



## APWC Newsletter

**Fall 2019**

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We meet at 7pm, Polk Municipal Building. Last meeting for 2019 is November 19. 2020 dates are January 21, March 17, May 19, July 21, September 15, November 17.

### ***PennEast Pipeline Update***

As you are probably aware, PennEast is a 120-mile lone pipeline that would carry natural gas from the Marcellus Shale region of central Pennsylvania into Mercer Co. NJ. It would affect parts of Luzerne, Carbon, Monroe, and Northampton Counties in PA. On August 8<sup>th</sup>, PennEast resubmitted its application for a certification under the Clean Water Act to the New Jersey DEP. After review and a public comment period, NJ DEP rejected PennEast's permits. In September the U.S. 3<sup>rd</sup> Circuit Appeals Court upheld the State of New Jersey's decision. The Court ruled that PennEast, as a private company, cannot use the power of eminent domain to acquire 42 properties owned in whole or in part by the State of New Jersey because the state has sovereignty rights guaranteed in the Constitution.

During the hearings, PennEast was asked if a federal agency such as FERC could bring eminent domain proceedings on their behalf. PennEast answered, "No" because the Natural Gas Act (NGA) only allows the "certificate holder" which is PennEast to assume the power of eminent domain. In spite of that answer, PennEast is now asking FERC to make an emergency interpretation of the NGA that would allow FERC to proceed against New Jersey on behalf of the pipeline company. Obviously, this is an attempt to work around the Court's ruling but their own answers, on the record, should work against them.

New Jersey Gov. Phil Murphy has stated that his state is committed to transitioning to 100% clean energy by 2050. In contrast, PA DEP granted permits for the pipeline in 2017. However, if the pipeline is rejected in NJ that may well be the end of the project. In total, there are 535 landowners in PA and NJ that would be impacted by this pipeline. At this time, it isn't clear what impact the NJ decisions will have on PA landowners, but it is clear that this recent decision is a major set-back. Please be aware that the fight is NOT over yet! PennEast had submitted its application to the Delaware River Basin Commission (DRBC). This application will be on the docket for the DRBC December meeting. Save Carbon County is organizing a bus trip to this meeting. More information can be found on their Facebook page.

PennEast has decided to take the case to the Supreme Court of the United States (SCOTUS), moving any further action into 2020. At that time SCOTUS will decide whether to hear the case or let the 3<sup>rd</sup> Circuit decision stand. We are cautiously optimistic about this since SCOTUS only hears about 2% of the cases that are appealed to them. Stay tuned, and stay vocal about this please!!

## **Spotted Lanternfly Update**

In September, adult SLFs were confirmed in Monroe County. With the hard freezes we have had, the adults should be dead. The key now is to look for the egg masses. SLFs will deposit egg masses on any surface. Please visit the Penn State website <https://extension.psu.edu/spotted-lanternfly>. If you find a suspicious insect or egg case, collect it in a container of alcohol. This will kill and preserve it until you can notify the PA Dept. of Agriculture. E-mail them at: [Badbug@pa.gov](mailto:Badbug@pa.gov) or call the invasive species hot-line 1-866-253-7189. Monroe County Conservation District needs to be notified as well- Amber Funk at [afmccd@ptd.net](mailto:afmccd@ptd.net). Important information to include is: where and when the specimen was collected, your name, and contact information. There is a lot of information on the web. Penn State Extension and PA Dept. of Agriculture have been especially pro-active in getting information out to the public. So please! Educate yourself and be on the lookout for SLF. Be a part of the solution to the spreading!!

## **Our Pocono Waters Campaign**

The lawsuit brought by the “Clean Streams Coalition” was thrown out of court. [www.ourpoconowaters.org](http://www.ourpoconowaters.org).

## **Penn State Extension Master Watershed Steward Program**

The Class of 2019 has 9 trainees that have completed the required 40 hours of instruction and they are on the way to fulfilling the 50 hours of volunteer time needed to become certified Master Watershed Stewards. As of this writing, we have 3 new MWS folks in our Monroe roster. The Monroe Stewards have been in existence for 1 ½ years, and have been involved with planting 500 live stakes, 360 trees, and 60 shrubs at the Cherry Valley National Wildlife Refuge. They have also removed invasive trees and vegetation, worked on public outreach at Earth Day and Community Days, and work with other watershed groups with stream monitoring. Our Monroe group put in 965 volunteer hours in the period between 10/1/18 and 9/30/19, taking second place in the entire state in hours served per volunteer! Great job!

## **Message from the Secretary**

If your membership is due sometime in the second half of the year, I will include a Membership Form in this newsletter. We thank you in advance for your continued support!! And as always, our members are welcome to come to meetings or engage in our other events. We would love to have you get involved! We have fun while doing good things for our community and protecting our environment.

*PROTECT YOUR DRINKING WATER-PROTECT YOUR WATERSHED*

