

**Opposing The Pilgrim Pipeline**

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

Legislator Manna Jo Greene and Legislators Rodriguez and Wawro offer the following:

WHEREAS, Pilgrim Pipeline Company is proposing to build a bi-directional pipeline through Ulster County that 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, data collected by the Capline Pipeline in Louisiana, which tested crude from 86 locations worldwide, indicates that crude oil from Bakken Shale has a far higher vapor pressure than crude from dozens of other locations, making it much more likely to throw off combustible gases; and

WHEREAS, the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a safety alert on January 2, 2014, to the general public, emergency first responders, and shippers and carriers regarding the particular flammability of Bakken crude oil; 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, according to PHMSA, pipeline operators reported 1,880 crude oil spills nationwide between 2003 and 2013, or nearly one spill every other day, resulting in over 44 million gallons of oil being spilled; and

WHEREAS, 80 percent of these spills were the result of corrosion, equipment failure, incorrect operation or material and weld failures; and

WHEREAS, according to Public Employees for Environmental Responsibility, PHMSA only has 135 inspectors to oversee 2.6 million miles of pipeline, and only a fifth of that pipeline system has been inspected by PHMSA or its state partners since 2006; and

**Resolution No. 38      February 17, 2015**

**Opposing The Pilgrim Pipeline**

WHEREAS, any rupture or compromise of the Pipeline, even without an explosion or fire, will require extraordinary cleanup efforts, could force residents from their homes, and place a large number of residents in close proximity to hazardous materials; and

WHEREAS, many Ulster County residents depend on ground water and public community water systems for potable water supplies, the integrity and safety of which may be jeopardized by the Pipeline; and

WHEREAS, the Pilgrim Pipeline is proposed to be laid in areas containing sensitive aquifers upon which residents depend for drinking water; and

WHEREAS, the Pilgrim Pipeline also threatens important surface water resources, including the Sawkill, Plattekill, Esopus and Rondout Creeks and the Wallkill River, which are important tributaries to the Hudson River, as well as the chain of Binnewater Lakes and numerous wetlands and aquifers; and

WHEREAS, Ulster County finds that the proposed Pilgrim Pipeline potentially threatens the health, safety, and welfare of the community; could decrease the values of homes located along its route and in surrounding neighborhoods; and could negatively impact future development in Ulster County; and

WHEREAS, the Mid-Hudson Regional Sustainability Plan calls for becoming less energy and fossil fuel intensive while strengthening the regional economy, expanding renewable energy generation exponentially across the Region, and improving the resilience of the energy delivery system; and

WHEREAS, construction of the Pilgrim Pipeline to support and expand markets for fossil fuels is directly contrary to these clean energy goals; now, therefore be it

RESOLVED, that the Ulster County Legislature calls upon the New York State Thruway Authority to reject use of its right-of-way for the purpose of transporting oil or gas by pipeline; and further calls upon the New York State Department of Transportation (DOT) to deny an exception to its Accommodation Plan for said purpose; and, be it further

RESOLVED, that the Ulster County Legislature urges Governor Cuomo and the State Legislature to oppose construction of the Pilgrim Pipeline in New York State; and, be it further

**Resolution No. 38      February 17, 2015**

**Opposing The Pilgrim Pipeline**

RESOLVED, that the Ulster County Legislature also calls 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; and, be it further

RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to the NYS Thruway Authority Acting Chair Donna J. Luh, NYS DOT Commissioner Joan McDonald, U.S. Senators Charles Schumer and Kirsten Gillibrand, U.S. Congressman Chris Gibson, Governor Andrew Cuomo, N.Y. Public Service Commission Chairwoman Audrey Zibelman, Assembly Member Kevin Cahill, Senator John Bonacic, and NYS DEC Commissioner Joseph Martens, and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22      NOES: 1  
(Noes: Legislator Gerentine)

Passed Committee: Energy and Environment on February 4, 2015

FINANCIAL IMPACT:  
NONE

Legislator Ronk motioned, seconded by Legislator Maio, to refer the resolution back to the Energy and Environment Committee.

MOTION DEFEATED BY THE FOLLOWING VOTE:

AYES: 8      NOES: 15  
(Ayes: Legislators Fabiano, Gerentine, Litts, Lopez, Maio, Maloney, Roberts, and Ronk)

**Resolution No. 38      February 17, 2015**

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 17<sup>th</sup> Day of February in the year Two Thousand and Fifteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 20<sup>th</sup> Day of February in the year Two Thousand and Fifteen.

Is| Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature