

[First Reprint]

SENATE RESOLUTION No. 120

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED SEPTEMBER 12, 2013

Sponsored by:

Senator JENNIFER BECK

District 11 (Monmouth)

Senator CHRISTOPHER J. CONNORS

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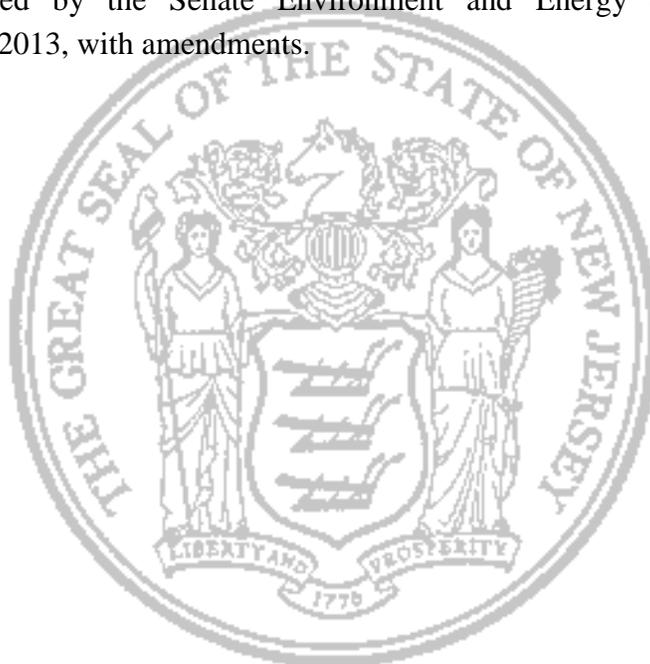
Senator Vitale

SYNOPSIS

Urges federal and State officials to prevent construction of Port Ambrose liquefied natural gas facility off NJ coast.

CURRENT VERSION OF TEXT

As reported by the Senate Environment and Energy Committee on December 5, 2013, with amendments.



(Sponsorship Updated As Of: 1/10/2014)

1 **A SENATE RESOLUTION** opposing construction of the Port Ambrose
2 liquefied natural gas facility off New Jersey’s coastline.

3

4 **WHEREAS**, Liberty Natural Gas, LLC has submitted an application to
5 the federal Maritime Administration, in the United States
6 Department of Transportation, and to the United States Coast
7 Guard, seeking approval for the construction and operation of a
8 deepwater liquefied natural gas (LNG) terminal – identified as
9 “Port Ambrose” – which purportedly would allow for the increased
10 and more cost-effective import and delivery of natural gas to the
11 State of New York; and

12 **WHEREAS**, Port Ambrose would consist of a submerged buoy and
13 subsea pipeline system, situated in federal waters, 19 miles from the
14 coast of Jones Beach, New York and 24 miles from the coast of
15 Long Branch, New Jersey; and

16 **WHEREAS**, Port Ambrose would be located near fishing grounds and
17 scallop beds within the New Jersey/New York Clean Ocean Zone
18 (COZ) – an area that includes the waters from Montauk Point, New
19 York, to Cape May, New Jersey, and the unique physical,
20 hydrodynamic, and biological characteristics of which are
21 dependent upon a clean marine environment; and

22 **WHEREAS**, Port Ambrose would also be situated near the large
23 Ambrose shipping channel, which provides vessel access to the Port
24 of New York and New Jersey – the busiest shipping port on the
25 East Coast; and

26 **WHEREAS**, The construction and operation of Port Ambrose in the
27 COZ, near busy shipping lanes, fishing grounds, and scallop beds,
28 could ultimately have detrimental environmental and ecological
29 impacts on surrounding coastal areas and marine systems, and
30 could dramatically affect shipping traffic patterns, interfere with
31 port traffic, and increase the risk of shipping accidents in the area;
32 and

33 **WHEREAS**, Because Port Ambrose will be constructed and operated in
34 a high traffic area, at a site that saw some of the most violent wave
35 action created by Hurricane Sandy in 2012, the likelihood of port
36 accidents resulting from natural or manmade causes is higher than
37 would be true at a different siting location; and

