

NEWS RELEASE

STATE SENATOR

Andrew E. Dinniman

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FOR IMMEDIATE RELEASE

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Statement of State Senator Andrew E. Dinniman
January 29, 2009

The fact that a federal agency (FERC) can legally make the final decisions involving the expansion and placement of natural gas pipelines, contrary to local land use decisions and individual property rights, is a direct threat to Chester County's Landscapes Program.

Since leaving the office of county Commissioner, I have tried wholeheartedly to avoid direct intervention in county government matters. However, I now have an absolute and undeniable obligation to speak out about the county's role in the protection of the Landscapes Program – a program that I and many others spent years building and strengthening.

I call upon all who are involved in Landscapes to come together and safeguard these crucial land and stream preservation programs. Rep. Curt Schroder and I will be contacting the rest of the state legislature's Chester County delegation and will sponsor a county-wide meeting for citizens and officials to unite in defense of Landscapes.

The county itself must stand up to protect Landscapes and the legal rights of residents who are being threatened by eminent domain in such cases as the Transco Pipeline project – a project that poses a direct threat to the local environment. In East Caln Township alone, we face the loss of more than 1,500 trees and the resulting erosion could lead to increased flooding in the Downingtown area.

The creation of the County Land Use Task Force is a productive long-term effort, but does not address the immediate threats to Landscapes, the environment and individual property rights. In truth, the county has most likely waited too long to obtain legal-intervener status. That really should have been done last spring, though any current move to do so has some symbolic weight.

On the other hand, when Transco hires Saul Ewing, the law firm of longtime county Commissioner Carol Aichele's husband, Stephen Aichele, it creates the perception of a possible conflict of interest in terms of the county's response to the Transco pipeline issue.

Our residents are understandably angered when they receive a letter from Saul Ewing which states, in bold face, “If you do not execute the attached documents and accept the final offer ... we will proceed to file the appropriate papers to condemn your property shortly.”

They are right to look to the county for protection of our open spaces and natural places, protection of our valued environmental programs and protection *from* eminent domain.

The failure of the Board of Commissioners to strongly and loudly speak out on this issue, along with their failure to fully join with local township officials and state lawmakers who challenge the expansion of the Transco pipeline, only adds to the possible perception that the county’s response is being compromised.

The county should not have to think twice about strongly standing up for its own land use programs, or for helping its citizens protect their homes and property rights. There is no question about that. That the county has not acted in this manner is indeed a cause for disappointment and concern.

I fully support the letter from citizens of our county to the commissioners. We all must unite and stand together for the Landscapes Program – both its land and watersheds components. More than 20 years of land use preservation efforts and the very quality of life here in Chester County are on the line.

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