

Citizens Coalition for Environmental & Property Protection
in Pipeline Operations - 2CEP30

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January 29, 2009

To County Commissioners Farrell, Cozzone and Aichele,

We hereby request that the Chester County Board of Commissioners take action against the Williams/Transcontinental Corporation's pipeline expansion project as currently planned so as to defend the property rights of county residents and to protect the county's natural resources.

We ask the county to become an intervener in Williams/Transco's Sentinel Project and AES Mid-Atlantic Express as these projects are currently before the Federal Energy Regulatory Commission (FERC). Specifically we ask the county to utilize its talented staff and legal services in the areas of the environment, land use and water resources on behalf of county residents, the county's environment and in defense of **Landscapes and Watersheds**.

We request that the county continue this stewardship by becoming interveners in other proposed gas pipelines such as Dominion, Spectra Energy, and again Williams/Transco, as they impact county resources and comprehensive plans.

On May 16, 2008, Chester County Director of Planning, Ronald Bailey submitted 64 points of concern to the FERC regarding the Williams/Transco Sentinel project alone. He noted that the 7-mile pipeline expansion known as the "Downingtown Replacement" cuts through four Chester County municipalities and crosses 24 county waterways. He noted 6 of these crossings to be within 3 miles of potable surface water intakes.

The Chester County Planning Commission requested coordination with Chester County Conservation District and Chester County Water Resource Authority, noting the county "would prefer not to disrupt stream flows where possible...Other methods...such as directional drilling...[would]...minimize impacts to those downstream as well as minimize impacts to the aquatic habitat of the stream itself."

In her May 16, 2008 letter to FERC, Chester County Water Resources Authority Executive Director Jan Bowers strongly supported the comments and concerns of both the Planning Commission and Chester County Conservation District. As the agency responsible for development and implementation of our countywide water resources plan, **Watersheds**, Chester County Water Resources Authority provided FERC with a technically precise assessment of the Downingtown Loop project.

Ms. Bowers cited 23 concerns, among them "the High Quality Classification of the Brandywine Creek, clear-cutting and removal of extensive tree canopy in terrestrial and steep slope areas and stocking of spoil – or construction soil – within 50 feet of waterbodies". Chester County Water Resources Authority also strongly recommended Horizontal Direct Drilling for all stream crossings.

A letter to FERC from Chester County Conservation District Manager Daniel Greig, dated May 19, 2008, was misfiled as a pre-filing comment and has not yet appeared on the docket. Mr. Greig

states that "tree removal with no replacement on the steep slopes of the Downingtown Loop is detrimental to the watershed for surface erosion, instream erosion, and downstream flooding... If the tree removal is to be allowed, individual property owners, and downstream commercial landowners will have just cause for litigation due to significant damage as the result of the effects mentioned above. "

Downingtown Municipal Water Authority strongly recommended that directional drilling be used on the Brandywine and Ludwig's Run in their May 23, 2008 submission to FERC. By July 30, 2008 The Water Authority had not received a response to their letter yet Williams/Transco presented preliminary plans to FERC and landowners to dry-cut the Brandywine in two stages. In their letter to FERC The Water Authority stated they had, "also been made aware of construction plans along Ludwig's Run. The proposed deforestation and invasion of steep slopes causes DMWA additional concern as Ludwig's Run is a tributary to the Brandywine entering between DMWA's potable intake and the Sentinel Project crossing. Additional adverse affects on the water supply system of DMWA are of issue."

Despite these submissions on the part of county agencies who were performing their jobs with precise accuracy, FERC provided little if any feedback. Many of the recommendations of the Chester County Water Resources Authority & Chester County Conservation District Manager have not been addressed by FERC – certainly not by Williams/Transco. In fact Williams is actively seeking a 50 foot wide deforestation of steep slopes as *temporary work space*, along Ludwig's Run, IN ORDER to stock pile soil within 50 feet of Ludwig's Run.

Adopted by the Chester County Commissioners as a component of the County's comprehensive plan, **Landscapes** and **Watersheds** were created to ensure that sound strategies and priorities be employed to balance water resources stewardship, public safety, and growth management needs of the county and its constituents. They are the foundation of Chester County citizens' expectations of life in Chester County.

The expertise of Chester County Water Resources Authority, Chester County Conservation District and The Chester County Planning Commission are envied across the state. **Landscapes** and **Watersheds** are nationally renowned. What a waste of talent and commitment it would be to allow Williams/Transco, then AES, Dominion, Spectra and Williams/Transco AGAIN, along with other lines with their eye on Chester County—to do as they will without regard for our municipal comprehensive plans, citizens plans for their homes and Chester County's comprehensive plans.

In light of these county agencies' serious concerns with Williams/Transco's current plan, we believe it's the duty of the Chester County Board of Commissioners to again become involved in the federal approval process and, more specifically, to publicly support and work alongside us in our request to FERC that it "stay" its Aug. 14, 2008 approval of the Williams/Transco Sentinel Project.

We also request that the Chester County Board of Commissioners make direct contact with Williams/Transco officials to address the many issues outlined in this letter.

We do not oppose an expansion in dimension of the Williams/Transco's "A Line". We recognize that Williams/Transco has an easement on our properties. We understand the need to replace its existing 30-inch pipeline with a 42-inch pipeline in order to serve public need and we do not oppose such replacement work within the existing easement.

We do oppose Williams/Transco's expansion of the existing easement – an expansion that in many cases encroaches on homes within 5 feet of their foundations and an expansion that automatically devalues our land.

We oppose Williams/Transco's plans to cross waterways using horizontal "drycuts" across streams rather than "direct drilling" beneath them; saving time and money at the long term expense of our environment.

As stated in a joint communication to FERC by Senator Dinniman and Representative Schroder, "The need for additional ROW has not been clearly shown and will only serve to impose hardship on the homeowners as well as intruding on their property rights."

Furthermore, we are deeply troubled by Williams/Transco's failure to provide affected property owners clear and site-specific plans as required by Environmental Condition #17 of the August 14, 2008 Order. We are troubled by Williams' failure to communicate with us openly and regularly. And we are troubled by the increasing harassment and scare tactics currently being employed.

We are troubled by the lack of due process by a FERC that is not appalled that the Downingtown Farmer's Market was still on 2008 site plans and that Evelyn Ponall's house was completely missing on her first site map. Her most recent "individual site plan" appears to have been drawn in "free-hand" inaccurately depicting her home, pool and retaining wall.

What we do – or do NOT do – to protect our natural resources and our civil rights will reflect on all of Chester County. The Future is Watching and Listening.

In essence, we ask you to come to the defense of **Landscapes** and **Watersheds**—which were created by the county at the cost of hundreds of millions of taxpayer dollars. The vitality and integrity of **Landscapes** and **Watersheds** are threatened by FERC actions in this specific project, in AES's Sparrows Point project, and in other pipeline projects throughout Chester County.

In summary, we ask the Chester County Board of Commissioners to stand up for its own plan and for the taxpayers and citizens who are threatened by the actions of Williams/Transco, FERC, and a multitude of other pipeline projects throughout Chester County.

We sincerely thank you for your consideration of our requests,

Citizens Coalition for Environmental & Property Protection in Pipeline Operations

Chair: Lynda Farrell

Co Chair: Andrew Moody

Treasurer: Louis Ottaviano