38 **WHEREAS**, Any accident stemming from operations at Port Ambrose
39 could prove to be catastrophic to the area’s coastal and ocean
40 environments and the State’s shipping, fishing, and coastal tourism
41 industries; and

42 **WHEREAS**, Although Liberty Natural Gas, LLC indicates that Port
43 Ambrose will deliver significant benefits to the State of New York
44 by creating jobs, reducing energy costs, and increasing energy
45 security in peak winter and summer months, Liberty Natural Gas

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SEN committee amendments adopted December 5, 2013.

1 does not contend that the proposed project would provide any
2 benefit, whatsoever, to the State of New Jersey; and

3 **WHEREAS**, Because the Port Ambrose project encourages the
4 continued and more expansive use of natural gas by creating a
5 financial incentive to facilitate the increased use of this resource in
6 New York, the proposed construction and operation of Port
7 Ambrose is at odds with the Obama Administration’s goal of
8 promoting increased wind energy production off the Atlantic Coast,
9 and, if approved, may threaten the long term viability and success
10 of the renewable energy industry in the region; and

11 **WHEREAS**, Although, in 2008, Liberty Natural Gas, LLC submitted a
12 similar proposal seeking to construct a deepwater LNG facility off
13 the coasts of New York and New Jersey, that project was ultimately
14 vetoed by Governor Chris Christie pursuant to the veto authority
15 granted to the governor of an adjacent coastal state under the
16 federal “Deepwater Port Act of 1974,” 33 U.S.C. s.1501 et seq.; and

17 **WHEREAS**, Upon his veto in 2011 of the 2008 LNG project, Governor
18 Christie recognized that “LNG facilities . . . are not the answer for
19 New Jersey’s needs . . . ,” and he indicated, moreover, that his
20 “administration will oppose any application for liquefied natural
21 gas” since it is inappropriate for New Jersey to assume the
22 environmental and other risks associated with LNG facility
23 projects, when the benefits to the State are weak, at best; and

24 **WHEREAS**, Because the construction and operation of the proposed
25 Port Ambrose deepwater LNG terminal would endanger New
26 Jersey’s coastal and ocean environments, as well as its shipping,
27 fishing, and coastal tourism industries, while providing no benefit
28 to the State or its residents, and because the authorization and
29 approval of this port project would be contrary to the goals and
30 positions espoused by government officials at both the federal and
31 State level, it is altogether fitting and proper for federal and State
32 officials to use their respective authority to prevent the construction
33 and operation of this LNG port facility off of New Jersey’s coast;
34 now, therefore,

35
36 **BE IT RESOLVED** *by the Senate of the State of New Jersey:*

37
38 1. This House opposes the construction and operation of the
39 Port Ambrose deepwater liquefied natural gas terminal off the coast
40 of New Jersey, and it urges the United States Coast Guard, the
41 federal Maritime Administration, and any other federal entity
42 engaged in review of the Port Ambrose project to disapprove of the
43 project, and thereby prohibit its construction off of New Jersey’s
44 coastline.

45
46 2. ¹ **【**In the event that the Port Ambrose deepwater port project
47 is approved by federal officials, this **】** This¹ House ¹ also¹ urges the
48 Governor of the State of New Jersey to veto the ¹ Port Ambrose

1 deepwater port¹ project, pursuant to the authority granted to
2 governors of adjacent coastal states under the federal “Deepwater
3 Port Act of 1974,” 33 U.S.C. s.1501 et seq., and to thereby prohibit
4 the port’s construction and operation off of New Jersey’s coastline.
5

6 3. Duly authenticated of this resolution, signed by the President
7 of the Senate and attested by the Secretary thereof, shall be
8 transmitted to the Governor of the State of New Jersey, the
9 Administrator of the federal Maritime Administration in the United
10 States Department of Transportation, the Commandant of the
11 United States Coast Guard, each member of the United States
12 Congress from the State of New Jersey, and the Commissioner of
13 the New Jersey Department of Environmental Protection.