

ULSTER COUNTY EXECUTIVE

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December 2, 2015

Basil Seggos, Acting Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, New York 12233-1010

Re: Pilgrim Pipeline Project – NYS Thruway Authority's Lead Agency Request

Dear Commissioner Seggos:

Ulster County is an involved agency in the State Environmental Quality Review process for the Pilgrim Pipeline Project. As Ulster County Executive, I am requesting that you, as Commissioner, reject the request by the New York State Thruway Authority to serve as lead agency for the review of this project and that the New York State Department of Environmental Conservation (NYSDEC) assume the lead agency role.

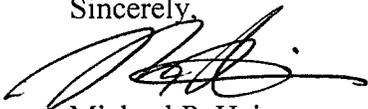
The Pilgrim Pipeline Project has the potential to impact the communities, residents, and the environment along its 169.89 mile main line route. It traverses the entire length of Ulster County, passing through seven towns and the City of Kingston. The route also crosses both the Catskill and Delaware Aqueducts, which provide water to the City of New York. I believe that your Department is best suited to lead this critical environmental review. The NYSDEC, consistent with the requirements under the State Environmental Quality Review Act (SEQRA), is the agency with the most expertise and broadest powers to ensure a comprehensive and coordinated review of this project for the following reasons:

- The proposed pipeline is a large, multi-jurisdictional project that has the potential to impact important environmental resources that are of state-wide concern, including the Hudson River, and larger tributaries in Ulster County including the Rondout and Esopus Creeks and the Wallkill River. The project will cross significant habitat and wetland areas as well as important aquifers that are utilized for public water supplies. Two of New York City's public water supply aqueducts are also directly within its route.
- The pipeline route passes through some of the most populous communities in Ulster County, and its route crosses nearly every major transportation artery within the County.

- Cumulative impacts of the project should be viewed within NYSDEC's statewide responsibility for mitigating climate change and helping to ensure that New York will meet the targets set in the 2015 New York State Energy Plan; to reduce greenhouse gas emissions by 40% by 2030 and 80% by 2050 below 1990 emissions levels. The Commissioner's Policy also mandates that NYSDEC must consider climate change in all its actions, including permitting. This proposed project, to construct the first crude oil pipeline in New York, should be evaluated in the context of the Energy Plan and State energy objectives, and the DEC is best positioned to ensure the comprehensive evaluation that is needed.
- The NYSDEC has been given the role of leading the review of the hazards associated with the increase in crude oil transport by train, including the development of first response capabilities as well as the responsibilities for spill response associated with this pipeline if constructed.
- The pipeline and lateral routes encroach on private lands and resources outside of the New York State Thruway's right-of-way, and the evaluation of those impacts is best led by an agency independent of the Thruway Authority.

In February of this year, the Ulster County Legislature passed a resolution that asked the Thruway Authority, the State Legislature and the Governor to reject the construction of the Pilgrim Pipeline believing it to be too great a risk to the environment of the County and the safety of its residents. The resolution called for a *“full environmental review of the project and its myriad potential environmental and climate related impacts, as required by the State Environmental Quality Review Act and National Environmental Protection Act, and that a complete and comprehensive Environmental Impact Statement be undertaken, with full opportunity for participation by local governments, other involved and interested agencies and the public.”* As County Executive, and in keeping with the resolve of the Ulster County Legislature to ensure a full and comprehensive review of this project, I request that, as Commissioner, for the reasons listed above, you direct the NYSDEC to assume lead agency status for the environmental review of the Pilgrim Pipeline Project.

Sincerely,



Michael P. Hein,
Ulster County Executive

cc: Marc Gertsman, Executive Deputy Commissioner; NYSDEC
Robert Megna, Executive Director of the New York Thruway Authority
Governor Andrew M. Cuomo;