, other properties which are subject to conservation easements, and properties which are pristine woods, hunting grounds and virginal lands; and

E. The proposed route will impact Township owned open space, county and state owned parks and game lands, privately held open space and scenic vistas; and

F. The proposed route, and the construction of pump stations along the way, will impact ground water which our residents depend on for domestic consumption, wetlands, springs, vernal ponds and Exceptional and High Quality designated streams all of which are highly valued by residents and visitors, necessary for our way of life, and are irreplaceable; and

G. The proposed route of the pipeline invades habitat of species protected by the Endangered Species Act, such as the bog turtle and various plants and other animals protected by federal and state law.

WHEREAS, the proposed pipeline causes damage to Warwick Township residents by lowering property values, raising health concerns, impacting farms, residences, businesses and charitable entities.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Warwick Township, Chester County, Pennsylvania, as follows:

1. The Board of Supervisors does hereby object to the design and construction of a 30-inch pipeline passing through and under Warwick Township, Chester County. The construction and operation of the pipeline will significantly damage Exceptional Value protected streams, wildlife habitat, existing farm operations, and the quality of life in Warwick Township.

2. The Board of Supervisors calls for a moratorium on any and all planning for the Commonwealth Pipeline project and that any such project, if approved, be removed from the pristine reaches of Chester County, Pennsylvania.

3. The Board of Supervisors objects and seeks the cooperation of other similarly located and affected townships, asking that all nearby affected townships adopt a similar resolution.

4. The Board of Supervisors adopt, and call upon similarly situated municipalities to adopt a resolution authorizing each Township to join together to enter their appearance in any proceeding before the Federal Energy Regulatory Commission, the Delaware River Basin Commission, the Pennsylvania Public Utility Commission and any other regulatory authority, so that by their strength of numbers they may successfully oppose the Commonwealth Pipeline project and have the ability to cause the relocation or termination of the project so as to prevent environmental degradation and to protect the environment as envisioned by Section 27 of Article 1 of the Pennsylvania Constitution^[1].

ADOPTED this 17th day of January, 2013.

WARWICK TOWNSHIP

BOARD OF SUPERVISORS

Attest:

Joan Grimley, Secretary

Charles Jacob, Chair

Eric M. Sydlosky, Vice-Chair

Robert J. Swinehart, Member

[1] Article I Section 27 of the Pennsylvania Constitution states:

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. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

