

Urging The New York State Department Of Environmental Conservation To Assume Lead Agency Status For The State Environmental Quality Review Process For The Pilgrim Pipeline Project

Referred to: The Energy and Environment Committee (Chairman Peter Loughran and Legislators Parete, Rodriguez, Ronk and Wawro)

Chairman of the Energy and Environment Committee Peter Loughran and Deputy Chairman Kenneth Ronk offer the following:

WHEREAS, this resolution has been submitted by the County Executive; and

WHEREAS, the proposed Pilgrim Pipeline, a bi-directional pipeline travelling through Ulster County, would transport crude oil and refined petroleum products between Albany, New York and Linden, New Jersey; and

WHEREAS, the pipeline will carry oil from the Bakken Shale region of North Dakota extracted through a process of hydraulic fracturing, or “fracking,” which has been found to contaminate clean water resources, create toxic air emissions and radioactive waste, and release large quantities of methane gas into the atmosphere; and

WHEREAS, the Pipeline will carry a large volume of Bakken crude oil through residential areas in Ulster County, which will place residents in harm’s way should an explosion or spill occur; and

WHEREAS, the Ulster County Legislature passed Resolution No. 38, dated February 17, 2015 opposing the construction of the Pilgrim Pipeline; and

WHEREAS, the Pipeline presents a myriad of environmental concerns including: extraordinary cleanup efforts should a rupture occur, contamination of ground water and aquifers used by Ulster County residents for drinking water, and pollution of surface waters including the Sawkill, Plattekill, Esopus and Rondout Creeks and the Wallkill River, all of which are important tributaries of the Hudson River; and

WHEREAS, the environmental impacts relating to the Pipeline have state-wide concern, and a full environmental review, as required by the State Environmental Quality Review Act and the National Environmental Protection Act, as well as a complete and comprehensive Environmental Impact Statement should be undertaken; and

WHEREAS, the New York State Thruway Authority has applied to serve as lead agency for the environmental review process; and

WHEREAS, construction of the first crude oil pipeline in New York, and its impacts, should be evaluated within the context of the New York State Energy Plan to reduce greenhouse emissions; and

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WHEREAS, the policy of the Commissioner of the New York State Department of Environmental Conservation (DEC) mandates that the DEC must consider climate change in all of its actions, including permitting; and

WHEREAS, the DEC has been tasked with leading the review of the hazards associated with crude oil transport and is responsible for responding to spills when they occur; and

WHEREAS, based upon an examination of the potential impacts the construction of the Pipeline will cause, it is apparent that the New York State Department of Environmental Conservation has the experience, expertise and broadest powers to conduct a proper and thorough environmental review of the Pilgrim Pipeline project and is best suited to serve as to serve as lead agency in the review process; now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby urges the Acting Commissioner of the New York State Department of Environmental Conservation to reject the request by the New York State Thruway Authority to serve as lead agency for the environmental review process and instead, direct the New York State Department of Environmental Conservation to assume the role of lead agency; and, be it further

RESOLVED, that the Clerk of the Ulster County Legislature is hereby directed to transmit copies of this resolution to the Acting New York State Department of Environmental Conservation Commissioner Basil Seggos, New York State Thruway Authority Chair Joanne Mahoney, New York State Thruway Authority Executive Director Robert Megna, New York State Department of Transportation Commissioner Joan McDonald, U.S. Senators Charles Schumer and Kirsten Gillibrand, U.S. Congressman Chris Gibson, Governor Andrew Cuomo, New York Public Service Commission Chairwoman Audrey Zibelman, Assembly Member Kevin Cahill, and Senator John Bonacic,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Energy and Environment on _____

Resolution No. Draft December 15, 2015

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FINANCIAL IMPACT:

NONE