

WEST WYOMING BOROUGH

RESOLUTION 2 OF 2015

WHEREAS, Penn East Pipeline Company, LLC plans to construct a pipeline which would pass through the center of West Wyoming Borough;

WHEREAS, West Wyoming Borough residents have brought to West Wyoming Borough Council questions and concerns regarding the pipeline project on their health and safety and that of their neighbors and property and the borough in general;

WHEREAS, these same residents brought concerns around the cumulative effects of having multiple pipelines going through the center of our municipality on the health and safety of all of our West Wyoming Borough residents;

WHEREAS, West Wyoming Borough Council in support of the residents health and safety concerns and Council's health and safety concerns requests the Federal Energy Regulatory Commission (hereinafter "FERC") perform a thorough review of Penn East's application for the pipeline construction and give consideration of the below enumerated facts and concerns and take all of the facts into consideration before making a decision on the project so the health and safety of West Wyoming borough's residents is safe-guarded;

WHEREAS, in additional to the primary health and safety concerns, West Wyoming Borough council desires to bring to the attention of FERC the following:

- (a) West Wyoming borough has significant concerns regarding the earth disturbances that will occur after construction of the pipeline;
- (b) West Wyoming borough has been significantly impacted with flooding historically from storms and has sustained property damage and the proposed pathway for the Penn East Pipeline project is in the direct path of where the storms have devastated the property in the borough;
- (c) the borough conducted a watershed assessment in 2012 to determine the source of the flooding and the study cited previous land disturbances as the primary reason for flooding in this area of the municipality; notable land disturbances include extensive sand and gravel mining operations; flood debris; blocked waterways by excavation from a drive-in movie and the area was a municipal trash dump prior to 1970.
- (d) Earth disturbances by the pipeline construction is of significant concern given the potential for flooding in West Wyoming;
- (e) According to the 2012 Abrahams Creek Watershed Assessment utility corridors can have significant impacts on terrestrial ecosystems;
- (f) Another significant concern is the deforesting on the hillside and earth disturbance from the pipeline which can be become chronic in nature;

(g) Significant concerns over the water quality issues as the deforesting will lead to increased water flow in the low lying areas, inundating residents' properties and disrupting drainage causing flooding of properties;

(h) Council is also concerned over the close proximity of the pipeline project to and through the Wyoming Valley Levee System.

Therefore be it resolved that West Wyoming Borough Council requests that FERC undertake the following actions to ensure the health and safety of West Wyoming Borough residents:

- (a) Request FERC to take every measure possible to ensure the PennEast pipeline project does not pose any health and safety problems to West Wyoming Borough residents;
- (b) Request FERC enlists the US Army Corps of Engineer to help evaluate the PennEast pipeline project's application to ensure that the integrity of the levee is maintained during and after construction;
- (c) Require PennEast to consult with the Eastern Pennsylvania for Abandoned Mine Reclamation (EPCAMR), to determine the possibility of a negative impact on West Wyoming given that historic mining activities are on the proposed pipeline pathway;
- (d) Require PennEast to abide by the West Wyoming borough's Storm Water Ordinance;
- (e) Request FERC to review and consider the information in its decision process regarding the following studies: Abrahams Creek Watershed Assessment and Hicks Creek Feasibility Analysis.
- (f) Require PennEast to consult with the Wyoming Valley Sanitary Authority regarding sewer infrastructure along the path of the pipe. The main sewer line and sewer infrastructure will be crossed if the PennEast pipeline project goes forward. Damage to the sewer system shall have an adverse impact.
- (g) FERC shall present these concerns to the PennEast Pipeline Company, LLC.

Wherefore, in the interest of health, safety and property concerns it is hereby by decreed that West Wyoming Borough Council shall hold FERC responsible for responding to the above concerns and ensuring that FERC takes action to safeguard all of the above health and safety and property concerns.

Passed by West Wyoming Borough Council on 9th day of March, 2015.

Signed by:

Mary Ann Skok

Council Chair

Attest:

Maureen Zakoski

Secretary